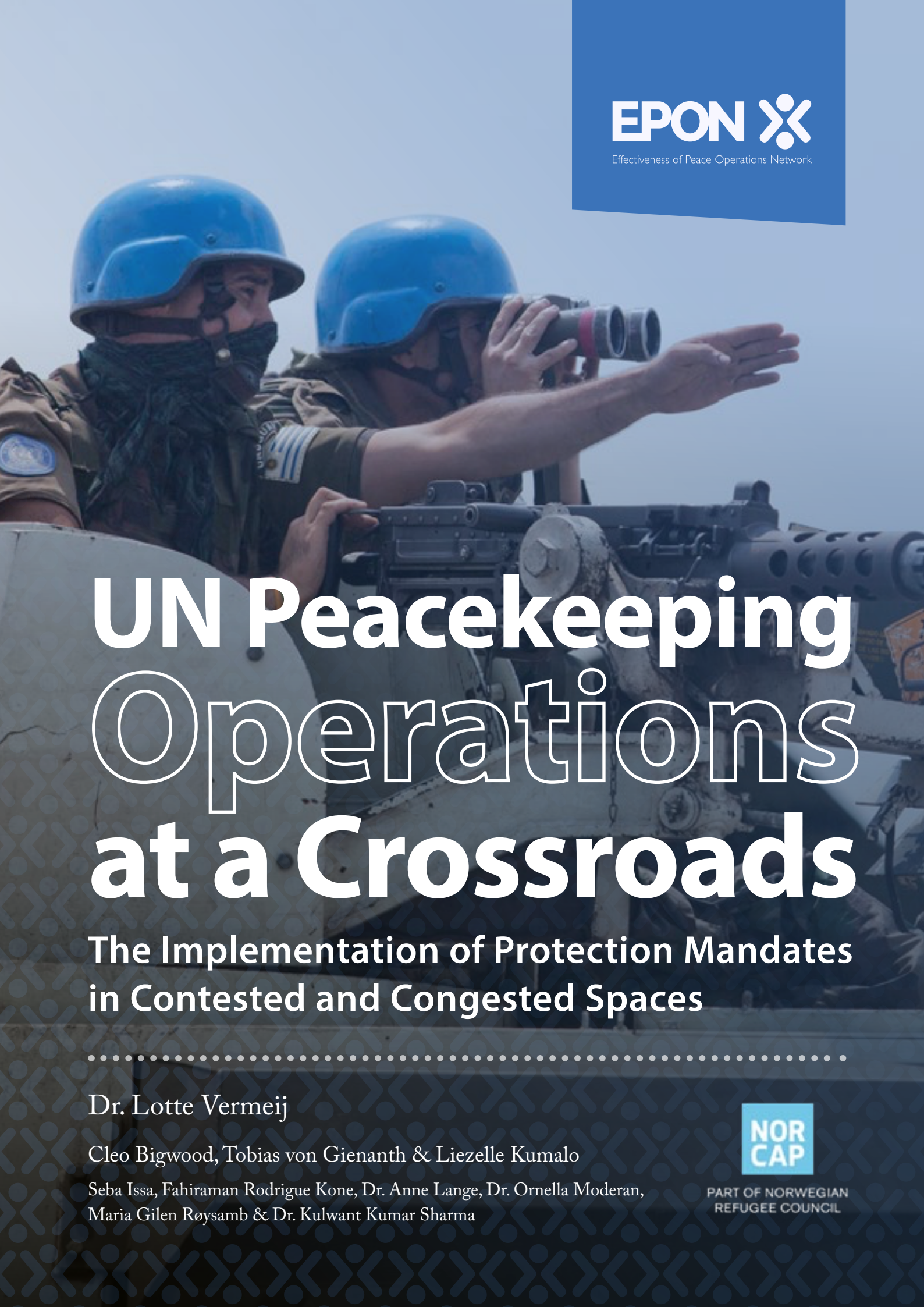

EPON
Effectiveness of Peace Operations Network

UN Peacekeeping Operations at a Crossroads

The Implementation of Protection Mandates in Contested and Congested Spaces

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The NORCAP and EPON Protection Report

UN Peacekeeping Operations at a Crossroads: The Implementation of Protection Mandates in Contested and Congested Spaces

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About NORCAP

NORCAP's mission is to improve aid to better protect and empower people affected by crises and climate change. We do this by:

- Supporting initiatives that protect and empower people
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- Providing expertise and developing capacity that enable partners to meet the needs of people in fragile situations and crises
- Strengthening the humanitarian, development and peacebuilding system by supporting leadership, coordination and policy development
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Executive Summary

Multidimensional United Nations (UN) peacekeeping operations are facing increasingly complex challenges. They are deployed in fast-changing, unpredictable, and highly demanding environments, such as the Central African Republic (CAR), Democratic Republic of the Congo (DRC), Mali, and South Sudan. As these areas are becoming increasingly contested and congested, threats against local populations are growing and asymmetric threats against these Missions are no longer the exception. Within these volatile contexts, the Protection of Civilians (PoC) remains a critical feature of the mandates of UN peacekeeping operations. They are tasked with offering direct or interventionary support to populations at risk, with a focus on long-term stability and peace. Today, more than 95% of UN peacekeepers serve in missions with a PoC mandate, making the understanding and implementation of these mandates critical to success.

While UN peacekeeping operations are among the most important international mechanisms for contemporary conflict management, questions over their effectiveness and impact in terms of protecting civilians remain. In some countries where UN peacekeeping operations are deployed, governments have engaged the support of both bilaterally deployed forces (BDFs) and private military contractors (PMCs) to achieve military and security objectives, often at the expense of existing peace and diplomatic processes and human rights. Adapting and responding to these changing environments is essential for UN peacekeeping operations to retain their relevance and realise their mandated protection objectives.

Aiming to better understand the protection work currently conducted, and where further efforts can be made to improve coordination and implementation, this report focuses on four intersecting and complementary protection mandates of UN peacekeeping operations: PoC,

human rights, the prevention of and response to conflict-related sexual violence (CRSV), and child protection (CP). Drawing upon over 100 in-depth interviews with representatives of UN peacekeeping operations and UN Headquarters (UNHQ), it explores challenges and opportunities in the implementation of protection mandates by the four largest UN peacekeeping operations currently deployed, namely, the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA), the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the UN Organization Stabilization Mission in the DRC (MONUSCO), and the UN Mission in South Sudan (UNMISS).

The report offers insights into contextual challenges arising from the volatility of the environments in which MINUSCA, MINUSMA, MONUSCO and UNMISS are deployed, as well as internal challenges related to the complex nature of jointly implementing civilian, military, and police protection activities. Although the performance of each of these Missions is undeniably being impacted by the complex environments in which they are deployed, as well as their limited resources, many of the challenges identified through this study are internal and process-related. These challenges were found to be linked to the prioritisation of protection mandates, leadership preferences, timely information sharing, early warning and rapid response (EW/RR), siloed approaches, duplication of work, and varying levels in terms of the will to act.

Given the crossroads at which UN peacekeeping operations find themselves, the report provides forward-looking recommendations and encourages reflection and flexibility to support enhanced engagement on key protection issues that are integral to international peace and security. These recommendations focus on UN peacekeeping operations, UNHQ, and Member States.

Recommendations for peacekeeping operations are:

- Within operations, the improved utilisation of existing resources, combined with stronger communication, coordination, and cooperation between mission components as well as with external counterparts, are all crucial elements in enhancing the implementation of their protection mandates.

- Simultaneously, strategic communication and advocacy need to be improved to better manage expectations about what UN peacekeeping operations can and cannot achieve in terms of protection, particularly given the complexities of the environments to which they are deployed and their limited resources.

- Mission leadership needs to ensure that initiatives undertaken at the working level to enhance performance on protection are recognised, streamlined, and implemented, and that obstacles to information sharing and coordination are addressed.

- In addition, a stronger emphasis on awareness-raising, mentoring, and in-mission training on the various protection mandates and their interlinkages is recommended. Training

should focus on enhancing implementation through coordination and cooperation among components and sections.

Recommendations for UNHQ include:

- Ensuring that protection-oriented peacekeeping training materials are developed and/or updated, and that a systematic approach is established to consolidate these materials in one online database accessible to Member States and individual future and currently serving peacekeepers.
- UNHQ should develop stand-alone scenario-based, mission-specific training modules on the various protection mandates and their interlinkages, so that these can be used (as add-on modules) for pre-deployment and in-mission trainings. As there is a lack of clarity across the UN system with regard to doctrinal understandings of key protection aspects, it is recommended that UNHQ provide comprehensive guidance on interlinkages and complementarity among the protection mandates. Such guidance should complement the policies and handbooks which have been produced on the various specific protection mandates over the past years.
- As the prevalence of PMCs and other security actors is growing across areas where UN peacekeeping operations are deployed, there is an urgent need for UNHQ to provide guidance on the status of such groups and on how interaction should take place.
- This study found that there is a significant gap between mandates and resources in all four Missions. To bring effect to the protection language included in their mandates, UN peacekeeping operations need to be resourced, supported, and equipped according to their mandated tasks. The UN Security Council and Fifth Committee should ensure that these gaps between mandated protection tasks and allocated resources are closed.
- Mandates need to be pragmatic and adaptive, giving UN peacekeeping operations the flexibility to respond and adapt to the rapidly changing circumstances in each context and to use resources accordingly, making use of in-mission expertise for decision making.

Recommendations for Member States are:

- Ensuring that their civilian, military, and police peacekeepers are trained to work on the protection mandates in an integrated, cross-component fashion, under the lead of a civilian Head of Mission (HOM).
- To enable timely and effective responses on protection issues, troop- and police-contributing countries (TCCs and PCCs) should deploy their personnel with equipment suitable to the operational environments and their climatological challenges. This includes equipment that meets the threats faced, while ensuring that adequately trained personnel to use and maintain this equipment are deployed.

- Member States are urged to assist the Missions by dedicating the required resources to match the protection language in their mandates. This should include the secondment of civilian experts specialising in the PoC, human rights, CRSV, and CP.

Looking ahead, UN peacekeeping operations find themselves at a complex crossroads and efforts need to be made to ensure they stay relevant. This work cannot be improved or completed without including the voices of the people whom UN peacekeepers serve. It is, therefore, recommended that a follow-up study be conducted with a specific focus on the people UN peacekeeping operations are mandated to protect, aiming to better understand their protection needs, their views on how missions can become more people-centred in the implementation of protection mandates, and how local populations can become more involved in assessments, decisions, early warning (EW), and actions aimed at improving their protection.

List of Acronyms

ACLED	Armed Conflict Location and Event Data Project
ADF	Allied Democratic Forces (*Forces démocratiques alliées*)
AFISMA	African-led International Support Mission in Mali
AO	Area of Operations
APPR-RCA	Political Agreement for Peace and Reconciliation in CAR (*Accord politique pour la paix et r*éconcili*ation en République centrafricaine*)
ARCSS	Agreement on the Resolution of Conflict in the Republic of South Sudan
AU	African Union
BDF	Bilaterally Deployed Forces
CAAC	Children and Armed Conflict
CAN	Community Alert Network
CAR	Central African Republic
CAS	Civil Affairs Section
CHM	Civilian Harm Mitigation
CIVIC	Center for Civilians in Conflict
CJTFB	Combined Joint Task Force Bangui
CLA	Community Liaison Assistant
CMA	Coordination of Azawad Movements
COB	Company Operating Base
CODECO	Cooperative for the Development of the Congo (*Coopération pour le développement du Congo*)

COS	Chief of Staff
COVAX	COVID-19 Vaccine Global Access
COVID-19	Coronavirus Disease
CP	Child Protection
CPA	Child Protection Advisor
CPAS	Comprehensive Planning and Performance Assessment System
CPC	Coalition of Patriots for Change (*Coalition des patriotes pour le changement*)
CPS	Child Protection Section
CRSV	Conflict-Related Sexual Violence
CSO	Civil Society Organisation
CTFMR	Country Task Force on Monitoring and Reporting
CVR	Community Violence Reduction
C2	Command and Control
DCOS	Deputy Chief of Staff
DDR	Disarmament, Demobilization and Reintegration
DDRR	Disarmament, Demobilization, Reintegration and Repatriation
DPET	UN Division on Policy, Evaluation and Training
DRC	Democratic Republic of the Congo
DSRSG	Deputy Special Representative of the Secretary-General
ECOWAS	Economic Community of West African States
EOD	Explosive Ordnance Disposal
EPEPVS	Congolese National Police Unit in charge of Child Protection and Sexual Violence Prevention (*Escadrons chargés de la protection de l'enfant et de la prévention des violences sexuelles*)
EPON	Effectiveness of Peace Operations Network
ERAR	Regional Reconciliation Support Teams
ET	Engagement Team
EU	European Union
EUCAP	EU Capacity Building Mission
EUTM	EU Training Mission
EW	Early Warning
EW/RR	Early Warning and Rapid Response
FACA	Central African Armed Forces (*Forces armées centrafricaines*)
FAMa	Malian Armed Forces (*Forces armées maliennes*)
FARDC	Armed Forces of the DRC (*Forces armées de la république démocratique du Congo*)
FC-G5S	G5 Sahel Joint Force (*la Force conjointe du G5 Sahel*)

FCOS	Force Chief of Staff
FET	Female Engagement Team
FHQ	Force Headquarters
FIB	Force Intervention Brigade
FOB	Forward Operating Base
FPU	Formed Police Unit
GBV	Gender-Based Violence
GBV-IMS	Gender-Based Violence Information Management System
HCIM	Islamic High Council of Mali (*Haut Conseil Islamique du Mali*)
HCT	Humanitarian Country Team
HDI	Human Development Index
HIPPO	UN High-Level Independent Panel on Peace Operations
HOM	Head of Mission
HQ	Headquarters
HR	Human Rights
HRD	Human Rights Division
HRDDP	Human Rights Due Diligence Policy
HRPD	Human Rights and Protection Division
HRV	Human Rights Violation
HRW	Human Rights Watch
ICC	International Criminal Court
ICGLR	International Conference on the Great Lakes Region
IDP	Internally Displaced Person
IED	Improvised Explosive Device
IGAD	Intergovernmental Authority on Development
IGO	International Governmental Organisation
IHL	International Humanitarian Law
IHRL	International Human Rights Law
IMTC	Integrated Mission Training Centre
IOT	Integrated Operational Team
IPI	International Peace Institute
IPO	Individual Police Officer
ISAF	International Security Assistance Force
ISF	Internal Security Forces
ISR	Intelligence, Surveillance and Reconnaissance
JAM	Joint Assessment Mission

JHRO	Joint Human Rights Office
JMAC	Joint Mission Analysis Centre
JOC	Joint Operations Centre
JPT	Joint Protection Team
JTWG-CAAC	Joint Technical Working Group on Children and Armed Conflict
LO	Liaison Officer
LPCR	Local Peace and Reconciliation Committees
MARA	Monitoring, Analysis and Reporting Arrangements
MET	Mixed Engagement Team
M&E	Monitoring and Evaluation
MGPA	Military Gender and Protection Advisor
MHANR	Ministry of Humanitarian Action and National Reconciliation
MINUSCA	UN Multidimensional Integrated Stabilization Mission in the CAR (*Mission multidimensionnelle intégrée des Nations unies pour la stabilisation en Centrafrique*)
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali (*Mission multidimensionnelle intégrée des Nations unies pour la stabilisation au Mali*)
MISCA	African-led International Support Mission in Central Africa
MNLA	National Movement for the Liberation of Azawad
MONUC	UN Organization Mission in the DRC
MONUSCO	UN Organization Stabilization Mission in the DRC
MRM	Monitoring and Reporting Mechanism
MSO	Military Staff Officer
NAS	National Salvation Front
NATO	North Atlantic Treaty Organization
NDC	Nduma Defense of Congo (*Nduma* Défense du Congo)
NDC-R	Nduma Defense of Congo-Renovated (*Nduma* Défense du Congo-*Rénové*)
NGO	Non-Governmental Organisation
NSAG	Non-State Armed Group
NSS	National Security Service
OCC	Operations Coordination Centre
OCHA	UN Office for the Coordination of Humanitarian Affairs
OCT	Operational Coordination Team
OHCHR	UN Office of the High Commissioner for Human Rights
OMA	Office of Military Affairs
OP	Operative Paragraph
PCC	Police-Contributing Country

P-DDRCS	Demobilization, Disarmament, Community Recovery and Stabilization Program (*Programme de Démobilisation, Désarmement, Rétablissement Communautaire et Stabilisation*)
PMC	Private Military Contractor
PNC	Congolese National Police (*Police nationale congolaise*)
POB	Permanent Operating Base
PoC	Protection of Civilians
PTP	Protection Through Projection
PWG	Protection Working Group
P5	UNSC Permanent Five Members (China, France, Russia, the UK, and US)
QIP	Quick Impact Project
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
RDB	Rapidly Deployable Battalion
RJOC	Regional Joint Operations Centre
RoE	Rules of Engagement
RRP	Relief, Reintegration and Protection
RSRTF	Multi-Partner Fund for Reconciliation, Stabilisation and Resilience
SADC	Southern African Development Community
SAGE	Situational Awareness Geospatial Enterprise
SEA	Sexual Exploitation and Abuse
SCD	Standing Combat Deployment
SCM	Security Coordination Mechanism
SGBV	Sexual and Gender-Based Violence
SHQ	Sector Headquarters
SMGP	Senior Management Group for Protection
SMGP-P	Senior Management Group on Protection – Provincial
SMM	Senior Management Meeting
SOFA	Status of Forces Agreement
SOP	Standard Operating Procedure
SPLA-IO	Sudan People's Liberation Army in Opposition
SPLA-IO/RM	Pro-Riek Machar Sudan People's Liberation Army in Opposition
SPLM	Sudan People's Liberation Movement
SPLM/A	Sudan People's Liberation Movement/Army
SPLM/A-IO	Sudan People's Liberation Movement/Army in Opposition
SPLM-IO	Sudan People's Liberation Movement in Opposition
SRSG	Special Representative of the Secretary-General

SSNPS	South Sudan National Police Service
SSOA	South Sudan Opposition Alliance
SSPDF	South Sudan People's Defence Forces
SSR	Security Sector Reform
SPT	Specialized Police Team
STIM	Spatio-Temporal Incident Mapping Tool
STS	Search Team System
SWPA	Senior Women Protection Advisor
S/RES	Security Council Resolution
TCC	Troop-Contributing Country
TOB	Temporary Operating Base
TOR	Terms of Reference
ToT	Training of Trainers
UAV	Unmanned Aerial Vehicle
UK	United Kingdom
UN	United Nations
UNCT	UN Country Team
UNDP	UN Development Programme
UNDPO	UN Department of Peace Operations
UNDSS	UN Department of Safety and Security
UNEP	UN Environment Programme
UNFPA	UN Population Fund
UNHQ	UN Headquarters
UNICEF	UN International Children's Emergency Fund
UNMISS	UN Mission in South Sudan
UNOCC	UN Operations and Crisis Centre
UNODC	UN Office on Drugs and Crime
UNPOL	UN Police
UNSC	UN Security Council
UNSCR	UN Security Council Resolution
UNSG	UN Secretary-General
UPDF	Uganda People's Defence Forces
WFP	World Food Programme
WHO	World Health Organization
WPA	Women's Protection Advisor
WPS	Women, Peace and Security

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Chapter 1: Introduction

In many areas of conflict, UN peace operations are deployed to support the host country in the protection of civilians (PoC), providing security to the population, while facilitating political processes to help nations move towards sustainable peace. As of 28 February 2022, 87 122 women and men serve in 12 UN peacekeeping operations around the world, including 11 996 civilian personnel, 1 022 Experts on Mission, 2 069 Staff Officers, 63 474 troops, 7 297 police, and 1 264 UN volunteers.[1] More than 95% of peacekeepers serve in missions with a PoC mandate, making the understanding and implementation of protection mandates critical to success.[2]

> More than 95% of peacekeepers serve in missions with a PoC mandate, making the understanding and implementation of protection mandates critical to success.

While these operations are one of the most important international mechanisms for contemporary conflict management, questions over their effectiveness and impact remain. To address the distinct lack of independent, research-based information about these operations, the Effectiveness of Peace Operations Network (EPON) was established in 2017. Bringing together over 40 partners from across the globe, EPON carries out collaborative research, aiming to assess and enhance the effectiveness of peace operations.[3]

1 UNDPO (2022) 'Data', https://peacekeeping.un.org/en/data

2 UNDPO (2022) 'Protecting Civilians', https://peacekeeping.un.org/en/protecting-civilians

3 EPON (2022) 'Home page', https://effectivepeaceops.net

To date, EPON publications have focused on the overall effectiveness of individual UN peace operations as well as the renewal of their mandates.[4] However, these studies have lacked the specific focus on critical thematic areas which have become increasingly central to UN peace operations, including the implementation and operationalisation of protection mandates. Against this background, NORCAP and EPON partners have conducted a large study on the protection mandates of multi-dimensional UN peacekeeping operations, aiming to shed light on their multi-layered implementation and operationalisation. More specifically, the study looks at the intersections between the mandates on PoC, human rights, the prevention and response to conflict-related sexual violence (CRSV), and child protection (CP) in UN peacekeeping operations.

Focusing on the four largest UN peacekeeping operations with protection mandates (currently deployed), the authors of this study have conducted extensive research into the work of the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), and the UN Mission in South Sudan (UNMISS). Aiming to better understand how the protection mandates within these missions interlink and where further work can be done to improve coordination and implementation, the study identifies common trends, challenges, good practices, and recommendations. The study comprises four chapters covering the respective Missions, followed by a concluding chapter that highlights specific as well as cross-cutting recommendations. Ultimately, the study aims to support UN peacekeeping operations to further enhance their effectiveness with regards to the implementation of protection mandates. The methodology used has provided mission colleagues with the opportunity to reflect challenges and good practices as they have experienced them. In addition, the study identifies trends with the hope of offering opportunities to streamline work and enhance effectiveness within and between protection mandates in UN peacekeeping missions.

Methodology

The study, led by Dr Lotte Vermeij (NORCAP), is a collaboration of 12 researchers representing eight institutions: the Cairo International Center for Conflict Resolution, Peacekeeping and Peacebuilding (CCCPA), the Berlin Center for International Peace Operations (ZIF), the German Police University (DHPol), the Centre for the Study of Violence and Reconciliation (CSVR), the Institute for Security Studies (ISS), NORCAP, the Norwegian Institute of International Affairs (NUPI), and the United Services Institute of India (USI).

The research team undertook extensive desk-based research in carrying-out a literature review of MINUSCA, MINUSMA, MONUSCO and UNMISS. The literature review provided the foundation for the analyses of the contexts in which these missions are deployed. It is also the

4 For other EPON reports, see https://effectivepeaceops.net/reports

underpinning source for the detail within the chapters regarding current protection concerns in each country and the protection mandates of the respective missions. Detail has been drawn from a variety of UN documents and reports, including quarterly reports of the UN Secretary-General (UNSG), annual UNSG reports including thematic ones, and the mission mandates themselves. Further analysis of the intersection between the context and the mission activity has been sought from the work of respected think-tanks, international and non-governmental organisations (I/NGOs) and civil society organisations (CSOs).

> While PoC is arguably the most well-known protection mandate within UN peacekeeping, it 'sits alongside complementary programmes and mandates such as the promotion and protection of human rights, children and armed conflict, and women, peace and security, including conflict-related sexual violence'.

In addition to the literature review, the research team conducted extensive field research, collecting primary source evidence via formal and informal interviews across the four missions and UNHQ between August 2021 and May 2022. The research team conducted confidential interviews with 102 in-mission colleagues, ranging from senior mission leadership members to field-based staff. Due to the COVID-19 pandemic and subsequent travel restrictions, most of the interviews were conducted virtually. This enabled the team to engage with colleagues, from each of the mission headquarters to field level, and to have follow-up conversations during the research period. The interviews were complemented with numerous formal and informal discussions with staff at UNHQ in New York. The information gathered from the interviews has been integrated into the study to provide a thorough overview of the practical implementation of protection mandates.[5] On completion of the interview and drafting process, the research team began a detailed review and consultation period with UNHQ and mission colleagues, as well as external experts on UN peacekeeping.

The Protection Mandates

This study focuses on the implementation of protection mandates by MINUSCA, MINUSMA, MONUSCO and UNMISS. While PoC is arguably the most well-known protection mandate within UN peacekeeping, it 'sits alongside complementary programmes and mandates such as the promotion and protection of human rights, children and armed conflict, and women,

5 Interviews for this study were held in confidence, given the sensitivities around some of the topics discussed. To protect the identity of interviewees, the interviews are referenced as simply, 'Interview, MONUSCO', etc.

peace and security, including conflict-related sexual violence'.[6] The role of UN peacekeeping missions within these protection areas is set out in mission-specific and thematic UN Security Council Resolutions (UNSCR), as well as Handbooks and Policies on the specific protection mandates.[7] These documents guide the work of the missions on PoC, Human Rights (HR), Child Protection (CP), and Conflict-Related Sexual Violence (CRSV). It is important to note that civilian, military, and police components in UN peacekeeping missions are expected to take a whole-of-mission approach in the implementation of these protection mandates and that they are expected to integrate them across mission activities. As such, this study focuses on the implementation and operationalisation of the protection mandates by all mission components.

> The four missions studied in this report have PoC at the heart of their mandates, making the protection of civilians a mission-wide responsibility.

The Protection of Civilians (PoC)

The four missions studied in this report have PoC at the heart of their mandates, making the protection of civilians a mission-wide responsibility. The PoC mandate in UN peacekeeping is defined as: 'without prejudice to the primary responsibility of the host state, integrated and coordinated activities by all civilian and uniformed mission components to prevent, deter or respond to threats of physical violence against civilians, within the mission's capabilities and areas of deployment, through the use of all necessary means, up to and including deadly force.'[8]

In UN peacekeeping, PoC is implemented through three mutually reinforcing tiers as outlined below.

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6 UNDPO (2020) 'The Protection of Civilians in United Nations Peacekeeping Handbook'.

7 See, for example, UN (2017) 'Policy on Child Protection in United Nations Peace Operations', https://peacekeeping.un.org/sites/default/files/1._protection_-_3_child_protection_policy_0.pdf; UN (2019) 'Manual for Child Protection Staff in United Nations Peace Operations', http://dag.un.org/bitstream/handle/11176/400956/1904812-E-DPKO-Manual%20Child%20Protection-Rev2-WEB.pdf?sequence=1&isAllowed=y; UN (2019) 'The Protection of Civilians in United Nations Peacekeeping Policy (Ref 2019.17)'; UNDPO (2020) 'The Protection of Civilians in United Nations Peacekeeping Handbook'; UN (2020) 'Handbook for United Nations Field Missions on Preventing and Responding to Conflict-Related Sexual Violence'; UN (2020) 'Policy for United Nations Field Missions: Preventing and Responding to Conflict-Related Sexual Violence'.

8 UNDPO (2020) 'The Protection of Civilians in United Nations Peacekeeping Handbook'.

Figure 1.1: The Three Tiers of the Protection of Civilians (PoC)[9]

Tier I:

Protection through dialogue and engagement

Tier I activities include active, structured and regular dialogue with perpetrators or potential perpetrators of violence against civilians; conflict resolution and mediation between parties to the conflict; advocating with the host government, its security institutions and other relevant actors to intervene to protect civilians; local conflict resolution and social cohesion activities; strategic communication; investigation; advocacy; reconciliation initiatives; reporting on human rights and protection concerns; and other initiatives that seek to protect civilians through communications, dialogue and direct or indirect engagement.

Tier II:

Provision of physical protection

Tier II encompasses activities by all mission components to physically protect civilians, whether through protective presence, interpositioning, the threat or use of force, or facilitating safe passage or refuge. Notably, Tier II includes activities by uniformed components involving the show or use of force to prevent, deter, pre-empt and respond to threats to civilians. However, civilian mission components can also act as a protective presence through their regular, visible and direct engagement with civilian populations at risk.

Tier III:

Establishment of a protective environment

Tier III activities are frequently programmatic in nature and designed with committed resources for peace- building and conflict prevention/ resolution objectives. Sometimes presented as separate mandated tasks under country-specific resolutions, activities under Tier III help create a protective environment for civilians, prevent the (re-) emergence of threats of physical violence, support the legitimacy of the host state and its capacity to protect civilians, and support the (re-)establishment of the rule of law and criminal justice chain.

Within each of the four missions, a dedicated (civilian) PoC unit works to a specific protection mandate. Whereas PoC is a whole-of mission responsibility, the role of the PoC unit is to coordinate the mission's response to the bespoke protection challenges it faces, integrating a well-planned and comprehensive approach across the work of all mission components.[10] Additionally, there are often focal points within UNPOL and the Force working in support of the unit to mainstream PoC considerations into the work of the uniformed components.

The PoC mandate is closely linked to the other protection mandates, and they are to support and reinforce each other. Communication and coordination on the implementation of these mandates between mission components is, therefore, key.

9 Ibid.

10 UNDPO (2022) 'Protection of Civilians Mandate', https://peacekeeping.un.org/en/protection-of-civilians-mandate.
Source photos (L to R): UN Photo/Marco Dormino; UN Photo/Sylvain Liechti & UN Photo/Michael Ali

Human Rights

As a core pillar of the UN, 'all staff within peace operations have the responsibility to ensure the protection and promotion of human rights through their work.'[11] The missions covered in this study each have a Human Rights Division (HRD),[12] which implements the human rights mandates given to each mission in coordination with other components and mainstream human rights across the work of the mission. Working in close coordination with others within the civilian and uniformed components, the HRDs have several specified tasks including the monitoring, investigation and analysis of reports of human rights violations and abuses (HRV/As), preventing and responding to HRV/As, and providing related advice and assistance to others within the Mission.[13]

Child Protection

Formally recognising the protection of children in armed conflict as a fundamental factor affecting peace and security, the UN Security Council (UNSC) has passed a portfolio of resolutions on the thematic area, providing the framework and tools for the provision of child protection by peacekeeping missions.[14] Missions that have a dedicated child protection mandate (including the four in this study) are to have (senior) Child Protection Advisors (CPAs) and dedicated support staff.[15] Tasks within mission include the mainstreaming of principles and obligations pertaining to child protection across all activities and decision-making processes. Critical to this is the integration of child protection considerations in all guiding documents and planning processes across the civilian, military, and police components.[16] To note, it is the mission's collective responsibility to protect children and therefore a mission-wide responsibility, and there are advisors and focal points within the uniformed components to ensure these considerations are integrated across all planning and operational activity.

In addition to a plethora of other tasks, CPAs within mission monitor grave violations committed against children through the established Monitoring and Reporting Mechanism (MRM). The MRM is designed to enable the UN and its partners to implement a 'mechanism to monitor, report and respond to grave violations against children' with the intent of providing credible data to inform advocacy and response.[17] Child protection concerns are also included in other reporting systems, including the Monitoring, Analysis and Reporting Arrangements (MARA) on CRSV, human rights (HR) reporting and the mission-specific reports of the UNSG.[18]

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11 UNDPO (2022) 'Promoting Human Rights', https://peacekeeping.un.org/en/promoting-human-rights

12 The exact name used in different missions varies. Whereas MINUSCA and UNMISS use the HRD, MINUSMA uses the HRPD, and MONUSCO uses the JHRO.

13 UNDPO (2022) 'Promoting Human Rights', https://peacekeeping.un.org/en/promoting-human-rights

14 UN (2017) 'Policy for Child Protection in United Nations Peace Operations'.

15 Ibid.

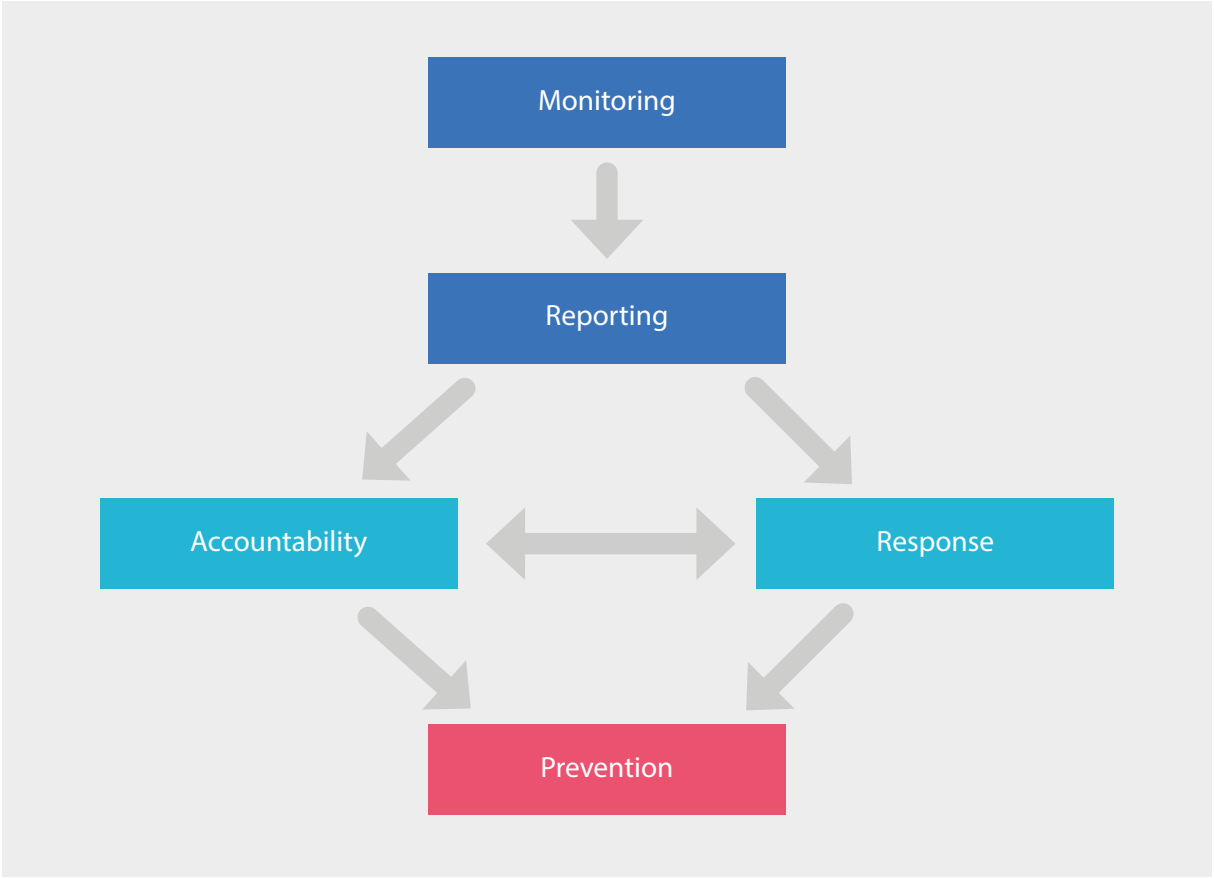
16 Ibid.

17 Office of the SRSG for CAAC, UNICEF, and UNDPO (2014) 'Field Manual for Monitoring and Reporting Mechanism (MRM) on Grave Violations Against Children in situations of Armed Conflict'.

18 UN (2017) 'Policy for Child Protection in United Nations Peace Operations'.

The mechanism supports UN-wide engagement on these issues and is, therefore, co-chaired by the Special Representative of the Secretary-General (SRSG) or Head of Mission (HOM) and the UNICEF representative in mission settings.[19]

Figure 1.2: Elements of the Monitoring and Reporting Mechanism (MRM)[20]



Conflict-Related Sexual Violence (CSRV)

As a result of the Women, Peace and Security (WPS) Agenda and related UNSCRs, the UNSC has mandated several UN field missions to prevent and respond to CRSV and directed that missions with this mandate deploy Women's Protection Advisors (WPAs).[21] The four missions each have this mandate and are responsible for the following: establishing MARA, engaging parties to the conflict to address CRSV, supporting the implementation of commitments made by said parties, and engaging in Security Sector Reform (SSR) and Disarmament, Demobilization and Reintegration (DDR) activities.[22] These tasks include capacity-building on CRSV and advising

19 Ibid.

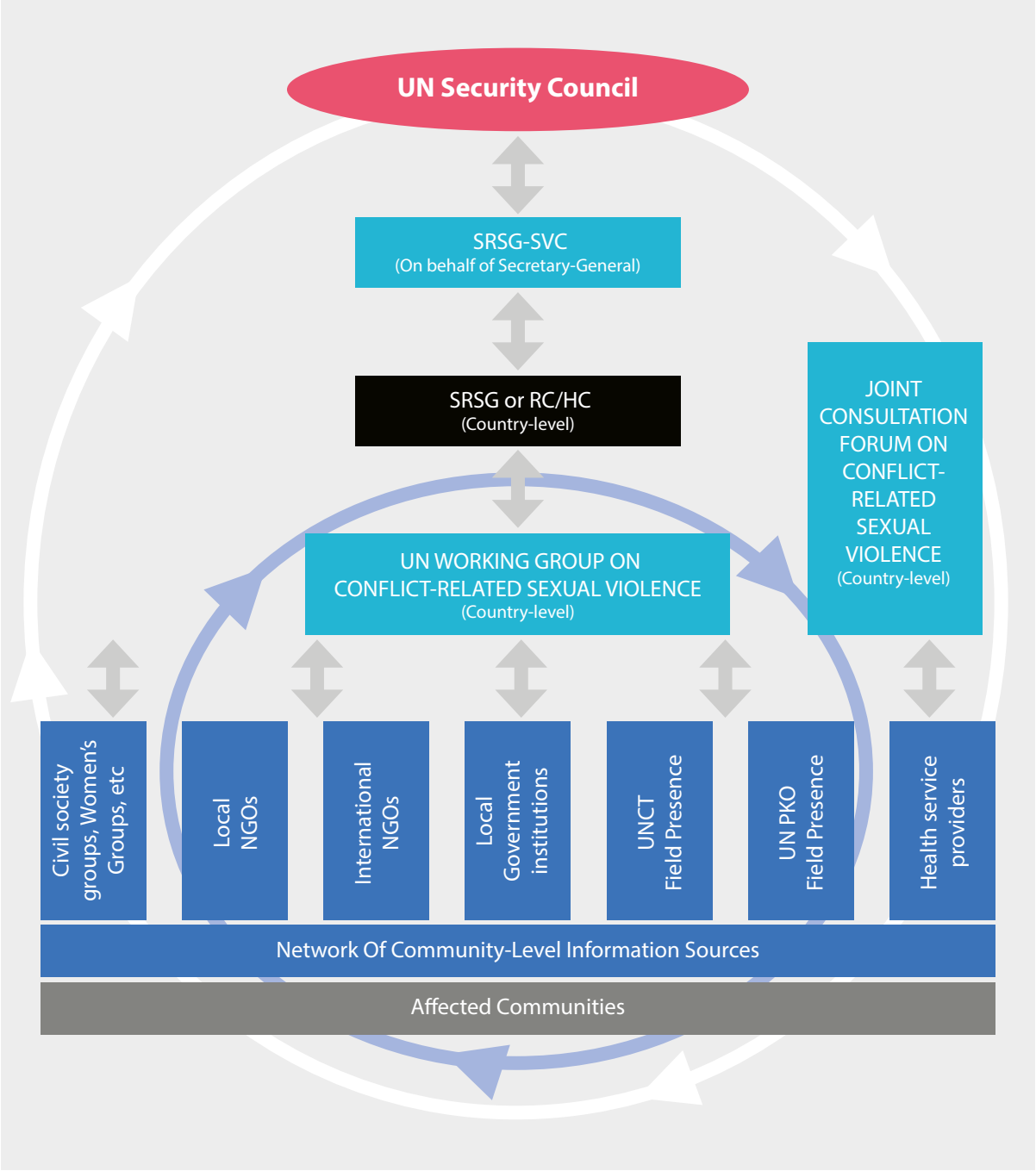
20 UNDPO (2019) 'Manual for Child Protection Staff in United Nations Peace Operations', http://dag.un.org/bitstream/handle/11176/400956/1904812-E-DPKO-Manual%20Child%20Protection-Rev2-WEB.pdf?sequence=1&isAllowed=y

21 UN (2020) 'Policy for United Nations Field Missions: Preventing and responding to Conflict-Related Sexual Violence'.

22 Ibid.

across the Mission. In addition to the WPAs, the uniformed components are to have advisors and focal points working to support this mandate, building an understanding within the police and military components regarding their role in preventing and responding to CRSV.

Figure 1.3: Flowchart of the Monitoring, Analysis and Reporting Arrangements (MARA) for CRSV[23]



23 Office of the SRSG on Sexual Violence in Conflict (2011) 'Provisional Guidance Note on the Implementation of Security Council Resolution 1960 (2010), on Women, Peace and Security (Conflict-Related Sexual Violence)'.

The MARA is an important aspect of the CRSV mandate and is designed to enable the systematic collection of 'timely, accurate, reliable and objective information on trends and patterns of CRSV against women, girls, boys and men in conflict and post conflict and other situations of concern.'[24] It is used as a tool to promote the required action to prevent and respond to CRSV. The mechanism is also used to 'inform strategic advocacy, enhance prevention and programmatic responses for victims, and contribute to the development of comprehensive strategies to combat sexual violence at the country level.'[25] It can also be utilised as a source of information on the actions of parties to conflict and can act as a basis for action at the level of the UNSC.

The PoC, HR, CP and CRSV mandates overlap in significant ways, notably they all work to protect vulnerable populations, and they share roots in international humanitarian and human rights law.[26] Additionally, 'they share supporters and are oriented towards the same set of principles (UN member states), were institutionalized in parallel, and are implemented by similar organizations through comparable tools and practices.'[27] These overlaps can create a mutually reinforcing and complementing system, but it can also create the duplication of effort, contradictions, and competition within the mission setting. There remains a gap in the literature regarding research on how these protection agendas overlap as a 'possible explanation for their effectiveness.'[28] This research aims to address this gap by looking at the interlinkages between them.

The Consolidation

In 2015, an assessment was conducted by the Independent UN High-Level Panel on Peace Operations (HIPPO). It highlighted the need to address the overlaps mentioned above. The HIPPO report was presented to the UNSG and stated that 'politics must drive the design and implementation of peace operations' and that the 'protection of civilians is a core obligation of the United Nations, but expectations and capability must converge', among other points made.[29] The report pointed to several areas to enhance the effectiveness of UN Peace Operations. Addressing some of these, including issues of parallel reporting, resource constraints and ineffective information flows, the UNSG decided to adopt a consolidation reform to combine protection functions within the Human Rights components of UN peacekeeping operations. The intent was to 'enhance coherence in the delivery of human rights and protection mandates, with due consideration for the requirements of flexibility to respond to different mission contexts.'[30]

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24 Ibid.

25 Ibid.

26 Kullenberg, J.N. (2020) 'Overlapping Agendas and Peacekeepers' Ability to Protect', *International Peacekeeping*, 28(4): 661-688.

27 Ibid.

28 Ibid.

29 UN (2015) 'Uniting Our Strengths for Peace – Politics, Partnership and People', Report of the High-Level Independent Panel on UN Peace Operations.

30 UN (2017) 'Policy for Child Protection in United Nations Peace Operations'.

In practical terms, it aimed, among other things, to consolidate WPAs and CP into the HRD. If and how the consolidation was executed or implemented has varied from mission to mission and the impacts of it on the implementation of the protection mandates are explored in each chapter.

Challenges

While addressing an important gap in the existing research on protection by UN peacekeeping missions, the research team faced several challenges. The limitations on travel have affected the team's ability to visit the mission areas and has prevented broader engagement with communities, civil society, and NGOs. As such, this study has a focus on internal processes impacting the effectiveness of protection work by UN peacekeeping operations, rather than how their effectiveness is being perceived externally. While conducting virtual interviews with mission colleagues offered opportunities in terms of reaching remote field staff in Missions, it is also recognised that virtual research methods create limitations in terms of engaging with the communities that UN peacekeepers serve. It is, therefore, recommended that a follow-up study be conducted to complement this study, with a specific focus on the populations UN peacekeeping missions are mandated to protect. It is recommended for such a follow-up study to engage across communities and other external actors to better understand protection needs and external perceptions on how UN peacekeeping operations could improve the implementation of their protection mandates and become more people centred.

The breadth of this study has meant that the research has taken over a year to complete. This has meant that mandates have been renewed, progress has been made and changes (some dramatic) have occurred during the research period. While this means that the researchers were required to combine findings with real-time updates from the field and from other research, this is reflective of the fast-paced nature of the conflicts UN peacekeeping operations face. The team has worked to maintain the relevancy of the report through continuous engagement with mission and UNHQ colleagues, and believes the findings and recommendations made by interviewees are entirely relevant today.

During the study period, it became evident that there exists a lack of clarity across the UN system with regards to doctrinal understanding on key protection aspects. This confusion was apparent in the interviews when it became clear that people held different views on what protection meant. This confusion also spanned across the different mandates as referenced above. This gap in common understanding was further highlighted by the review inputs from colleagues at UNHQ which demonstrated fundamental differences in understanding and expectations. The variation in understanding undoubtedly affects the way missions do their work but equally how UNHQ offers advice and guidance, and how both engage.

Report Structure

To ensure coherence, the report is split into six chapters. This first chapter introduces the study. The following four chapters explore each mission in alphabetical order: MINUSCA, MINUSMA, MONUSCO and UNMISS. These chapters are further divided into five sections: *A. Background and Context, B. Protection Concerns, C. Protection Mandates, D. Implementation of Protection Mandates,* and *E. Conclusion.* The structure is the same for each to provide a framework for easy digestion and comparison. The final chapter includes a summary of the study and mission-specific as well as overarching or crosscutting recommendations that remain pertinent across all the missions.

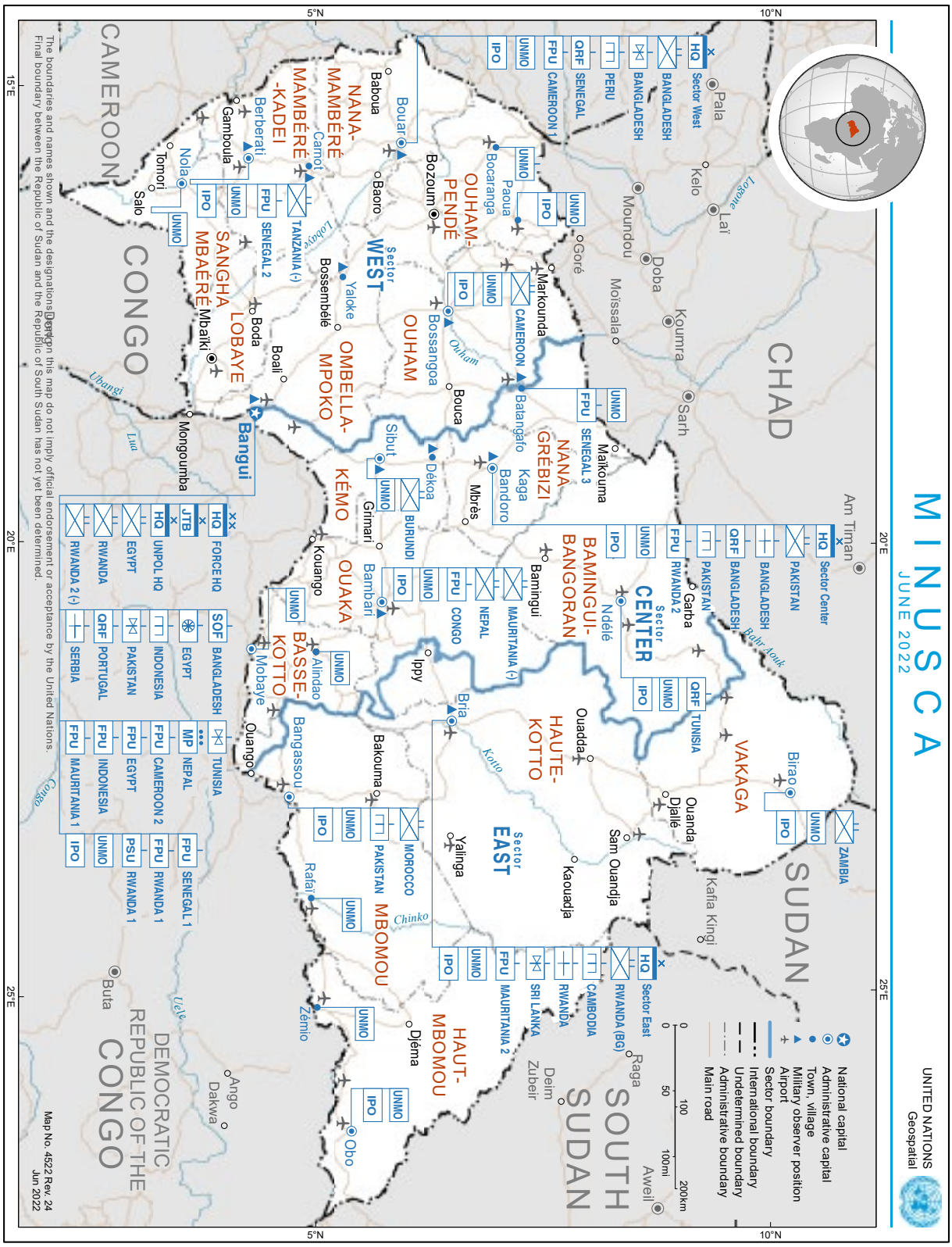
The MINUSCA chapter was written by Dr Lotte Vermeij and Cleo Bigwood, with contributions from Maria Gilen Røysamb and Dr Kulwant Kumar Sharma.

The MINUSMA chapter was written by Dr Lotte Vermeij and Tobias von Gienanth, with contributions from Fahiraman Kone and Dr Ornella Moderan.

The MONUSCO chapter was written by Dr Lotte Vermeij and Cleo Bigwood.

The UNMISS chapter was written by Dr Lotte Vermeij and Liezelle Kumalo, with contributions from Seba Issa and Dr Anne Lange.

Figure 2.1: MINUSCA deployment map, June 2022[31]



31 UN Geospatial Information Section (2022), 'Central African Republic: MINUSCA, June 2022', https://reliefweb.int/map/central-african-republic/central-african-republic-minusca-june-2022

Chapter 2: MINUSCA – Protection in a Contested Operational Environment

This chapter will outline the background and context to the ongoing conflict within Central African Republic (CAR). It will look at the evolution of the UN Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA) and the emergence of new security actors on the ground. Resulting protection concerns will then be addressed followed by an overview of the specific protection mandates of the Mission. These have been divided under the sub-headings of physical, political, and humanitarian protection in line with the Quarterly Reports of the Secretary-General on the Situation in CAR. The final two sections are the compilation and analysis of the extensive interviews conducted for this chapter which include detailed insights into the interlinkages between the protection mandates, identified good practices and a series of recommendations specific to MINUSCA. Recommendations that apply to other missions have been captured collectively in the final chapter of this study.

A. Background and Context

While CAR has experienced instability and violence since independence in 1960, up until the mid-1990s conflict was limited to relatively isolated incidents[32] and widespread killing among the civilian population did not occur until 2012.[33] The origins of violent conflict in CAR can be attributed to conflict over natural resources, political instability, rivalry between the centre and periphery of the country, widespread economic predation, and grievances among marginalised groups. Historically, the nature of violence in CAR was related to tensions between landed farmers and nomadic herders seeking pastures for cattle-grazing as well as conflict over minerals and the diamond mines.[34] Notably, in the 2000s, the conflict became more sectarian, and the Christian majority and the Muslim minority increasingly clashed. The different armed actor strategies vary. Nevertheless, all parties use violence to control resource rich territories and access to resources is a key driver to conflict. Infighting over revenues and taxation mechanisms are furthermore necessary for the armed groups to maintain their powerbase.[35] There is also severe poverty across the whole of CAR, with glaring disparities between the north and other areas, which has further contributed to political instability.[36]

In 2003 François Bozizé seized power in a coup d'état and continued to hold power after winning elections in 2005 and 2011. Partly due to grievances and marginalisation, the Séléka rebel coalition was formed in the predominantly Muslim region in the northeast of CAR. The Séléka was composed of various rebel groups that opposed the government in Bangui. Following an armed insurgency in 2013, the Séléka rebel coalition took control of Bangui, and Michel Djotodia was installed as the first Muslim president. The 2013 Séléka revolution fundamentally altered national politics. Since CAR's independence in 1960, the struggle for power was the prerogative of military officers from the savanna and riverside communities in central and southern CAR.[37] This political upheaval and the associated spirals of violence eventually sparked the beginning of a brutal civil war in 2013, running along ethnic and religious divides.[38] This period saw the Séléka, joined by Chadian mercenaries, take power for the first time.[39] The power shift and heightened levels of violence in the southern parts of CAR strengthened the loose alliance of

32 Carayannis, T. and Lombard, L. (2015) *Making sense of the Central African Republic*, London: Zed Books.

33 Howard, L.M., Vlavonuo, G., Steinitz, N. and Ilunga, Y. (2020) 'Assessing the Effectiveness of the United Nations Multidimensional Integration Stabilization Mission in the Central African Republic', EPON, https://effectivepeaceops.net/wp-content/uploads/2020/10/EPON-MINUSCA-Report.pdf

34 Ibid.

35 International Peace Information Service (2018) 'Central African Republic: A Conflict Mapping', https://ipisresearch.be/wp-content/uploads/2018/09/1809-CAR-conflict-mapping_web.pdf

36 HRW (2007) 'Background: The Varied Causes of Conflict in the Car', https://www.hrw.org/reports/2007/car0907/4.htm

37 Informal interview with the former editor of the Armed Conflict Database, May 2022.

38 CIVIC (2019) 'The Central African Republic', https://civiliansinconflict.org/our-work/where-we-work/central-african-republic

39 Vircoulon, T. and Lesueur, T. (2013) 'Failure Has Many Fathers: The Coup in Central African Republic', International Crisis Group, March, https://www.crisisgroup.org/africa/central-africa/central-african-republic/failure-has-many-fathers-coup-central-african-republic

chiefly Christian village militias and vigilante groups known as the 'Anti-Balaka'.[40] Hate speech and incitement to ethnic and religious-based violence became widespread and the Anti-Balaka groups carried out targeted attacks against Muslim civilians.[41]

> Despite the presence of MINUSCA and the signing of several peace agreements, cycles of violence have persisted.

As a response to the deteriorating humanitarian and human rights situation as well as the political crisis in CAR, the Peace and Security Council of the African Union (AU) set up the African-led International Support Mission in Central Africa (MISCA) in December 2013.[42] MISCA had the support of the UN and included the option to transfer to a larger mission under UN authority.[43] This happened soon after, with the UNSC authorising the deployment of the MINUSCA on 10 April 2014. The Mission's top priority was to protect the civilian population under threat of physical violence in CAR, without prejudice to the primary responsibility of CAR authorities.[44] Despite the presence of MINUSCA and the signing of several peace agreements, cycles of violence have persisted.[45] With support from MINUSCA, the peace agreements held through the transition to the 2015-16 democratic elections, won by incumbent President Touadéra. The peace agreement nonetheless broke down in late 2016, and violence spiked in 2017.

In another effort to achieve peace, on 6 February 2019, the Government of CAR and 14 recognised armed groups signed the Political Agreement for Peace and Reconciliation (*Accord Politique pour la Paix et Reconciliation en Republique Centrafricaine*) (APPR-RCA). Contrary to previous peace deals, the 2019 agreement was signed in the capital Bangui, bringing promise to the viability of the agreement.[46] The Khartoum Peace agreement was negotiated by the AU with the blessing of the UN and discreet support of Russia.[47] While the AU oversaw the peace negotiations and provided political support, the UN provided technical and logistical support. As armed groups control most of the territory, a power-sharing arrangement was accepted by the government in exchange for a halt in violence and a DDR process.[48] The agreement stipulated the formation of a new government that would include the leaders of the armed groups, as well

40 Mellgard, E. (2015) 'What is the Seleka?' Tony Blair Institute for Global Change, January, https://institute.global/policy/what-seleka

41 Center for Prevention Action (2022) 'Instability in the Central African Republic', May, https://www.cfr.org/global-conflict-tracker/conflict/violence-central-african-republic

42 AU (2014) 'MISCA Establishment', September, http://misca.peaceau.org/en/page/113-establishment-1

43 Ibid.

44 UNSC (2020) UNSCR 2552.

45 Murray, E. and Sullivan, R. (2019) 'Central African Republic Struggles to Implement Peace Deal', USIP, October, https://www.usip.org/publications/2019/10/central-african-republic-struggles-implement-peace-deal

46 Ibid.

47 Informal interview with the former editor of the Armed Conflict Database, May 2022.

48 Ibid.

as mandating the dismantlement of taxation checkpoints, a stop to the violence, the deployment of state personnel throughout the country and a DDR process.[49]

Despite these promising steps, by the end of 2019, little progress had been made. In 2020 the conflict in CAR took yet another deadly turn. Prior to the legislative and presidential elections, a new coalition of six armed group signatories of the Political Agreement, the Coalition of Patriots for Change (*Coalition des patriotes pour le changement*) (CPC) was formed. In wake of the armed offensives in early 2021, the six signatory armed groups renounced their support to the 2019 political agreement.[50] The CPC launched an offensive against the government, and took control of many large cities, including the outskirts of the capital Bangui.[51]

While President Faustin-Archange Touadéra was re-elected in January 2021,[52] most of CAR's citizens were not able to cast their ballots due to threats posed by armed groups, lack of national IDs and issues of access.

> The presence of Russian PMCs has significantly altered dynamics in several parts of CAR.

However, with an escalation in violence and attacks by armed groups, mainly by those who were affiliated with the CPC, the government struggled to maintain control of the capital Bangui. With a limited initial response to the violence from MINUSCA, the government requested military reinforcements from Rwanda, through a bilateral cooperation agreement to strengthen the counteroffensive against the armed groups.[53] Further Rwandan support to CAR came amid new bilateral agreements signed in August 2021 resulting from talks held between the President of Rwanda, Paul Kagame, and CAR President Touadéra. Four bilateral agreements around economic planning, mining, SSR and transport were also signed.[54]

In addition to support from the Rwandan troops, CAR received military assistance from Russia. Together, the Forces from Rwanda and Russia are sometimes known as the Bilaterally

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49 International Crisis Group (2019) 'Making the Central African Republic Latest Peace Agreement Stick', Africa Report No. 277, https://d2071andvip0wj.cloudfront.net/277-making-cars-latest-peace-agreeement-stick.pdf

50 IPI (2021) 'Prioritizing and sequencing of Security Council Mandates: The Case of MINUSCA', November, https://www.ipinst.org/wp-content/uploads/2021/11/2111_The-Case-of-MINUSCA2021-PDF.pdf

51 CIVIC (2019) 'The Central African Republic'.

52 Security Council Report (2021) 'June 2021 Monthly Forecast, Central African Republic', https://www.securitycouncilreport.org/monthly-forecast/2021-06/central-african-republic-11.php

53 Giuliano, V. and Jorgensen, J. (2021) 'How the UN Can Strengthen its peacekeeping Mission in the Central African Republic amid a changed Conflict', Just Security, https://www.justsecurity.org/78681/how-the-un-can-strengthen-its-peacekeeping-mission-in-the-central-african-republic-amid-a-changed-conflict/?fbclid=IwAR2UPS4CyY7Uon69k_lMsuhA223UIbz6HFYHiJb5bOVRlhiOk8JEZXvTRGA

54 Karuhanga, J. (2021) 'Rwanda, CAR Sign Four Bilateral Agreements', *The New Times*, August, https://www.newtimes.co.rw/news/rwanda-car-sign-four-bilateral-agreements

Deployed Forces (BDFs).[55] However, this study makes the distinction between the Rwandan forces referred to here as the BDF and the Russian composition of military instructors and contractors. The Russian involvement in CAR was increased in December 2020 when at least 300 'military instructors' deployed to the country at the request of the President Touadéra. Russia announced their withdrawal in January 2021 after Touadéra was re-elected.[56] However, Russian security forces have remained in-country. Interviews and desk research suggest these security forces are made up of Private Military Contractors (PMCs) and Russian State military personnel.[57] There remains a lack of clarity on their size and disposition but a distinction between the BDF and the PMCs must be made.

The presence of Russian PMCs has significantly altered dynamics in several parts of CAR.[58] The Central African Armed Forces (FACA) supported by PMCs and the BDFs pushed back the armed groups, regaining control of territory including (gold and diamond) mines.[59] Interviews conducted for this study indicated that the presence of the Russian PMCs and the increase of violence have challenged MINUSCA's ability to effectively implement its mandate, including the mandate to protect the civilian population. The security situation remains fragile, owing to the continued fighting between state forces supported by the PMCs and BDF, and armed groups, mainly CPC affiliated.[60] Clashes between these armed actors have resulted in a spike in conflict-related civilian deaths, mainly resulting from 'excessive use of force' by the FACA and PMCs.[61]

> Despite the unilateral cease-fire, military operations have continued as well as human rights violations and abuses (HRV/As) by FACA, armed groups, and Russian PMCs.

While the government's strategy to involve other security actors appears to have been somewhat successful in pushing the armed groups from their strongholds, it is not a sustainable solution. This offensive action has cut lines of communication that were vital to implementing and coordinating the APPR-RCA. Additionally, the action fails to address the underlying grievances and conflict drivers, nor does it ensure peace.[62]

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55 Security Council Report (2021) 'July 2021 Monthly Forecast, The Central African Republic', https://www.securitycouncilreport.org/monthly-forecast/2021-07/central-african-republic-12.php

56 Ramani, S. (2021) 'Russia's Strategy in the Central African Republic', Rusi, https://www.rusi.org/explore-our-research/publications/commentary/russias-strategy-central-african-republic

57 This paper will refer to the Russian-supported security forces as PMCs, which includes the Wagner Group.

58 Interviews, MINUSCA (Sept – Dec 2021).

59 Rwandan troops are deployed within MINUSCA, but also outside the Mission as BDFs working alongside the PMCs and FACA. The Rwandan forces deployed outside of the Mission mandate comprise the BDF.

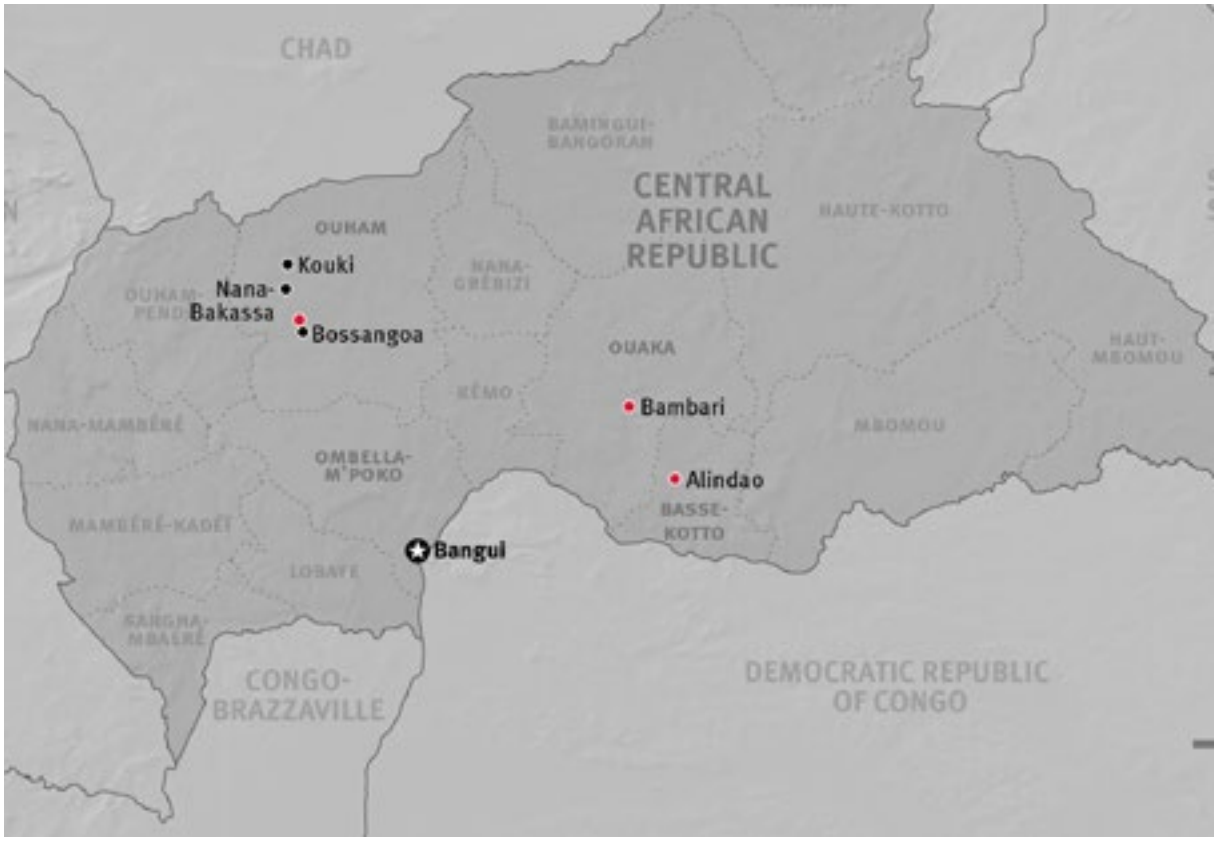
60 Interviews, MINUSCA (Sept – Dec 2021).

61 UNSC (2021) S/2021/571.

62 Interviews, MINUSCA (Sept – Dec 2021).

However, there have been positive developments with regards to political dialogue and efforts to pursue the peace agreement.[63] First, following the legislative election in the CAR in 2021 the government announced the formation of a 'republican dialogue initiative'.[64] The initiative involves political parties, religious groups, and civil society representatives, but does not yet include armed groups. Second, on 16 September 2021, the Heads of State and Governments of the International Conference on the Great Lakes Region (ICGLR) met in Luanda including with President Touadéra for a summit on the situation in CAR. Here they adopted a road map to revitalise the peace process in CAR and called for the declaration of a ceasefire by the Government.[65] Finally, echoing the summit, on 15 October 2021, President Touadéra declared a unilateral ceasefire. At the time of writing, it is unclear what the medium to longer-term implications of these efforts will be and how these efforts will impact the 2022 local elections. Despite the unilateral cease-fire, military operations have continued as well as human rights violations and abuses (HRV/As) by FACA, armed groups, and Russian PMCs.

Figure 2.2: Locations of abuses by Russia-linked forces against civilians since 2019[66]



63 IPI (2021) 'Prioritizing and sequencing of Security Council Mandates: The Case of MINUSCA'.

64 Ibid.

65 UNSC (2021) S/2021/867.

66 HRW (2022) 'Central African Republic: Abuses by Russia-Linked Forces', 3 May, https://www.hrw.org/news/2022/05/03/central-african-republic-abuses-russia-linked-forces

B. Protection Concerns in CAR

Human Rights and Sexual Violence

The population in CAR continue to experience extensive violence as well as mass displacement within and beyond its borders.[67] Reflecting the developments outlined above, in 2020-2021 there has been a spike in human rights violations (HRVs) and abuses, including increased incidents of CRSV.[68] These violations and abuses are attributed to the FACA, PMCs (see Figure 2.2), as well as armed groups, including those that are signatories to the Peace and Reconciliation Agreement.[69]

> In 2020-2021 there has been a spike in human rights violations (HRVs) and abuses, including increased incidents of CRSV.

The 2021 quarterly UNSG reports on the situation in CAR reflect that gross HRVs were committed throughout the year. MINUSCA documented 1020 alleged and confirmed violations of international human rights law, affecting 2014 victims. During the same period MINUSCA documented 351 conflict-related civilian deaths.[70] In October 2021, the Secretary General reported that the 'protection concerns continued to be exacerbated by military operations by national defence and internal security forces (ISF), assisted by bilaterally deployed and contracted security personnel.'[71] CRSV has been committed by all parties to the conflict and has increased significantly following the eruption of new waves of violence.[72] Moreover, as armed groups have been chased from their strongholds, they have lost sources of income and are increasingly preying on local communities and targeting humanitarian workers.[73] Between October 2021 and February 2022, MINUSCA documented 413 incidents of HRV/As affecting 990 victims, these included violations against 125 women, 102 boys and 82 girls.[74] Armed groups were said to be responsible for 57.4% of the abuses and of the 413 documented cases of violations and abuses, 175 were perpetrated by national forces and other security personnel.[75] A recent Human Rights Watch (HRW) publication (dated May 2022) highlights the 'compelling evidence' linking Russian-identified forces (PMCs) supporting the Government of CAR with

67 Howard Et. Al. (2020) 'Assessing the Effectiveness of the United Nations Multidimensional Integration Stabilization Mission in the Central African Republic'.

68 Interviews, MINUSCA (Sept – Dec 2021).

69 UNSC (2021) S/2021/571.

70 UNSC (2021) S/2021/146, S/2021/571, and S/2021/867.

71 UNSC (2021) S/2021/867.

72 Interviews, MINUSCA (Sept – Dec 2021).

73 Ibid.

74 UNSC (2022) S/2022/119.

75 Ibid.

'grave abuses against civilians with complete impunity.'[76] The study by HRW documented cases of murder, torture, unlawful detainment, and detention committed by the Russian-linked forces.[77] Furthermore, the EU has concluded that as of November 2021, 'most' FACA units were operating under the 'direct command or supervision [of] Wagner Group mercenaries.'[78]

Moreover, the UNSG's annual report on CRSV published in March 2022 confirms that CAR experienced an increase in cases of CRSV perpetrated by all parties to the conflict following the attack on Bangui in January 2021 and the subsequent clashes and counterattacks.[79] For the year 2021, 'MINUSCA verified cases of conflict-related sexual violence affecting 379 women and 327 girls, representing a doubling in the number of reported cases compared with the previous year.'[80] To highlight the levels of allegations versus cases verified, the UNSG's 2022 quarterly report notes that between October 2021 and February 2022, MINUSCA received allegations of 162 incidents of CRSV affecting 114 women and 76 girls and were able to verify 118 cases.[81] This distinction between allegations and verified reporting is important, with issues such as insecurity and inaccessibility being specified as limitations on investigations,[82] hampering the Mission's ability to verify all cases and worsening the likely underreporting that exists within the mission environment.

The Humanitarian Situation

Due to conflict, COVID-19 and a rebel blockade of main trade routes,[83] the situation for humanitarian protection worsened in 2021, with 63% of the population, some 3.1 million people, needing humanitarian assistance and protection, among whom 2.2 million were assessed as being in dire need.[84] Additionally, humanitarian actors faced increased insecurity with 396 reported cases from January – October 2021, up from 304 in the same period of 2020 including the loss of three humanitarian lives while on duty. The increased instability is further exacerbated by a funding gap of $176.3 million for the estimated cost of the Humanitarian Response Plan.[85]

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76 HRW (2022) 'Central African Republic: Abuses by Russia-Linked Forces'.

77 Ibid.

78 EU (2021) 'Political and Strategic Environment of Common Security and Defence Policy (CSDP) Missions in the Central African Republic (CAR)', November, https://s3.eu-central-1.amazonaws.com/euobs-media/4246332bc3a03d1da2b82a32cc58ec1c.pdf

79 UNSC (2022) S/2022/272.

80 Ibid.

81 UNSC (2022) S/2022/119.

82 Ibid.

83 Rebels calling for the resignation of President Touadéra blocked main trade routes into CAR from February 2021, which had impacts on humanitarian aid delivery, food availability and prices. *The New Humanitarian* (2021) 'Rebel blockage triggers aid and food shortages in Central African Republic', 5 February, https://www.thenewhumanitarian.org/news-feature/2021/2/5/central-african-republic-rebel-blockade-food-shortages

84 UNSC (2021) S/2021/867.

85 Ibid.

Conflict and high levels of violence continue to exacerbate humanitarian needs and access restrictions. The current situation is described as the most acute in the last five years, owing to increased levels of fighting including the use of Improvised Explosive Devices (IEDs), mass displacement, ramifications of the COVID-19 pandemic and declining agricultural production caused by floods.[86] Within this context the Mission is increasingly struggling to effectively implement its mandate to protect the civilian population (see Section D). The Secretary General's July 2021 report on the situation in CAR, described the development as a threat to international peace and security in the region.[87] The report also flagged key concerns in the areas of illicit transnational trafficking networks to fund and supply armed groups in the state.

Children's Rights

Children are also disproportionally affected by the conflict in CAR. In 2021, the country task force on monitoring and reporting (MRM) verified 554 grave violations committed against 418 children, including 178 girls and 240 boys.[88] These violations included sexual violence, killing and maiming, recruitment, and attacks against schools and hospitals. They were committed by armed groups (405), the FACA (29), PMC and BDF (64),[89] and unidentified armed individuals (39). The remaining violations were committed during combined PMC, BDF and FACA operations.[90] However, the UNSG's first quarterly report of 2022 suggests an increase in crimes against children as MINUSCA verified 429 grave violations against 266 children (141 girls and 125 boys) between October 2021 and February 2022.[91]

Due to the COVID-19 pandemic as well as continued insecurity and inaccessibility to certain remote areas monitoring and verification of allegations of violations have been hampered. Dialogue with many armed groups has furthermore stalled as they are hiding in fear of being killed or arrested during pro-government military offensives.[92] Still, MINUSCA's Child Protection Unit succeeded in dialoguing with some armed groups despite the challenges in communications and have separated 131 children across CAR.[93]

86 UNSC (2021) S/2021/571.

87 UNSC (2021) UNSCR 2588.

88 UNSC (2021) S/2021/571; and S/2021/867.

89 While this study makes the important distinction between PMCs and BDF, the UNSG's report (see footnote 56) refers to all violations committed by the BDF, including those representing PMCs.

90 UNSC (2021) S/2021/146; S/2021/571; and S/2021/867.

91 UNSC (2022) S/2022/119.

92 Interviews, MINUSCA (Sept – Dec 2021).

93 Ibid.

C. MINUSCA's Mandate

UNSCR 2499 (2019) – A Shift in Focus

In 2019, the UNSC made additions to the MINUSCA mandate in response to the changing context of the country. Two priority tasks were added:

1. The implementation of the February 2019 Peace Agreement: Accord politique pour la paix et reconciliation en Republique centrafricaine (APPR-RCA),

2. Assistance to CAR authorities in preparation and delivery of the 2020-2021 elections.[94]

However, the renewal of the mandate in 2020 (UNSCR 2552) demonstrated no such response to contextual changes, and instead remained focused on MINUSCA's role in the support to elections and left the other priority tasks largely unchanged.[95]

While it is positive that PoC remains the central priority task across the mandates, it has been argued by the Centre for Civilians in Conflict (CIVIC) that the renewal in 2020 missed an opportunity to *enhance* the PoC mandate by including the improvement of the Mission's early warning and rapid response (EW/RR) mechanisms, especially during the election period.[96] In contrast, a study by the International Peace Institute (IPI) found that the majority of participants felt that the 2020 mandate (2552) encompassed all necessary areas and in highlighting the country's fluid political situation, they cautioned against major changes to the mandate.[97] These two points of view, from respected institutions emphasise the complexity of the situation in CAR and the balance that must be struck with each mandate renewal; i.e. between supporting the electoral process and encouraging the implementation of the peace agreement, while also retaining dedicated capacity capable of protecting civilians and supporting humanitarian action.[98]

While operating under UNSCR 2552 (2020), UNSCR 2566 authorised an increase in the number of uniformed personnel[99] due to the worsening security and humanitarian situation. As of November 2021, there were 15 663 deployed UN personnel in country, including 1 230 civilians, 146 experts on Mission, 2 366 police, 372 staff officers, 11 274 troops and 275 UN volunteers.[100] Despite this increase, MINUSCA has yet to reach its authorised number of deployed

94 UNSC (2019) UNSCR 2499.

95 CIVIC (2020) 'What Does MINUSCA's November 2020 Renewed Mandate Mean for the Protection of Civilians in the Central African Republic?' https://civiliansinconflict.org/blog/minusca-2020-mandate-renewal

96 Ibid.

97 IPI (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MINUSCA'.

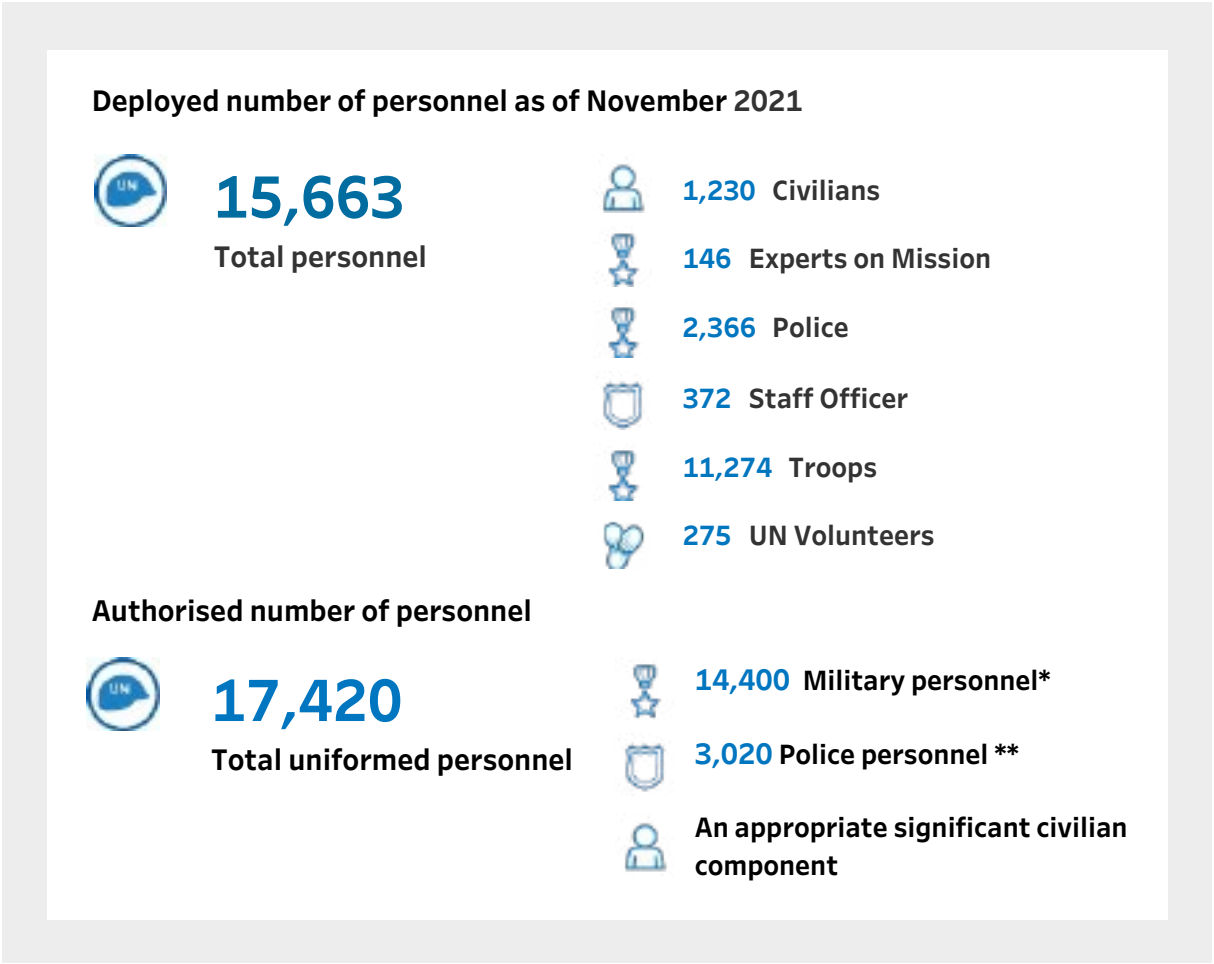
98 Ibid.

99 UNSC (2021) UNSCR 2566.

100 UNDPO (2021) 'MINUSCA fact sheet', https://peacekeeping.un.org/en/mission/minusca

personnel which is set to include 17 420 uniformed peacekeepers[101] indicating a reticence to deploy troops to the volatile environment.

Figure 2.3: MINUSCA composition[102]



Most recently, UNSC Resolution 2605 (2021) saw the mandate renewed again with an arguably stronger stance on PoC; with the inclusion of stronger language on Civilian Harm Mitigation (CHM),[103] the protection of education, and the threat of IEDs and associated mitigation. Remaining aligned to the previous strategic objective, MINUSCA's mandate is intent on supporting the creation of 'political, security and institutional conditions conducive to the sustainable reduction of the presence of, and threat posed by, armed groups through a comprehensive approach and proactive and robust posture without prejudice to the basic principles of

101 Ibid.

102 Ibid.

103 While language on CHM was included in the previous mandate, it was only referred to in the context of military and police operations. The new mandate includes reference to 'activities and presence' to reflect an enhanced appetite for greater engagement with the population and recognition of the risks faced by the civilian population in terms of reprisals from armed groups.

peacekeeping',[104] with PoC remaining the top priority. Moreover, within its priority tasks, the mandate strengthens the language on sexual violence and assistance to victims. It also refers to the UN Policy on Preventing and Responding to Conflict Related Sexual Violence (CRSV), requesting all Mission components to consider these specific concerns throughout all activities.[105] Further enhancing this direction, there is a new paragraph within the mandate regarding the implementation of UNSCR 2467 (2019): 'ensuring that risks of sexual and gender-based violence are included in the Mission's data collection, threat analysis and early warning systems by engaging in an ethical manner with survivors and victims of sexual and gender-based violence, and women's organisations.'[106]

The mandate also includes strengthened language on CP with reference to the Working Group on Children and Armed Conflict (CAAC) urging for recommendations made in 2020 to be implemented fully and in a timely manner.[107] Moreover, the new additional language on the protection of education, and condemning attacks on schools and their use for military activities is pertinent and reflective of the recent changes in conflict dynamics.

Colleagues within the Mission reported that since 'the rebellion' and the introduction of the BDF and PMCs, the Mission 'feels' like a completely new one and it is felt that the new mandate does a better job at reflecting these new dynamics,[108] condemning the Status of Forces Agreement (SOFA)[109] violations and the disinformation campaigns that have targeted MINUSCA. To provide a monitoring mechanism, the mandate requests regular reporting by the UNSG on 'efforts to hold perpetrators accountable.'[110]

The Amoussou Investigation

Despite the ambitious nature of the previous MINUSCA mandate (UNSR 2552, 2020), the renewal saw the removal of the paragraph pertaining to the Amoussou Investigation and that omission remains. The 2019 mandate included encouragement for MINUSCA 'to continue implementing the recommendations of the independent investigation led by Brigadier General Amoussou to improve MINUSCA's response to protect civilians.'[111] The investigation made several recommendations in the wake of failures by MINUSCA to proactively respond to violence against civilians in 2017. Research to date suggests these recommendations are still 'highly relevant' and 'the deletion of this language sends a signal that the Security Council is not concerned

104 UNSC (2020) UNSCR 2552.

105 UNSC (2021) UNSCR 2605.

106 Ibid.

107 Ibid.

108 Interviews, MINUSCA (Sept – Dec 2021).

109 A SOFA establishes the framework under which foreign military personnel will operate, including how domestic laws will be applied to them.

110 UNSC (2021) UNSCR 2605.

111 UNSC (2019) UNSCR 2499.

about following up on the results of the special investigation.'[112] As these findings were never officially shared with the Security Council, work must be done to ensure the lessons identified are not lost as they may help to address challenges experienced in implementation.

The Protection of Civilians (PoC)

PoC sits at the heart of many functions within the Mission. The mandate specifically emphasises that CAR authorities have the primary responsibility for the protection of its civilians. The Mission's activities surrounding PoC are stated to be in support of CAR authorities to take 'active steps to anticipate, deter and effectively respond to serious and credible threats to the civilian population through a comprehensive and integrated approach.'[113] This priority task faces several barriers to effective implementation listed in section D below. As engagement with the FACA becomes more depleted by PMC involvement, and as evidence grows highlighting their involvement in HRVs, the very centre of the PoC mandate could become untenable.

Protection through Dialogue and Engagement

Protection through dialogue and engagement (PoC Tier I) laid out in MINUSCA's mandate centres around the ongoing support to the peace process, the elections, and the broader SSR efforts. MINUSCA has been mandated to 'continue its political role in the peace process, including through political, technical and operational support to the implementation of the Peace Agreement.'[114] It is required to support CAR authorities to create conditions that enable the 'full implementation of the APPR.'[115]

In line with the above goal, both MINUSCA's political and security strategies should promote the peace process and work to connect local and national efforts to advance Disarmament, Demobilization, Reintegration and Repatriation (DDRR) and SSR processes. Some progress in this area has been made, with the government appointing a Minister of State for DDRR and the monitoring of the implementation of the agreement. Additionally, a dissident faction of CPC wrote to this minister to request integration for 300 personnel into the DDRR process.[116]

The mandate states that the political efforts must be carried out in collaboration with CAR authorities to support efforts at the local and national efforts to increase political participation.

112 CIVIC (2020) 'What Does MINUSCA's November 2020 Renewed Mandate mean for the Protection of Civilians in the Central African Republic?'

113 Ibid.

114 Ibid.

115 UNSC (2021) UNSCR 2605.

116 UNSC (2021) S/2021/867.

The process should be inclusive, integrating 'civil society, women, survivors of sexual violence, youth, faith-based organisations and where and when possible, IDPs and refugees.'[117]

PoC: Emphasis on Tier I

Of the three tiers of PoC, our study found that MINUSCA focused resource and time on the first: protection through dialogue and engagement. While this showed initial success in the creation and signing of the Peace Agreement, recent developments in terms of the introduction of the PMC and BDF have undermined this process and hampered efforts to engage in dialogue with all parties to the conflict.

The October 2021 report from the UNSG on the situation in CAR highlights limited progress in these areas due to 'persisting political tensions and continued military operations,'[118] the context of a worsening humanitarian crises and an increase in HRVs by armed groups, and by the PMC and BDF-supported FACA operations. However, progress in some areas has been made, with a new government of 32 ministers established on 23 June 2021, including seven women, which equates to a 21.9% representation, up from 14.7% in the previous government. This is still below the 35% quota established by the gender parity law, however. Additionally, according to Presidential Decree 21.208, dated 1 September 2021, Madame Josiane Lina Bemaka-Soui, Minister Counsellor for the Protection of Children, was also appointed as Focal Point on Sexual Violence, within the Presidency of the Republic.[119] Furthermore, inclusion was demonstrated among the selected ministers, with the appointment of two former presidential candidates and two representatives from civil society.

MINUSCA is mandated to provide expertise in 'support of efforts to address the root causes of conflict' from a political standpoint, working on reconciliation and conflict resolution with full and meaningful participation across society, and from local to national levels. Reconciliation processes are also mandated to be conducted with CAR authorities, across the national, prefectoral and local levels to address 'transitional justice' through dialogue with armed groups, civil society leaders and other members of community to engender confidence and trust. The work in reconciliation with CAR authorities is mandated to stretch into engagement with neighbouring countries and regional bodies to promote support for the peace process and to resolve existing issues.[120]

In his report to the UNSC, the UNSG had stated under the 'Political Situation' that 'the establishment of the new Government generated some momentum in the process leading to the

117 UNSC (2020) UNSCR 2552.

118 UNSC (2021) S/2021/867.

119 Internal MINUSCA documentation, shared February 2022.

120 Ibid.

organisation of a "republican dialogue"'.[121] At the International Conference on the Great Lakes Region, a joint road map for peace in CAR was adopted, in which participants called for an inclusive dialogue in support of the APPR-RCA and urged the government to declare a cease-fire. The peace process continued to progress incrementally in the context of persisting political tensions and continued military operations that contributed to a deepening humanitarian crisis and serious HRVs.[122]

The mandate[123] states that strategic communication should be used more proactively and to more effect to support the PoC strategy. It should work to raise the awareness of the population with regards to the Mission's purpose and activity, but also the intent and detail of the Peace Agreement and the electoral process. It is hoped this awareness-raising would 'build trust with the citizens of CAR, parties to the conflict, regional and other international actors and partners on the ground.'[124] Efforts to raise awareness and enable participation, especially in elections, have been made. As a result of a strategic meeting chaired by the Prime Minister, a new electoral calendar has been adopted outlining the timeline for municipal, regional, and senatorial elections.[125] Local elections have been scheduled for September 2022 with voter registration taking place from January to April to allow for maximum participation, including IDPs and refugee returnees. Efforts to financially resource the electoral process are underway.[126]

MINUSCA has worked alongside the UN Country Team (UNCT) to support women's participation in all stages of the election process. However, the electoral process to date has reconfirmed that 'socio-cultural barriers continue to impede women's full, equal and meaningful participation in political life, including gender bias, a lack of political will and the deteriorating security situation.'[127] MINUSCA actively encourages female leadership and participation in peacekeeping to model women's inclusion in society. The CAR government is championing women's leadership by placing women in high-level positions. Equality at the top, however, is not consistently filtering down.[128]

Finally, the new priority task specified within UNSCR 2552 is based around the provision of support to CAR authorities to enable the delivery of 'peaceful presidential, legislative, and local elections of 2020/2021.' Enabled by expertise, the tasking encourages dialogue among political stakeholders, the provision of security and operational, logistical, and technical support.[129] This support to political processes is further reiterated in UNSCR 2605 with regards to the

121 UNSC (2021) S/2021/867.
122 Ibid.
123 UNSC (2021) UNSCR 2605.
124 UNSC (2020) UNSCR 2552.
125 UNSC (2021) S/2021/867.
126 Ibid.
127 Ibid.
128 Howard et al. (2021) 'Assessing the Effectiveness of the United Nations Integrated Multidimensional Stabilization Mission in the Central African Republic (MINUSCA)'.
129 Ibid.

local elections of 2022. Completion of a fully inclusive 'Republican Dialogue' and the delivery of peaceful local elections of 2022, envisages dialogue among all political stakeholders, in an inclusive manner, to mitigate tensions throughout the electoral period. This was intended to be achieved by providing security, operational, logistical, and as appropriate, technical support, to facilitate access to remote areas, and by coordinating with UNDP regarding international electoral assistance. This has a direct bearing on the POC mandate and security environment in the country.[130]

Provision of Physical Protection

Underlying the mandated PoC tasks are several identified goals around the provision of physical protection (PoC Tier II). MINUSCA is mandated to provide physical protection against threats posed by all parties to the conflict. This is to be done in close coordination with local communities, with the aim of supporting and undertaking mediation efforts to prevent the escalation of violence in a proactive manner.[131] Patrolling is particularly key,[132] with the PoC strategy based upon proactive and flexible deployment and posture, and underpinned by joint efforts from the Protection Working Group (PWG) to identify areas of high risk that require attention.

> MINUSCA is mandated to provide physical protection against threats posed by all parties to the conflict.

Another tenet of the protection mandate relates to efforts to enhance engagement across the civilian population to strengthen existing EW systems and build capacity to monitor and document violations of international humanitarian law (IHL) and international human rights law (IHRL).[133] This work hopes to strengthen the capacities of local communities, empowering them to report and deter violence. MINUSCA is also mandated to mitigate risk and reduce civilian harm before, during, and after any operation conducted by the Mission, as well as working with CAR authorities to identify and report threats, improve joint planning, and strengthen civil-military cooperation.[134] This aspect has been strengthened in the recent mandate renewal (2021).

These updates from the UNSG reports on implementation highlight progress in local dialogue and reconciliation, which assist in involving the CAR government in physical protection functions. With MINUSCA chairing consultative meetings to 'evaluate local peace and

130 UNSC (2021) UNSCR 2605.
131 Ibid.
132 Ibid.
133 Ibid.
134 UNSC (2020) UNSCR 2552.

reconciliation committees',[135] women's representation increased to 30% of committee members by June 2021, up from 21.4% in 2020.

The mandate further seeks to provide specific protection for women and children affected by armed conflict, including through the deployment of advisers on child protection (CP) and women protection, and by adopting a gender-sensitive, survivor-centred approach to provide the best assistance to survivors of sexual violence. This is clearly evidenced in the specific mandates of the substantive sections, and is further detailed below.

Establishment of a Protective Environment

The mandate requests the Mission to 'improve coordination with all humanitarian actors' and to work to create a safe and secure environment for the immediate delivery of humanitarian assistance (PoC Tier III).[136] It highlights the need to work with humanitarian actors to enable the voluntary safe and sustainable return of IDPs or refugees. It also requests MINUSCA to do further work to contribute to alleviating the consequences of the COVID-19 pandemic. Progress in this area was observed from the Ministry of Humanitarian Action and National Reconciliation (MHANR) as they established 52 new local peace and reconciliation committees (LPRC), of which 14 were financially supported by MINUSCA.[137]

> The mandate requests the Mission to 'improve coordination with all humanitarian actors' and to work to create a safe and secure environment for the immediate delivery of humanitarian assistance.

The UNSG's report of 12 October 2021 also highlights an increase in armed violence and conflict, displacement, widespread human rights abuses, and violations of IHL. The consequences for the humanitarian situation particularly in terms of access to populations in dire need remain negative. The report states that in the first nine months of 2021, there were 342 security incidents against humanitarian actors including three humanitarian workers killed while on duty. Additionally, there were, and continues to be, funding support issues with nearly 30% shortfall in funding for humanitarian activities. MHANR efforts to establish 52 new LPRCs have a huge stake in the ongoing peace operations and humanitarian protection efforts. Reconciliation among various stakeholders is necessary to put an end to the violence which is affecting the security situation in CAR.[138]

135 UNSC (2021) S/2021/867.
136 Ibid.
137 UNSC (2021) S/2021/867.
138 Ibid.

There was an upsurge in COVID-19 cases among the population in the period from March to July 2021. The virus spread to several towns outside Bangui.[139] CAR Government data suggested more than 65 000 people tested for COVID-19 as of 1 October 2021, of whom 11 432 tested positive and 100 died.[140] Official data from the World Health Organization (WHO) states that, as of January 2022, there have been 13 319 confirmed cases, with 108 deaths.[141] These differing statistics highlight the underlying barriers to identifying and confirming the spread of the disease, as such the extent to which COVID-19 has affected the population remains unclear, as limited testing combined with instability has meant official figures are not fully reflective of its impact. As of 1 October, more than 140 492 Central Africans had been vaccinated against COVID-19. The second phase of the government's vaccination campaign is ongoing, supported by UN agencies and partners, with over 372 000 new doses received via the COVID-19 Vaccine Global Access (COVAX) initiative and bilateral cooperation.[142]

In response to the outbreak, MINUSCA limited its outreach programmes and restricted civilian, Force, and police movements. The renewed mandate welcomed the efforts of all stakeholders supporting development and humanitarian efforts in CAR and their adaptation to the COVID-19 pandemic which has exacerbated existing vulnerabilities.[143] Consequently, the World Bank had projected that the country would enter recession in 2021, with a gross domestic product growth of negative 0.6%, attributed to the impact of COVID-19 and the security situation.[144] Like other missions, in MINUSCA, most national and international staff either worked from home or their accommodations. In some locations, working from home has meant no or poor internet connection and frequent electricity cuts.[145]

D. Implementation of Protection Mandates: Interlinkages, Good Practices, and Gaps

While research to date focuses heavily on theorising and appraising the 'outcome performance' of peacekeepers (i.e., the measurement of progress in areas such as preventing civilian deaths and enabling democratic processes), very little work has been done on identifying 'process performance': how (and whether) peacekeepers attempt to achieve such goals have been implemented, and what barriers remain in place to prevent related actions.[146] Building on information gleaned

139 UNSC (2021) S/2021/571.

140 UNSC (2021) S/2021/867.

141 WHO (2022) 'Global COVID-19 database, Central African Republic', https://covid19.who.int/region/afro/country/cf

142 Ibid.

143 UNSC (2021) UNSCR 2605.

144 UNSC (2021) S/2021/867.

145 De Coning, C. (2020) 'The Impact of COVID-19 on Peace Operations', IPI Global Observatory, https://theglobalobservatory.org/2020/04/impact-COVID-19-peace-operations

146 Blair, R.A., Di Salvatore, J. and Smidt, H.M. (2020) 'When do UN Peacekeeping Operations Implement Their Mandates?' *American Journal of Political Science*, https://doi.org/10.1111/ajps.12650

from extensive desk-based research and interviews with peacekeepers in MINUSCA, this section outlines the interlinkages that exist between offices mandated with protection, highlighting how this impacts implementation and good practices that exist. Three key and recurring trends were identified regarding resourcing, information sharing and collective understanding of the mandate. Additionally, support from Mission leadership was identified as being widely variable across interviewees.

Limited Resources for Ambitious Protection Mandates

Of all the offices with specific protection mandates the research team engaged with, all but one of them stated that resource availability hampered their abilities to effectively fulfil their mandates and further affected their abilities to coordinate with other offices.

The 'Five Hats'

Within the MINUSCA military component (often referred to as 'the Force'), the Military Gender and Protection Advisor (MGPA) sits with 'Five hats.'[147] The term refers to the roles and responsibilities of the advisor, meaning that he or she is responsible for liaising with, advocating for and advising on the following aspects: CRSV, Gender, PoC, CP and Sexual Exploitation and Abuse (SEA). Each 'hat' has an affiliated office within the civilian component and until the beginning of 2021 only one dedicated member of staff within the Force component held this role and was subsequently tasked with working across each.[148]

During the interviews, representatives from the Force, CP and the Office of the Senior WPA agreed that the designated 'five hats' was 'too much,' resulting in implementation barriers. While the Force HQ has now expanded the MGPAs to three full (and dedicated) members of staff, each still work under the auspices of five roles. This 'five hatted' approach has advantages in that it lends itself to collective protection training, offering an opportunity for joint and integrated programmes to be run across the protection actors. The title of 'five hats' is now also becoming understood[149] and mainstreamed across the Mission and therefore assists in reminding people of the plethora of mandates that need to be considered while planning and conducting military operations. It also acts as a reminder of those actors outside of the Force, who also require engagement during these processes. This terminology is illustrative of the complex interlinkages and overlaps between these offices, but also highlights the resource that effective engagement would require.

147 While this is the reality in MINUSCA, during the UNHQ review, colleagues informed us that this does not follow OMA guidance and PoC should not be a 'hat' worn by the MGPA.

148 Interviews, MINUSCA (Sept – Dec 2021).

149 Ibid.

One Heavier Hat

As noted among the Force colleagues with whom the study engaged, issues pertaining to SEA often become the focus of the MGPA. This detracts from working with protection actors on issues such as the response and prevention of CRSV and EW/RR. Additionally, it was highlighted by one interviewee that the addition of the SEA 'hat' has led to a confusion of terms, with SEA being applied to incidents of SGBV or CRSV. It was also felt that SEA was predominately the issue that was monitored given the reputational risk and the resulting pressure on the Force. This issue has led to the recommendation of SEA being removed from the role of the MGPA.

Structural Drivers of SEA

Several structural drivers of SEA were identified throughout the study. One driver was related to the deployment of Temporary Operating Bases (TOBs), which often become more 'permanent than temporary'. Unlike other bases, TOBs are said to be funded by the TCC deploying them, and this can lead to a lack of adequate financing for welfare aspects of the camps, such as sanitation and Wi-Fi. These hardships and the lack of connection to loved ones at home are thought to be driving troops towards relationships with the local population. Another trend in cases of SEA relates to the location of deployed TCCs, with those deployed near the border of their home nation more likely to engage. It is recommended that a further study be conducted into the prevalence of SEA in Mission areas, including a review of structural aspects such as this.

While the approach works to raise awareness within the Force of varying mandates, including those pertaining to protection,[150] it also detracts from action. The MGPA is responsible (in close coordination with other offices) for training a network of MGPAs to carry out this role at sector level. The main task of these sector focal points is also to train Force personnel within their Area of Operations (AO). The implication of this training burden is large, having a direct impact on what work the MGPAs can do outside of the delivery of training. Civilian offices expressed concern over the roles of the personnel fulfilling these networks, as often these focal points are part of the administrative or medical branches of the military. This has an impact on their ability to invest time in the role but also their understanding of implementation at the tactical level, which is a challenge from HQ perspective as it often detracts from the quality and quantity of reporting and training conducted. The important job of coordination and liaison that these focal points should carry out between the Force and the civilian component is often hampered by them being overburdened with the duties of both roles. One protection actor claimed that while

150 SEA and Gender are not classified as Protection Mandates.

plenty of training seemed to be happening within the Force, the value of it and the effect that was being delivered from a field perspective was hard to see.[151]

The Force detailed procedures that have been put in place to work on building accountability and measuring the impact of training through a monitoring and evaluation (M&E) mechanism. Although informal, the additional staff appointed to the MGPA at HQ level has allowed for follow-up on training delivery. For example, after delivering a Train the Trainer (ToT) course at HQ level, to enable Sector focal points to disseminate further training within their AO, the Force HQ team were able to allocate resources to visit the sectors to monitor the subsequent training. This added capacity and focus on the delivery of training enhances the military understanding of protection issues and the role they play within them. While evaluation of training is often missing, it is generally thought this additional training builds the Force's effectiveness in the delivery of protection and their awareness and ability to communicate with other actors, including the civilian sections.

Female Engagement Teams (FETs)

An opportunity to overcome this training burden and to have operational effect is presented by the pre-trained Female Engagement Teams (FETs).[152] This capability was mentioned by several interviewees (civilian and military) as good practice especially with regards to their current efforts to share information across the substantive sections and to coordinate outside of the Force while deployed on the ground.

> The all-female teams were seen to 'act as role models for the empowerment of women in a traditionally patriarchal society.'

While the value and efficacy of FETs have been discussed throughout the academic world,[153] studies remain largely focused on the Middle East and the deployment of the capability in Iraq and Afghanistan. The impact of FETs within Peacekeeping still requires further research[154] but despite the UNHQ policy focus shifting towards 'Mixed' Engagement Teams (METs), those on the ground have described the all-female teams as 'fantastic', 'working well with civilian offices so they don't overlap' and helping in some respects to deconflict the work of the civilian

151 Interviews, MINUSCA (Sept – Dec 2021).

152 Some TCCs (Zambia, for example) deploy formed and trained FETs which are considered good practice and have been said to alleviate the work of the MGPA and focal points. Guidance regarding ETs/EPs was still in the draft stage at UNHQ at the time of publishing this report.

153 See, for example, Keohane, J. and Jakes, K. (2021) 'Soldiers and Scholars: Evaluating Female Engagement Teams in the War in Afghanistan', *Women's Studies in Communication,* 44 (1), https://doi.org/10.1080/07491409.2020.1781316

154 CIVIC conducted a short study on the effectiveness on FETs in UN peacekeeping operations: CIVIC (2020) '#WPS20: Assessing the Effectiveness of Female Engagement Teams (FETs) in UN Peacekeeping Operations', October, https://civiliansinconflict.org/blog/wps20-assessing-the-effectiveness-of-female-engagement-teams

and military components.[155] Additionally, the all-female teams were seen to 'act as role models for the empowerment of women in a traditionally patriarchal society.'[156] This alongside other good-news stories[157] of pre-trained FETs deploying on missions to deliver positive effect, have highlighted the practice of deploying FETs with specific tasks to engage women as beneficial to supporting the implementation of protection mandates and enabling coordination across Mission components. This bridge between the military and civilian components, especially with regards to information sharing, works towards enhancing Early Warning and Rapid Response (EW/RR), feeding into the action of the various protection mandates. While the concept of these teams undergoing specific training during the pre-deployment phase is relatively new, it can be built upon to further enhance cooperation and effectiveness. It is hoped these teams will receive more focus and training on publication of UNHQ's Engagement Platoon (EP) policy.

Community Liaison Assistants (CLAs)

Community Liaison Assistants (CLAs) also act as a force multiplier and were detailed by several interviewees as crucial to the Mission-wide Early Warning (EW) system.[158] These locally employed civilians act as a bridge between the communities and the Mission and help to ensure cultural sensitivities and community specificities are understood by those operating within them. Vital in both the passage of information and the effective implementation of the protection mandates, the number of CLAs within the Mission area is limited and female CLAs even more so.[159] This effective but scarce resource is spread over the entire Mission area, meaning access to, and use of, female CLAs to improve interaction is difficult to arrange. Female CLAs are especially critical in the deployment of FETs. CLAs work on building the Force's understanding of an area but also on direct communication and relationship building with the community, addressing the language barrier that often exists between the local population and the Force. To ensure the most effective use of CLAs, further work should be done to identify barriers to the recruitment and deployment of female CLAs and to evaluate the administrative processes in place to ensure they are up-to-date and able to respond to the needs of those employed. An additional barrier to the effective use of the CLAs is the issue of language.[160] While most CLAs speak French or Arabic alongside local dialects, some TCCs have troops that do not speak either of these languages. This issue maps across to the Military Observers who are often deployed and cannot communicate with their CLA, rendering the capability almost obsolete.

155 Interviews, MINUSCA (Sept – Dec 2021).

156 Ibid.

157 CIVIC (2020) '#WPS20: Assessing the Effectiveness of Female Engagement Teams (FETs) in UN Peacekeeping Operations'.

158 Interviews, MINUSCA (Sept – Dec 2021).

159 Ibid.

160 Ibid.

The Consolidation and the CRSV Mandate

The Consolidation

The problem of parallel reporting, resource constraints and ineffective information flows was addressed in 2015 by the HIPPO report. In response to the report, the Secretary-General decided to adopt a Consolidation reform to combine protection functions within the Human Rights components of Peacekeeping Operations. A Consolidation Working Group was created to negotiate the approach which is thought to have diminished the impact of the reform. Some saw it as a strategic bid for greater funding, responsibility and resource and the effect of the reforms differs from mission to mission.[161] Questions remain over the efficacy of the changes.

Another factor that came up throughout the study period pertaining to resources was that of the consolidation of specialised protection functions within the Human Rights Components of Peacekeeping Operations. The consolidation saw the WPAs, responsible for the implementation of the CRSV mandate move within the Human Rights Division (HRD). The intent was to streamline the protection efforts and improve access to data and other information for the WPAs. Despite having a seat in the Senior Management Meeting (SMM) alongside the HR Director, some interviewees suggested that the move within the HRD saw the WPAs move out of a position of direct access to Mission leadership and retracted from the field and into the HQ.[162] Dedicated HRD personnel at field level then became CRSV focal points in their absence. The interviewees expressed concern over the level of specialised training of those focal points and the nature of the role being placed on top of their usual HR responsibilities.[163] Together, it was felt the consolidation had led to a shift in focus, especially from a leadership perspective, away from CRSV affecting the women protection advisors' ability to effectively advocate on these issues. Resource concerns were also voiced over the limited number of WPAs at Mission HQ level compared to the related tasks of the role, with tasks also including a large administrative burden such as coordinating travel and budgeting.[164] The impact of this saw the SWPA unable to fulfil the primary function of advising leadership due to the workload associated with other tasks such as the reporting requirements laid out by the Mission and UNHQ.[165]

The WPA role of building capacity within the Mission to prevent and respond to cases of CRSV is challenged by this lack of resource. The UN Secretary General's annual report on CRSV showed MINUSCA 'verified cases of conflict-related sexual violence affecting 379 women and 327 girls, representing a doubling in the number of reported cases compared with the previous

161 Kullenberg, J.N. (2020) 'Overlapping Agendas and Peacekeepers' Ability to Protect'.

162 Interviews, MINUSCA (Sept – Dec 2021).

163 Ibid.

164 Ibid.

165 Ibid.

year. The cases included 555 rapes or attempted rapes, 17 forced marriages or attempted forced marriages and 17 cases of sexual slavery.'[166]

These incidents were attributed across armed groups, the FACA, PMCs and the BDF. The methodology for verifying cases through the HRD is complex and works to ensure accuracy of data. However, the process is limited by level of training required for the personnel carrying it out, their availability and their access to the areas in question. Evidence needs collecting, secondary trauma needs to be avoided and timeliness is key. Given the number of incidents that are reported through the various EW/RR systems, the (in comparison small) HRD and the Mission more broadly are unable to respond and verify them all.[167] Additionally, the size and remote nature of a lot of areas within CAR has implications for the Mission's ability to respond, often requiring air and aviation assets, coordination with the Force for security and clearance through the Security Management System. Ultimately, this means that the real number of protection incidents occurring on the ground are almost certainly far higher than those cases verified and the impact of conflict on the population is difficult to measure.

Despite the challenges, the Mission was able to support several initiatives such as the informal national protection network for victims and witnesses of sexual violence, and a safe house operated by an NGO in Bangui. Additionally, in July 2021, working with the Humanitarian Country Team (HCT), MINUSCA established a strategic working group with a survivor-centred approach to assist survivors 'in the areas of health, justice and psychosocial and socioeconomic support.'[168] While these initiatives seem positive, they are often heavily focused in or around the capital, highlighting the challenges faced by the Mission especially regarding the delivery of protection, owing to security and access limitations.

Information Sharing – Working in Silos with Insufficient Information-Sharing Mechanisms

The second barrier to implementation and coordination, identified throughout the study, is that of information sharing. The multidimensional nature of MINUSCA means that the civilian, military, and police components work side by side within the Mission to implement the mandate. To do this effectively, liaison, information sharing, and coordination is required.

166 UNSC (2022) S/2022/272.

167 Interviews, MINUSCA (Sept – Dec 2021).

168 UNSC (2021) S/2021/867.

Protection Agendas

The varied number of offices working on protection has been argued to have led to multiple administrative structures and the compartmentalisation of resource and activity.[169] While the different protection agendas were designed to mutually reinforce each other, competition and siloed working practices that have evolved have led to limitations on effective collaboration.

To formalise cross-component working and information sharing, mechanisms such as the PWG are in place to coordinate protection actors and provide a regular forum to share insights and make decisions. While heralded by some, it is conversely viewed by others as a 'forum for competition'[170] rather than enabling effective coordination. Not all actors at the table feel equally represented and equally engaged on protection issues, leading to feelings of disenfranchisement which, combined with the traumatic nature of the daily work, have led to negative impacts on mental health.[171]

In terms of sharing between the Force and other sections, study findings suggest that, within the daily routine of the Force and morning briefings held at Mission HQ, there is no formal attendance list or invitation sent out to other partners from the civilian component, resulting in some feeling cut off from the work of the Force.[172] Others, present in the briefings prior to COVID-19 and now unable to attend, feel it has had a large impact on their situational awareness.[173] This change in representation within the Force morning briefings as a result of the COVID-19 pandemic has had significant implications for information sharing. One interviewee described 'significant and important decisions being made without consultation with PoC and other civilian sections'[174] including decisions on military deployments and base closures. The trend among the civilian cohort we engaged with was that the civilian component (at the operational level) had little influence or ability to shape military decisions, despite the clear POC implications of such decisions.[175] It was felt that due to operational security considerations, a reduced presence in military briefs (due to COVID-19 restrictions), and a siloed approach to working, the military often conducted planning without the knowledge of the civilian sections, hampering their ability to advocate on protection aspects and influence the outcome.

Another reason listed as a cause for this lack of coordination between the Force and Civilian components was due to cultural and organisational differences between the two. It was said that

169 Kullenberg, J.N. (2020) 'Overlapping Agendas and Peacekeepers' Ability to Protect'.
170 Interviews, MINUSCA (Sept – Dec 2021).
171 Ibid.
172 Ibid.
173 Ibid.
174 Ibid.
175 Interviews, MINUSCA (Sept – Dec 2021).

the military have their way of doing things, a strong chain of command and therefore believe the 'civilians won't understand.'[176] This invisible barrier was said to be further enhanced by the physical locations and barriers between the civilian component and the Force, with the Force relocating away from the civilian offices during the pandemic.[177] This physical barrier has hampered coordination and is further compounded by the regular rotation of military personnel juxtaposed with the longer-term roles of the civilians.

A further two mechanisms discussed to facilitate coordination and enable effective implementation are the Search Team System (STS) and the Security Coordination Mechanism (SCM). The STS describes the work of surge teams as part of SCM, conceived as a temporary mechanism to coordinate communication and response to security threats. Both were vulnerable to resourcing constraints. The STS engages staff from across the components to engage with representatives from UN agencies, local and national authorities, local partners, and NGOs to maintain a presence in certain vulnerable regions. However, issues of sustainability (from a Mission perspective) were raised once the leave rotation of personnel was factored in. This system was cited as 'a creative way to get around resourcing constraints'[178] as only people from the offices relevant to the incident are involved, so the teams are built 'based on need' and are projected quickly, often based in Temporary Operating Bases (TOBs) or Company Operating Bases (COBs). Identified as a good practice, the SCM works to prioritise Mission presence in the field, with the civilian component working in collaboration with the Force to alleviate their geographical burden and spread the Mission's capability to protect civilians.

The efficacy of these mechanisms is undermined by a lack of information sharing and poor relationship building. This includes poor, or inaccurate, reporting. Several of our interviewees expressed concerns over collective understanding on what information should be collected and how it should be reported. The Force, for example, has gone some way to try and alleviate this confusion by creating more detailed reporting formats. Despite this, one interviewee raised issues over the accuracy of reporting, explaining that they felt some units would 'sacrifice the truth in order to please the higher command,'[179] which in turn affected the views of Mission leadership and limited clarity in terms of what was happening on the ground.

176 Ibid.
177 Ibid.
178 Ibid.
179 Ibid.

Combined Joint Task Force Bangui (CJTFB)

Identified as a good practice for information sharing, the CJTFB is an integrated team comprised of the Force and UNPOL, reporting to the JOCs with a focus on security of the capital city and sits under the command of Force HQ. The intent of the Task Force is to identify, mitigate and respond to threats and coordinate first response. The CJTFB also provides clear and verified information to inform planning and is an essential source of information for the JOC. However, the absence of civilian protection actors within the Task Force should be addressed.

Additionally, the EW/RR mechanisms in place such as the CANs (established with the support of CLAs) act as integral tools for information sharing. In August 2021, MINUSCA deployed a Joint Protection Team (JPT) to Alindao, Basse-Kotto Prefecture to assess and improve these EW/RR mechanisms. This deployment involved local stakeholder engagement and aimed at identifying ways to 'improve coordination between the Mission and national security forces.'[180] This engagement and deployment of the JPT is viewed as good practice to build networks and increase information sharing with actors outside the Mission. These EW/RR response mechanisms were successful in alerting MINUSCA to intercommunal violence between Banda and Mandja communities which resulted in the deployment of a local mediation team, supported by MINUSCA, to diffuse the hostilities. Long-term planning was evident in the implementation of an action plan for peaceful coexistence, funded by MINUSCA programmatic funds.[181]

The Joint Operations Centre (JOC) acts as a hub for collating and disseminating information within the Mission. The JOC has several sources of information and tools to collate what is received. One such tool is the 'Early Warning Alert Tracking Table,'[182] which is updated daily and disseminated each evening. This tool takes information from across the three components compiling information from Troop Contributing Countries (TCCs), Military Observers, UNPOL colleagues and the civilian sections including information from the Community Liaison Assistance (CLAs) through the Civil Affairs Section (CAS). Shared widely, the table is designed to inform planning and operations, enhancing the Mission's awareness and ability to respond to protection issues. Other offices referred to this tool as especially useful during the initial stages of the COVID-19 pandemic. Due to the lack of access and mobility presented by COVID-19 restrictions, the table was updated more regularly (twice daily) and was helpful to inform those who were unable to travel.[183] The JOC also manages the Situational Awareness Geospatial Enterprise (SAGE) system. This is an 'incident and event database'[184] designed to

180 UNSC (2021) S/2021/867.

181 Ibid.

182 Interviews, MINUSCA (Sept – Dec 2021).

183 Ibid.

184 Druet, D. (2021) 'Enhancing the use of digital technology for integrated situational awareness and peacekeeping-intelligence', Center for International Peace and Security Studies, McGill University, https://peacekeeping.un.org/sites/default/files/20210430_-_sa-pki_technologies_research_brief_final_clean.pdf

collate mass information to offer a 'central repository for incident and event information that, once populated, can be sorted according to a wide variety of variables, such as type of incident, gender dimensions, location and time.'[185] However, SAGE is primarily fed by the military component with the other components running their own databases alongside. This presents a barrier to information sharing and one interviewee commended the Force for trying to mitigate the risk by appointing a Human Rights and Gender Intel Focal Point (October 2021). The primary task of the Focal Point is to liaise with representatives from other components to set a unified database.[186]

Externally, MINUSCA has demonstrated progress in supporting integrated action and conflict prevention as they worked with the UNCT to create a transhumance management system with reports showing a 19% decrease in farmer-herder conflicts in comparison with 2020.[187] Additionally, due to increased dialogue between farmers and herders there showed a 30% improvement in community perceptions of transhumance dynamics.[188]

Another response mechanism identified throughout the study was that of the Operational Coordination Teams (OCT). These teams operate in addition to the PWG and are focused on quick reaction to identified challenges or problems. Elements of the Mission make up the teams alongside colleagues from the UN Office for the Coordination of Humanitarian Affairs (OCHA) who bring information from humanitarian (and other) actors. Together they deploy to an area to assess the situation and determine action points on how to address it. While this joint approach was noted as a good practice, each deployment was said to 'lack follow-up' as 'too quickly another problem comes while the other issue is not definitely solved,'[189] impacting the Mission's ability to protect civilians experiencing these security challenges. This speaks to a larger problem around monitoring and evaluating the impact of actions carried out by the Mission, an aspect hampered by a lack of resources, 'mostly on the civilian side.'[190] However, the OCT was identified as a strong tool to enable information sharing on the basis that the findings and recommendations for immediate actions are shared with others, including Mission leadership, helping to shape decision-making based on facts ascertained 'on the ground.'[191]

185 Protection of Civilians (2018) 'Applying Data for Peacekeeping: Challenges and Opportunities, Conference Report', November, https://protectionofcivilians.org/wp/wp-content/uploads/2020/02/Data-for-Peacekeeping-Conference-Report-14- November.pdf

186 Interviews, MINUSCA (Sept – Dec 2021).

187 UNSC (2021) S/2021/867.

188 UNSC (2021) S/2021/867.

189 Interviews, MINUSCA (Sept – Dec 2021).

190 Ibid.

191 Ibid.

Training Delivery, Impact, and Effect

Finally, a large contributor to information sharing is training delivery. An ongoing event in the cycle of any peacekeeping Mission, training is designed to equip peacekeepers with the knowledge and skills to effectively carry out the tasks given to them from the Mission leadership. Training also offers the potential to build networks and relationships between the different components within the Mission, further enabling coordination and integrated working. However, a trend across the study identified a disparity in protection training delivery within the Mission. This disparity, in the form of content, delivery, and regularity, appeared to be driven by a lack of coordination at the strategic and higher operational levels (absence of training and curriculum directed from UNHQ) and a siloed approach to delivery. Furthermore, very little in terms of measurement of impact seems to exist to evaluate the effect of the training.

A good practice identified throughout the study was the conduct of the Force 'Five Hat' Training. The delivery invited civilians from across the Mission to deliver sessions on their protection mandates to provide the Force participants with insights on the bespoke roles of each section. This also allowed awareness-raising in and outside the Force, ensuring the 'Five Hat' terminology was well understood. However, this training did not challenge the 'silos,' with each section having their own slot of time to present and no truly integrated delivery where all protection roles could be viewed and considered together.

> With no formalised method for evaluating this impact and little direction from UNHQ on what should be trained in-mission, the value of training remains unknown.

Outside the Force, there were reports of gender training delivered without the input of other offices central to the Women Peace and Security (WPS) agenda, with one interviewee suggesting coordination between the offices within the Mission was at all an all-time low.[192] While this view is that of a single individual, it does reiterate the issue of siloed training delivery, pointing to the problem of poor relationships or a lack of resources to coordinate efficiently. Cooperation at the Mission HQ level was seen by another interviewee as a 'struggle,' with the suggestion that the Mission should do more to appoint 'active focal points' that understand the need for coordination and have been trained in information collection and reporting.[193]

The impact of training was raised by several interviewees. With no formalised method for evaluating this impact and little direction from UNHQ on what should be trained in-mission, the value of training remains unknown. One interviewee suggested that Integrated Mission Training Centre (IMTC) should establish an 'all-Mission training plan' enabling substantive sections to

192 Ibid.

193 Interviews, MINUSCA (Sept – Dec 2021).

join the relevant courses instead of organising them individually, which would also enable a level of evaluation.[194] Despite the absence of training-related M&E, one section, responsible for training delivery to the FACA and the National Police, did report a trend in HRVs; with areas that had not had the training showing increased reports of violations. This trend and the impact are hard to quantify without proper evaluation measures in place.

> Of note, the presence of PMCs has had a detrimental impact on the relationship between the MINUSCA Force and the FACA. Prior to the presence of PMCs, the Force Commander had a very strong relationship with the Chief of Defence Staff, which enabled joint operations and a level of logistical support, including training, from MINUSCA to the FACA. However, this has now changed and as the relationship has soured the support has decreased.
>
> The presence of the PMCs and especially of Russian military instructors has hampered the provision of training that was provided by MINUSCA, and other actors such as the EU Training Mission, to the FACA and the National Police.

Progress linking training to information sharing can be seen from the October 2021 Secretary-Generals implementation report.[195] The report states that from an external perspective MINUSCA has led refresher training sessions for 1 886 community volunteers to enhance the effectiveness of the Community Alert Networks (CANs) since 2020, and that by the end of June 2021 there had been a 6% increase in CANs comprising of at least 30% women. 'Invigorating these networks, along with proactive preventive action by the Force has been critical to the Mission's ability to mitigate protection threats.'[196]

MINUSCA would benefit from integrated delivery of protection training, with specified objectives agreed with UNHQ and input from experts in each field. Additionally, the value of the training process would be better understood if it took place within an evaluation and feedback loop.

Too Many Offices Working on Protection

During the interviews with Mission leadership, an issue over the number of offices working on protection was raised. One interviewee highlighted that 'all issues are human rights issues' and that the 'protection of civilians was the number one priority,' yet there are several different

194 Ibid.
195 UNSC (2021) S/2021/867.
196 Ibid.

offices to 'remind us how best to do protection.'[197] It was stated that this has led to several barriers for effective information sharing.

Firstly, it was felt that the number of offices working on protection issues has hampered true integration. The number of different offices, combined with efforts to consolidate their work, often led to a defensive posture from those working within them, hoarding information as a way of proving their utility. Secondly, one interviewee stated that the number of offices working on protection sometimes led to a lack of ownership and accountability.[198] Additionally, the practical implications of several different offices collecting different information from different time periods and reporting it in different ways led to problems in communicating broader statistics from a mission leadership perspective, meaning the value of the information collected is not easily transmitted as it reaches the higher levels of the Mission.

With leadership being unable to 'talk with certitude'[199] or able to refer to a collective, the number of protection-focused offices and the different ways of working and collecting data could be contributing to the Mission's struggle to coordinate a joint response to aid the population. This issue suggests a UN system that is overcomplicating protection work and that is hampered by an environment of competition rather than collaboration. The recommendation from one interviewee was to return to the way protection issues were coordinated in 1993, with less sections, more accountability but also more flexibility. This approach would have a dual focus, with one aspect working with the population to build their capacity to fight for their own rights and another looking to build political systems that enable people to live better lives. Overall, from a mission leadership perspective, it was felt that the number of sections working on protection reinforced the problem of working in silos. Counter to this is the common belief among many UN staff at the working level, highlighting the need for specific and specialised protection mandates to adequately address and respond to issues regarding CRSV and CP, for example.[200]

Effective working and information sharing was seen by one interviewee as an issue of personality and ability. It was said that the problem with insecurity around jobs (speaking to a larger issue in the Human Resource system at UNHQ) drives a competitive working environment which runs counter to integrated cooperation.

197 Interviews, MINUSCA (Sept – Dec 2021).
198 Ibid.
199 Ibid.
200 Ibid.

Collective Understanding of the Mandate and Support from Mission Leadership

Several interviewees suggested that the understanding and interpretation of the mandate and the associated protection mandates were not aligned across the Mission, with individuals and sections interpreting them in different ways. While language could be a contributing factor to the varied interpretation, it could also come down to the size and terminology of the mandates and a lack of distilled directives. Additionally, definitions and concepts are not readily found in the mandates. This aligns with the notion, voiced by several interviewees, of an ambitious mandate without the resources to fulfil it. This confusion over concepts and doctrine was further illustrated during the review period for this report, with UNHQ and in-mission colleagues disagreeing among themselves over issues of definitions, understanding of the various protection mandates, and efficacy of decisions made previously.

> Several interviewees suggested that the understanding and interpretation of the mandate and the associated protection mandates were not aligned across the Mission, with individuals and sections interpreting them in different ways.

There were also reports of a reduction in strategic guidance as leadership focus shifted to the preparation for elections, SSR and DDR, and then diverted by the arrival in-country of PMCs.[201] One interviewee said this lack of guidance was also accompanied by a reduced level of 'coordination and ability to influence the ongoing protection mandate.'[202] The shift in focus and reduction in guidance and coordination was reported as part of the reason for the general deterioration in the security environment in CAR.[203] However, this statement is hard to qualify at this early stage given the number of other variables at play.

The Mission mandate provides the basis for policy, plans and directives. The varied understanding and interpretation of the mandate has had real impacts on the effectiveness of implementation, with one section reporting a major concern over the absence of coherent policy from leadership. One interviewee said there was also a lack of willingness to alter the Mission structure that had been static since 2014, and thus MINUSCA was unable to meet the ever-changing mission environment.[204] They felt the limited leadership and coordination from the top level meant there was no uniform policy dissemination, and this had impacted protection work of the Mission.

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201 Interviews, MINUSCA (Sept – Dec 2021).

202 Ibid.

203 Ibid.

204 Ibid.

It is also notable that the character of the threat faced by civilians in CAR has changed dramatically, with only the most recent mandate going some way to reflect these changes. Armed groups have adapted their tactics to include the deployment of IEDs. The introduction of PMCs has led to increased displacement and a breakdown in communication between protection actors and parties to the peace agreement outside of the government. These changes, alongside the ramifications of the COVID-19 pandemic, and the declining output from agriculture due to flooding, have had large effects on the civilian population.[205]

The emergence of the Improvised Explosive Device (IED)

All the interviewees we spoke with mentioned the threat brought about by the introduction of IEDs, especially in Sector West. The new tactic, first experienced in early 2020, seriously challenged MINUSCAs ability to access affected areas and made the environment especially hard for humanitarians to operate in. Not only was it felt that the IEDs 'slowed down the pace of protection', but they also created 'no-go' areas. Whilst the FACA and the PMC and BDF have all been affected, it was reported that 70% of all victims of IED-related incidents were civilians.[206]

The Force has now largely been equipped with an Explosive Ordnance Device (EOD) capability which has enabled an element of progress in the areas affected. However, this capability is time-bound; the clearing and proving of routes means reaction time is increased having a detrimental effect in responding to threats of physical violence.

Protection as a Priority for Mission Leadership

The differing understandings of the mandate and protection priorities are reflected in the varied level of support from Mission leadership experienced by mission personnel.

Across the military component, support from the Commander and the rest of the Force is viewed as high and one interviewee described protection as a central focus. Interviewees communicated that there is dedication and commitment on protection issues from the top down, with the Force Commander reading and commenting on all documents created by the MGPA. In this way, the Force can operate independently of the other components, providing high levels of internal support. However, the true power of this commitment to the protection mandates can only be exerted when combined with the coordination of other actors. This coordination is happening to some degree and is facilitated by weekly meetings between the MGPA and focal points (at Mission HQ and field level) and their counterparts across the civilian component. This horizontal and vertical approach to information sharing and coordination was highlighted

205 UNSC (2021) S/2021/571.
206 Ibid.

as a good practice, but it is important to note that it is *driven and enabled by the understanding and prioritisation of protection issues at the Mission leadership level of the Force Commander*, allowing 'the MGP team the freedom to work.'[207]

Demonstrating its commitment to protection and responding to the increased threat to civilians, MINUSCA has adjusted its 'footprint[208] in the main hotspots while enhancing its ability to respond robustly to protect civilians.'[209] Moreover, with the additional personnel in the MINUSCA Formed Police Units (FPUs) (resulting from UNSCR 2566), the Mission was able to increase its presence in specific areas, for example Batangafo, to provide protection to IDPs residing in sites in the area.

Most interviewees felt protection was a priority for the Mission leadership, but some reported them to be 'risk averse,'[210] which they felt hampered the Mission's ability to act on reports they received regarding protection concerns. Others felt that their offices specifically were not or no longer supported by Mission leadership, and some felt that 'protection was neither pushed nor prioritised at Mission leadership'[211] level. Of those that felt unsupported, the reasons were related to their role not being recognised as of interest to the leadership or as a result of a lack of understanding of their role. Additionally, some felt that aspects of their work were being over-shadowed by senior leadership, who were creating groups and funding for related strands of work while not engaging the appropriate sections in Mission to lead them. Finally, one interviewee, who had been in the Mission previously, commented on the fading interest in the leadership. With a notable decline of engagement from Mission leadership, especially with regards to reporting and feedback.[212]

This level of understanding of protection mandates and the varied support from Mission leadership is not surprising. Literature to date highlights the trend of increasingly fragmented mandates[213] being implemented in increasingly hostile conflict zones and the challenges this poses in achieving the expectations set out within the mandates.[214] This complex operating environment combined with extensive partners and an ambitious mandate creates the need for stringent prioritisation. The apparent lack of resources underlines this. The nature of prioritisation means not all offices can feel the same level of support, and thus the coordination mechanisms become increasingly important. To that end, it is proposed that enhanced information sharing, greater representation of civilian components in military briefings and planning (and vice versa),

207 Interviews, MINUSCA (Sept – Dec 2021).

208 Enabled by the troop increase provided for in UNSC (2021) UNSCR 2566.

209 UNSC (2021) S/2021/867.

210 Interviews, MINUSCA (Sept – Dec 2021).

211 Ibid.

212 Ibid.

213 The complexity of implementing multidimensional mandates is not a result of the number of tasks at hand, but the diversity of domains those tasks sit across (e.g., security and peacebuilding).

214 Blair et al. (2021) 'When do UN Peacekeeping Operations Implement Their Mandates?'

and internal capacity-building would assist in streamlining the collective understanding of protection issues and may help alleviate the concerns of those offices who feel under-supported.

The Bear in the Room

Additional external factors play an increasingly important role in terms of engagement and support from Mission leadership. One recurring theme highlighted during the interviews was a lack of direction and guidance on how to interact with the Russian PMCs, particularly as 'daily SOFA violations'[215] are committed by the FACA working in partnership with PMCs and the BDF. The relationship between these three groups is viewed as strong and it is reported that the FACA have moved away from cooperating with the UN in favour of the more 'ruthless and aggressive'[216] contractors. Additionally, UN staff have reported fearing for their own safety and having limited or no guidance on how to interact with these groups.[217]

> One recurring theme highlighted during the interviews was a lack of direction and guidance on how to interact with the Russian PMCs, particularly as 'daily SOFA violations' are committed by the FACA working in partnership with PMCs and the BDF.

At the time some of these interviews were conducted, the MINUSCA mandate was awaiting renewal, and those offices we engaged felt this left the UN (both strategically at UNHQ and operationally at Mission level) in a politically constrained situation. With the PMCs likely aligned with Russian State support and funding, noting its position as a UNSC Permanent Five (P5) Member,[218] and with the historical note of the UN Mission's departure from Chad in 2010,[219] the current geo-political context sees the UN unable or unwilling to engage across the P5 to determine a way forward for the continued operations of MINUSCA in this new context. The new and evolving context sits alongside the changing threat, with IEDs posing a further restriction to UN

215 Interviews, MINUSCA (Sept – Dec 2021).

216 Ibid.

217 Ibid.

218 The Centre for Strategic and International Studies explains the origin, structure, and control of the Russian private military company the Wagner Group which on the face of it, appears to be a conventional company. 'However, its management and operations are deeply intertwined with the Russian military and intelligence community. The Russian government has found Wagner and other private military companies to be useful as a way to extend its influence overseas without the visibility and intrusiveness of state military forces. As a result, Wagner should be considered a proxy organization of the Russian state rather than a private company selling services on the open market.' See Centre for Strategic and International Studies (2021) 'Band of Brothers: The Wagner Group and the Russian State', September, https://www.csis.org/blogs/post-soviet-post/band-brothers-wagner-group-and-russian-state

219 In 2010, the Government of Chad asked the UN to leave at the end of its mandate. HRW (2010) 'UN: Keep peacekeepers in Chad', 17 February, https://www.hrw.org/news/2010/02/17/un-keep-peacekeepers-chad

troops and requiring a new skill and mindset in the Mission.[220] HRVs have increased as PMCs have arrived in CAR, and it is understood that the FACA have also been involved in the increase in violence.[221] This also highlights the importance of the understanding of protection issues from an external perspective too. If the State and its institutions continue to align themselves with actors who have little focus on protection, the Mission stands alone in trying to pursue PoC as a priority.

As interviews for this study progressed, greater restrictions in Mission activity were witnessed due to the presence of the PMC, BDF and FACA collaboration. One colleague reported direction received from UNDSS to avoid roads when FACA are in the area and to avoid contact with the groups altogether, and to keep a robust posture if they do interact.[222] Interviewees also said that while the PMCs are not seen to be patrolling directly with the FACA in Bangui, they are operating together outside of the city with some local police units also collaborating with the external actors. This has led to entire areas of the country becoming 'off limits' to UN activity. Bambari was specified as one of these areas, where collaboration between the PMCs, BDF and local security forces was so strong and obstructive that work such as joint patrolling between UNPOL and local police units could no longer take place.

As a result of these constraining factors outside of the Mission, the ability of senior leadership to control and influence external security actors is limited and is also outside their mandated tasks. This is likely to have an impact on the workload and focus of the Mission, especially at senior leadership levels, as they grapple with some of the questions surrounding interaction and engagement with these actors; further compounding the Mission's current challenges with implementing its protection mandates. While several interviewees referred to the issue as something everyone recognises but no one talks about,[223] it was widely referred to as an issue that is demanding attention from everyone at all levels. Undoubtedly, those operating at the field level would benefit from direction and guidance on how to interact with the PMCs, but whether, and how, that guidance will come is another question. This issue speaks to the larger challenges identified by de Coning[224] regarding the nature of MINUSCA as a stabilisation mission, which differs from traditional peacekeeping Missions in important aspects. Critical to MINUSCA's operational effectiveness is the *level and nature of consent*. The UN in CAR has consent only with the host state (and not with any other parties to the conflict), and the ramifications of this are high. The Government of CAR holds significant leverage over MINUSCA and its operations, which further complicates the way the Mission can approach the PMCs on the ground. In addition, the Mission's existing relationship with the host nation also confuses their engagement with the FACA, especially with the latest SOFA violations.

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220 The use of IEDs has prevented joint field missions and has seen monitoring taking place by phone, where possible. IED usage has also blocked humanitarian action, especially along the border with Cameroon. Interviews, MINUSCA (Sept – Dec 2021).

221 Interviews, MINUSCA (Sept – Dec 2021).

222 Ibid.

223 Interviews, MINUSCA (Sept – Dec 2021).

224 De Coning, C. (2021) 'The future of UN peace operations: Principled adaptation through phases of contraction, moderation, and renewal', *Contemporary Security Policy*, 42(2).

The negative effects of this monopoly of influence are starting to be felt. The Mission has experienced 'major issues'[225] because of the recent attack on unarmed members of the Egyptian Constituent Police Unit by elements of the Presidential Guard.[226] A civilian woman was killed as a result of getting caught in the gunfire.[227] Allegations have suggested this led to a disinformation campaign by the government in an attempt to discredit MINUSCA and has resulted in several civilian demonstrations seeking the departure of the Mission from CAR.[228] It was posited by one interviewee that this manipulation of information is part of a bigger political issue between the Mission and the government. In fact, the President wants to seek a third term in office, but cannot do so if MINUSCA remains in the country, and he is, therefore, working to warp public opinion to assist in the ousting of the Mission.[229] The disinformation campaign carried out against MINUSCA is having a very real effect on the Mission's credibility and reputation, in turn affecting its relationship with the population and its ability to engage. This is likely to lead to gaps in the Mission's situational awareness, hampering the safety of UN personnel and its ability to deliver on protection aspects.

Russian-affiliated Private Military Contractors (PMCs)

All those we interviewed expressed concern over the presence of the PMCs within CAR. Not only was it felt that the PMCs undermined and destabilised MINUSCA which further challenged the implementation of protection mandates, it was overwhelmingly stated that the PMCs, working alongside the FACA and other BDFs, were responsible for an increase in HRVs.

Several key differences were identified between the PMCs and MINUSCA:

- The ROE for the PMCs appeared far broader and enabled and encouraged a level of lethal force not seen before.
- Whilst the main objective of MINUSCA is PoC, it appeared to be the elimination of armed groups for the PMCs.

Additionally, the near daily SOFA violations and contempt for MINUSCA personnel meant that PoC including the monitoring and documentation of incidents and support to the delivery of humanitarian aid became almost impossible.

The strategic issue of the known affiliation between the Russian based PMC and the Russian State presents challenges at the UNSC level. How these will be navigated is yet to be seen and undoubtedly affects the work at the Mission level.

225 Interviews, MINUSCA (Sept – Dec 2021).

226 The UN reported the police officers were attacked on 1 November 2021 as they travelled to their base, having only just landed in M'Poko International Airport, as part of the troop rotation. UN News (2021) '10 blue helmets injured during attack in Central African Republic', November, https://news.un.org/en/story/2021/11/1104662

227 Interviews, MINUSCA (Sept – Dec 2021).

228 Ibid.

229 Ibid.

During our later interviews that took place in November and December 2021, after the release of the renewed mandate, the issue over a lack of guidance seemed to have been addressed, at least to some degree. On speaking with a member of the Mission leadership with regards to the SOFA violations and continued problem of the PMC presence, they stated they were 'happy the new mandate put emphasis on these aspects. Especially calling on the government to make sure there is some guarantee of freedom of movement and geographic space.'[230] While the interviewee expressed concern over the likely challenges that will be faced in implementing the new mandate, especially with Russia abstaining from the vote on the renewal, it was felt that the mandate would enable guidance to trickle down from UNHQ into Mission HQ and to the tactical level, which would help those on the ground navigate the murky waters of the different security actors operating within CAR.

The complexity of the situation puts MINUSCA in a difficult position. While the PMCs do not formally represent a political entity their presence remains hard to address as they are associated with the political alliance between a member of the Security Council and the Government of CAR. Moreover, the latter increasingly relies on Russia to boycott previous commitments made with the UN and other Security Council members such as the US and France. It is likely that the solution to this paradox is political and at the level of the UNSC.

E. Conclusion

MINUSCA's operating environment is becoming increasingly contested, with external security actors causing considerable changes to the dynamics within which the Mission operates. Moreover, as armed groups respond to the shifts caused by this new presence, they are adapting their tactics and techniques accordingly. For some, this means becoming far more aggressive in their methods and increasingly indiscriminate, challenging the Mission's ability to respond. A contested operating environment also means a fight for information, especially that which is credible and true. It also requires a balancing act for the Mission at the operational and tactical levels to navigate these murkier waters effectively. This balancing act is also being played out at the strategic level, with the UNSC facing precarious decisions on how to address these issues. Inaction cannot be the answer. Direction and guidance on how to interact with these actors on the ground needs to come from UNHQ level. Advocacy and engagement with the leadership and affiliates of the PMC in question must be sought.

As the attraction of new external support, especially that of the PMC, within the political hierarchy of fragile and conflict-affected states grows, more nations are turning to them to support security,[231] despite the destructive costs that are borne by local populations and threats to long-

230 Interviews, MINUSCA (Sept – Dec 2021).

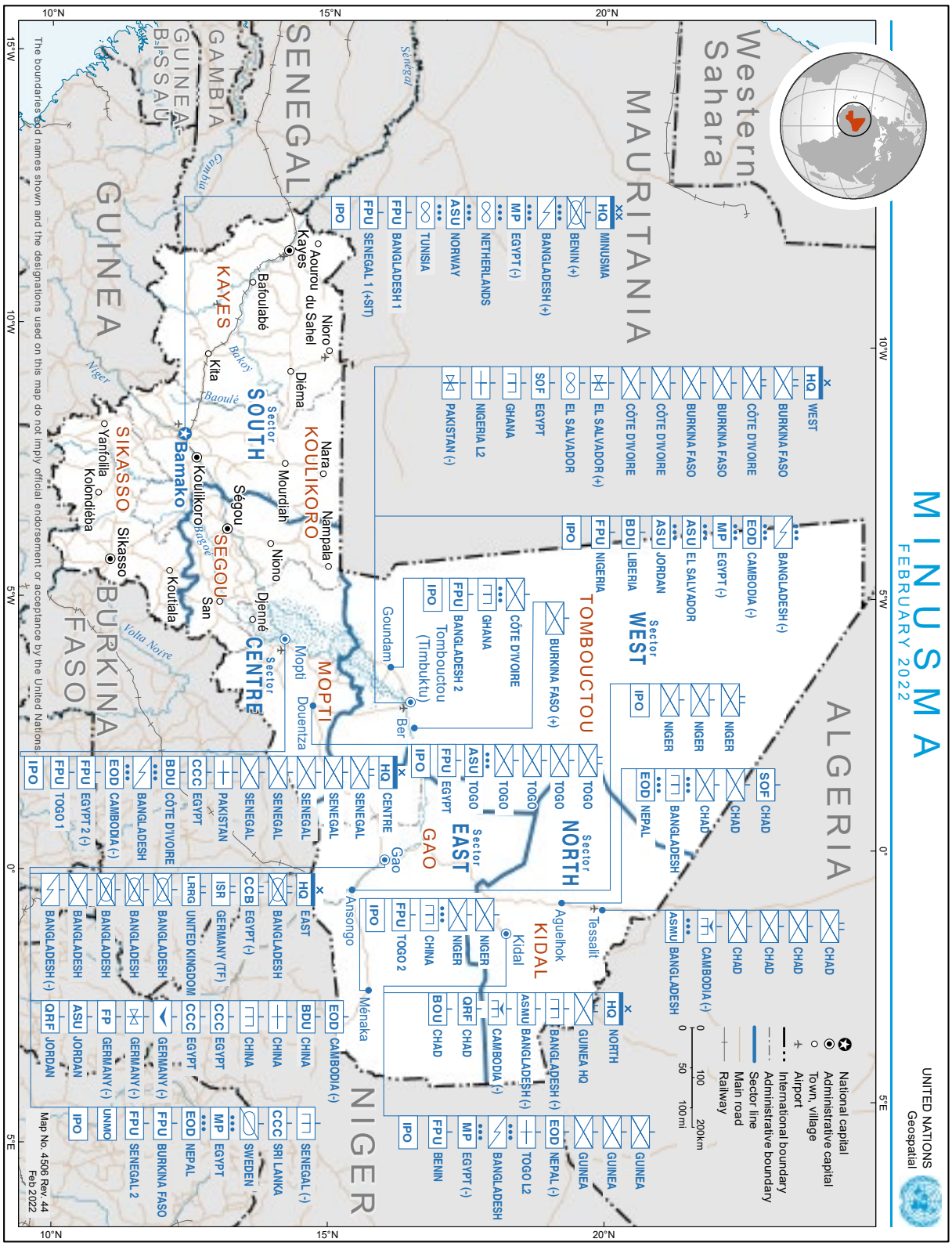
231 Foreign Policy Research Institute (2022) 'The Wagner Group's Playbook in Africa: Mali', March, https://www.fpri.org/article/2022/03/the-wagner-groups-playbook-in-africa-mali

term stability. Should these PMCs and BDFs prove themselves more effective for fragile States (on their terms) than UNSC-approved missions, the world order as we understand it may be threatened. Efforts towards achieving Rule of Law with human rights at its core, risk being replaced by brutality and a new norm of 'guns for hire'.

Into this new mix of actors also comes new threats to the Mission and local populations. Of particular concern is the increased use of IEDs. Mission personnel must be given the confidence to act within this new environment, through the delivery of equipment designed to counter the threat of IEDs, training to employ this equipment to its maximum potential and the capability to maintain it. Training on Rules of Engagement (RoE) should be adapted to facilitate new scenarios that involve these new actors, and a robust stance from the tactical to the strategic should be the response. Coordination with other actors, including humanitarian mine clearance and risk education, should also be enhanced.

The Mission undoubtedly experienced challenges prior to the arrival of these new actors, and issues persist within the Mission that are not directly linked to the new contested operational environment. These include barriers to implementation, identified in other UN peacekeeping operations, and good practices. Emphasis is placed on horizontal and vertical information sharing, and coordination and associated tools. These good practices should be harnessed and expanded where possible. Recommendations around resourcing, training and policy creation are all expanded upon in the final chapter, with the hope of providing concrete suggestions to improve coordination and streamline implementation across the components.

Figure 3.1: MINUSMA deployment map, February 2022[232]



232 UN Geospatial Information Section (2022), 'Mali: MINUSMA Deployment, February 2022', https://reliefweb.int/map/mali/mali-minusma-deployment-february-2022

Chapter 3: MINUSMA – Protection in an Asymmetric Threat Environment

This chapter focuses on the implementation of the protection mandates of the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). As an introduction it provides an analysis of the background and context in Mali, followed by an overview of protection concerns in the country. It then highlights MINUSMA's protection mandates, and how the Mission works on the implementation thereof. Based on interviews with MINUSMA personnel, interlinkages, good practices, and challenges are identified in the last part of this paper. Building on these, the concluding chapter of this study will discuss MINUSMA-specific as well as crosscutting protection recommendations for peacekeeping missions.

A. Background and Context

With the goal of creating an independent state of Azawad in northern Mali, members of the Tuareg ethnic group revolted against the Malian government in January 2012. Led by the National Movement for the Liberation of Azawad (MNLA), the 2012 rebellion was the fourth Tuareg uprising since Mali's independence from France in 1960. The government's ineffective response to this attempt led to a military coup d'état by disgruntled soldiers and officers in Bamako on 22 March 2012, driving President Amadou Amani Touré from office.[233] The MNLA as well as several Islamist armed groups affiliated with Al-Qaida[234] benefitted from

233 ISS Africa (2022) 'Mali: Making peace while preparing for war', October, https://issafrica.s3.amazonaws.com/site/uploads/ECOWAS1-ENG.pdf

234 These include Al-Qaida in the Islamic Maghreb (AQIM), Ansar Eddine, and the Movement for Oneness and Jihad in West Africa (MUJAO).

the resulting lack of State authority, forming a pragmatic alliance that rapidly took control of the regions of Gao, Kidal, and Timbuktu in northern Mali. The alliance was short-lived: a falling-out between the MNLA and the Islamist groups led to Islamist control of the northern regions by late 2012.[235]

As the Islamist groups advanced southwards and threatened the capital, Mali's interim government asked France for bilateral military support. In addition to this, the UNSC authorised the deployment of the African-led International Support Mission in Mali (AFISMA) to support the Malian authorities to recover the north.[236] The French intervention, Operation Serval, and AFISMA quickly pushed back the Islamist groups and recaptured all northern cities in early 2013.[237] To consolidate these gains, in April 2013 the Security Council decided to deploy MINUSMA, transferring authority from AFISMA to MINUSMA.[238]

Meanwhile, the Malian State continued to face a range of complex challenges: State authority had to be reinstalled in the vast north and central regions, the Islamist insurgency had to be contained, and political negotiations with the Tuareg had to re-commence.[239] After a long negotiation process, in May and June 2015 respectively, the Malian government signed the Agreement for Peace and Reconciliation with two coalitions of armed groups: the Coordination of Azawad Movements (CMA) and the Platform of armed groups (the Platform).[240] The Agreement did not include armed groups directly affiliated with Al-Qaida, but it provided for the disarmament of rebel combatants, a reform of the Malian security sector and increased political and financial autonomy for the northern regions. Supporting the implementation of the Agreement became MINUSMA's priority, as mandated by the Security Council.

Despite the Agreement, the volatile security situation and political dynamics triggered a multidimensional crisis in Mali which also undermined the stability of neighbouring Niger and Burkina Faso.[241] Adding to this, the persistent Islamist insurgency in the northern and central regions continued to pose significant challenges as the Islamist groups were not defeated and gained ground over time, seeing State administration withdrawing from large parts of these areas.

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235 Van der Lijn, J. et al. (2019) 'Assessing the Effectiveness of the United Nations Mission in Mali (MINUSMA)', EPON, https://effectivepeaceops.net/publication/minusma

236 UNSC (2012) SC10870.

237 Boeke, S. and Schuurman, B. (2015) 'Operation "Serval": A Strategic Analysis of the French Intervention in Mali, 2013–2014', *Journal of Strategic Studies*, 38(6): 801-825; Théroux-Bénoni, L.A. (2013) 'Mali in the aftermath of the French military operation: New opportunities or back to square one?' ISS Situation report, https://issafrica.s3.amazonaws.com/site/uploads/SitRep2013_18_03Mali.pdf

238 UNSC (2013) UNSCR 2100.

239 Van der Lijn et al. (2019) 'Assessing the Effectiveness of the United Nations Mission in Mali (MINUSMA)'.

240 UN (2014) 'Agreement for Peace and Reconciliation in Mali, Resulting from the Algiers Process', July, https://www.un.org/en/pdfs/EN-ML_150620_Accord-pour-la-paix-et-la-reconciliation-au-Mali_Issu-du-Processus-d%27Alger.pdf; Interpeace (2020) 'Rebuilding Trust in Mali: The Peace and Reconciliation Agreement five years on', August, https://www.interpeace.org/fr/2020/08/rebuilding-reconciliation-agreement

241 Interpeace (2020) 'Rebuilding Trust in Mali: The Peace and Reconciliation Agreement five years on'; Chauzal, G. and van Damme, T. (2015) 'The roots of Mali's conflict: Moving beyond the 2012 crisis', https://www.clingendael.org/sites/default/files/pdfs/The_roots_of_Malis_conflict.pdf

The deployment of various international operations, including the bilateral French Operation Barkhane as a replacement for Operation Serval, the G5 Sahel Joint Force (FC-G5S), and the French-led Task Force Takuba, have not been able to bring stability. The overall security situation has continued to deteriorate in Mali since 2013.[242]

In addition to this, in the absence of State administration, intercommunal conflicts in central Mali intensified since 2015, often pitting Bambara and Dogon farming communities against nomadic pastoralists of the Fulani/Peul ethnic group. Key drivers of the violence link to a combination of social, cultural, environmental, and political factors. These include demographic pressure of a rapidly increasing population, an explosion of husbandry and herds, an increasingly sedentary lifestyle among the traditionally nomadic Fulani/Peul population groups, climatic change, limited basic social service delivery, and the inability of the Malian State to fairly adjudicate local grievances and conflicts over access to natural resources, such as land and water. Tensions were exacerbated further as self-defence groups were created and the Malian authorities largely sided with the Bambara and Dogon communities, whereas Fulani herders were roundly denounced as 'terrorists' and routinely harassed. Extremist groups in their turn exploited these feelings of neglect and victimisation, targeting marginalised groups such as the Fulani for radicalisation, and recruitment.[243]

By 2019, the deteriorating security situation led to an adjustment of MINUSMA's mandate. The Security Council strengthened language on the PoC and reduction of intercommunal violence in the mandate, while adding a second strategic objective for the Mission to support the return of Malian State structures to central Mali.[244] The increase of international attention and investment on these issues seemed to pay off in the short term, with a reduction in mass attacks against civilians observed in 2020 and 2021. Still, the absence of large-scale massacres does not necessarily point to an improvement of the overall situation for the people in central Mali as it may well be the result of the increasing influence of extremist groups. Small-scale attacks remain prevalent, painting the contours of a lower-intensity threat environment for civilians rather than a fundamental decrease of the threat. Aiming to overcome this, MINUSMA and other organisations, such as the Islamic High Council of Mali (HCIM), engaged in the facilitation of local peace agreements in central Mali, which seems to have contributed to a relative decrease in mass violence against civilians. Whereas some of these peace agreements yielded positive results and helped to significantly reduce violence and fatalities among civilians, most agreements were brokered by radical Islamists and the apparent security came with a very high price. As such, impositions and the continued presence of radical armed groups and jihadist movements in large parts of the country continues to challenge the social, cultural, and political

242 OCHA (2021) '*Aperçu des besoins humanitaires: Mali*', https://reliefweb.int/sites/reliefweb.int/fileUNSCRources/apercu_des_besoins_humanitaires_mali_2021.pdf

243 ISS Africa (2019) 'Are terrorist groups stoking local conflict in the Sahel?' October, https://issafrica.org/iss-today/are-terrorist-groups-stoking-local-conflicts-in-the-sahel; International Crisis Group (2016) 'Central Mali: an uprising in the making', https://www.crisisgroup.org/africa/west-africa/mali/central-mali-uprising-making; International Crisis Group (2019) 'Speaking with the "bad guys": Toward dialogue with central Mali's jihadists', https://www.crisisgroup.org/africa/sahel/mali/276-speaking-bad-guys-toward-dialogue-central-malis-jihadists

244 UNSC (2019) UNSCR 2480.

rights of particularly the rural populations, and continues to threaten and thwart the presence and extension of State administration.

Meanwhile, in the north, a de-facto power-sharing agreement between CMA and the Platform has lowered the level of hostilities, but these gains remain fragile and dependent on circumstantial arrangements between the armed groups.

> Whereas some of these peace agreements yielded positive results and helped to significantly reduce violence and fatalities among civilians, most agreements were brokered by radical Islamists and the apparent security came with a very high price.

Asymmetric and complex attacks by groups affiliated to Al-Qaida and the Islamic State continue in north and central Mali, including elaborate ambushes against Malian security forces and MINUSMA, which affects the mobility of these forces and their ability to effectively protect civilians. Although MINUSMA's self-defence capacity has improved, the Mission remains exposed to such threats including incidents involving IEDs. 42 IED attacks were carried out against the Mission in the last quarter of 2021 alone, killing nine peacekeepers and injuring 16 in the regions of Kidal, Gao, Mopti, Ménaka and Timbuktu.[245]

In central Mali, while mass violence seems to have temporarily subsided in 2021 largely as a result of fragile local peace agreements and imposed survival pacts, attacks on security forces, abductions of civilians, and small-scale killings continue to paint a disturbing security picture. [246] Data collected by Armed Conflict Location and Event Data Project (ACLED) indicates a further deterioration of abduction of civilians in 2022 following the resumption of FAMa operations against jihadist groups. According to these figures, in the first quarter of 2022 alone, the number of civilian deaths is higher than the annual total of previous years.[247]

In recent years insecurity is also spreading to the Southern and Western parts of the country with sporadic attacks in those areas.[248] For example, there has been a recent increase in activity of radical elements in the region of San, specifically in Tominian Circle and in Niono district

245 UNSC (2021) S/2021/1117.

246 De Bruijn, M. (2021) 'Peace pacts in Mali: Fragile pockets of peace or "peaceful" colonization by Jihadi groups', Voice4Thought, https://voice4thought.org/peace-pacts-in-mali-fragile-pockets-of-peace-or-peaceful-colonization-by-jihadi-groups; ISS Africa (2021) 'Abductions: the hidden face of Mali's crisis', https://issafrica.org/iss-today/abductions-the-hidden-face-of-malis-crisis

247 Centre d'études stratégiques de l'Afrique (2022) 'Réfuter les déclarations de la junte malienne', https://africacenter.org/fr/spotlight/demystifier-les-affirmations-de-la-junte-malienne

248 ACLED (2021) 'Sahel 2021: Communal Wars, Broken Ceasefires, and Shifting Frontlines', https://acleddata.com/2021/06/17/sahel-2021-communal-wars-broken-ceasefires-and-shifting-frontlines

in Ségou Region in the area bordering Burkina Faso. Moreover, in 2021, extremists conducted some 20 attacks in Sikasso region, 11 in Koulikoro region, and five in Kayes region.[249]

This volatile situation has been compounded by a political crisis.[250] Two military coups d'états have taken place. The first on 18 August 2020, toppling President Ibrahim Boubacar Keïta,[251] and the second on 24 May 2021, seeing transition President Bah N'Daw and Prime Minister Moctar Ouane arrested, bringing vice-president and leader of the August junta Colonel Assimi Goïta to power.[252] As the coups further destabilised Mali's political landscape, the UN, AU, and the Economic Community of West African States (ECOWAS) have repeatedly urged the transitional authorities to comply with the agreed timetable that called for presidential and legislative elections in February and March 2022. Despite the commitment to hold elections in early 2022, Mali's transitional government announced that the transition would be extended by up to five years instead, beginning 1 January 2022.[253] This led to a tightening of sanctions imposed earlier by ECOWAS, including diplomatic, trade and financial restrictions, as well as a closure of air and land borders.[254] MINUSMA's current mandate tasks the Mission to support the political transition. However, in the absence of a political decision by Malian authorities to hold elections against the initial schedule, the Mission's technical, logistical, and capacity-building support is of little impact and Mali's fluid security and political situation remains unpredictable.[255]

> Adding to the insecurity in Mali is the withdrawal of the French military presence in the region, and the uncertain future of other European-led military missions.

A final factor adding to the insecurity in Mali is the withdrawal of the French military presence in the region, and the uncertain future of other European-led military missions. Due to increasing casualties and financial costs combined with little progress in the stabilisation of the country, in June 2021 the French government announced its plans to draw down the counter-terrorism Operation Barkhane by early 2022 and to reduce the size of its other military commitments in the Sahel.[256] Not long after, reports emerged that the Malian government had secured the

249 Interviews, MINUSMA (Sept 2021 – Feb 2022).

250 ISS Africa (2020) '*Mali: la médiation de la dernière chance?*' https://issafrica.org/fr/iss-today/mali-la-mediation-de-la-derniere-chance

251 ISS Africa (2020) 'Navigating Mali's political transition', https://issafrica.org/iss-today/navigating-malis-political-transition

252 ISS Africa (2021) 'A new coup derails Mali's transition', https://issafrica.org/iss-today/a-new-coup-derails-malis-transition

253 ISS Today (2022) 'Mali's transitional government capitalises on festive lull', January, https://issafrica.org/iss-today/malis-transitional-government-capitalises-on-festive-lull

254 ISS Today (2022) 'Beyond ECOWAS sanctions, how can Mali overcome the crisis?' January, https://issafrica.org/iss-today/beyond-ecowas-sanctions-how-can-mali-overcome-the-crisis

255 UNSC (2021) S/2021/844.

256 France24 (2021) 'Emmanuel Macron annonce la fin de l'opération Barkhane au Sahel', 10 June, https://www.france24.com/fr/afrique/20210610-op%C3%A9ration-barkhane-emmanuel-macron-va-annoncer-une-restructuration-des-troupes

services of the Wagner Group, a Russian PMC, which by early 2022 has reportedly deployed around 1 000 fighters in the Mopti region to support the Malian Armed Forces (FAMa).[257] Due to past allegations of human rights abuses committed by the Wagner Group and the its reportedly close connection to the Russian government, its deployment starting in December 2021[258] was denounced by 15 European governments, as well as Canada and the United States (US).[259] Political tensions between Mali and its regional and European partners further deteriorated as the Malian interim government announced the postponement of elections planned for early 2022. Adding to the subsequent sanctions by ECOWAS[260] and following continuous diplomatic tensions with the Malian authorities, in February 2022 France announced the withdrawal of all French military forces from Mali.[261] The European Union (EU) followed suit by suspending their military and police training operations, the EU Training Mission (EUTM) and the EU Capacity Building Mission (EUCAP), in April 2022.[262] In addition to the failure to honour the electoral timeline, the withdrawals have been justified as a consequence of the Malian authorities' use of the services of the Wagner Group. As the situation continues to develop, European countries are reassessing other military commitments in Mali, including those to MINUSMA, further adding to shifts in the country that are likely to significantly impact on the security situation.[263] Meanwhile, negotiations with ECOWAS to lift the economic sanctions have stalled, leading to a further diplomatic isolation of the country. Simultaneously, the FAMa has stepped up military operations across the central region, 'reporting heavy casualties among extremist groups and significant military gains.'[264]

The rapid and turbulent developments in the political and the security spheres compound a worrying environment for human rights and civilian protection. Relying on an increasingly sovereigntist and nationalist posture, the Malian authorities are increasingly repressing political criticism and alternative narratives to official positions. The work of independent observers and access to independent, diverse sources of information are becoming increasingly risky, making

257 Raineri, L. (2022) '*Je T'Aime, Moi Non Plus*: The French Withdrawal from Mali', ISPI, https://www.ispionline.it/it/pubblicazione/je-taime-moi-non-plus-french-withdrawal-mali-33929; *New York Times* (2022) '"The Killings Didn't Stop". In Mali, a Massacre with a Russian Footprint', 31 May, https://www.nytimes.com/2022/05/31/world/africa/mali-massacre-investigation.html

258 The Malian authorities have denied using the services of the Wagner Group, claiming the continuation of historic military cooperation with Russia is taking place.

259 Thompson, J., Doxsee, C. and Bermudez, J.S. (2022) 'Tracking the Arrival of Russia's Wagner Group in Mali', Center for Strategic and International Studies, https://www.csis.org/analysis/tracking-arrival-russias-wagner-group-mali; The Governments of Belgium, Canada, Czech Republic, Denmark, Estonia, France, Germany, Italy, Lithuania, Netherlands, Norway, Portugal, Romania, Spain, Sweden, United Kingdom (2021) 'Joint Statement on the Deployment of the Wagner Group in Mali', December, https://www.auswaertiges-amt.de/en/newsroom/news/-/2503704.

260 Aubyn, F.K. (2022) 'ECOWAS Sanctions Against Mali Necessary, but May be Counter-productive', IPI Global Observatory, https://theglobalobservatory.org/2022/02/ecowas-sanctions-against-mali-necessary-but-may-be-counter-productive

261 *The New York Times* (2022) 'France Announces Troop Withdrawal from Mali After 9-Year Campaign', 17 February, https://www.nytimes.com/2022/02/17/world/africa/mali-france-withdrawal.html

262 Al Jazeera (2022) 'EU winds down military training operations in Mali', 12 April, https://www.aljazeera.com/news/2022/4/12/eu-winds-down-military-training-operations-in-mali

263 Interviews, MINUSMA (Sept 2021 – Feb 2022); Raineri (2022) '*Je T'Aime, Moi Non Plus*: The French Withdrawal from Mali'.

264 UNSC (2022) S/2022/278.

accurate assessments of the impact of the crisis on protection issues increasingly difficult.[265] Meanwhile, these developments also undermine the cooperation between MINUSMA and the Malian government, which has become particularly sensitive on protection issues. An example of the strained relationship can be found when assessing the security situation in the centre of Mali during the first quarter of 2022. While new operations of the FAMa in the region mark a return of the State in previously abandoned areas, allegations of abuses against civilians attributed to the FAMa are increasing, including during joint operations with the Wagner Group.[266] MINUSMA's request to investigate these allegations of civilian massacres has not yet been approved by the Malian authorities and personnel have been denied access to affected areas.[267] These restrictions of movement for MINUSMA are not limited to the central region, as the Mission has been required to request specific authorisation from the authorities in Bamako for every land and air patrol since the beginning of 2022. Approval must be requested from the Malian authorities between 48 and 72 hours prior to the patrol,[268] which, among other things, significantly hampers the Mission's access and ability to prevent and respond to protection issues.

> While new operations of the FAMa in the region mark a return of the State in previously abandoned areas, allegations of abuses against civilians attributed to the FAMa are increasing, including during joint operations with the Wagner Group.

B. Protection Concerns in Mali

The persistence and ever-increasing complexity of the conflict environment means that the Malian population continues to face multiple protection threats, including through intercommunal violence. According to the four 2021 quarterly reports of the Secretary-General on the Situation in Mali, MINUSMA reported a total of 1 195 attacks against civilians that killed 564 and wounded 480; a further 473 were abducted. The Mission documented 1 880 HRVs and abuses, mostly in central Mali, including 81 cases of extrajudicial executions, 388 other killings, 77 cases of torture and 498 abductions. Of these violations, 207 were committed by national and regional security

265 Interviews, MINUSMA (Sept 2021 – May 2022).

266 HRW (2022) 'New wave of execution of civilians', 15 March, https://www.hrw.org/news/2022/03/15/mali-new-wave-executions-civilians; HRW (2022) 'Mali: Massacre by Army, Foreign Soldiers 300 Civilians, Suspects Allegedly Killed; Set Independent, Credible Inquiry', 5 April, https://www.hrw.org/news/2022/04/05/mali-massacre-army-foreign-soldiers

267 France24 (2022) 'UN investigators blocked from site of suspected killing in Mali', 20 April, https://www.france24.com/en/africa/20220420-un-investigators-prevented-access-to-site-of-mali-killings; *New York Times* (2022) '"The Killings Didn't Stop". In Mali, a Massacre with a Russian Footprint'.

268 Le Monde (2022) 'In Mali, the uncertain future of UN peacekeepers', 10 May, https://www.lemonde.fr/en/international/article/2022/05/10/in-mali-the-uncertain-future-of-un-peacekeepers_5982991_4.html

forces, 307 by judicial authorities, 93 by signatory armed groups to the Agreement for Peace and Reconciliation, 377 by community-based armed groups and militias, and 869 by extremist armed groups.[269] MINUSMA reported that HRVs committed by the FAMa against civilians increased tenfold in the first quarter of 2022 compared to the last three months of 2021.[270] According to the Secretary General's report on the situation in Mali, covering the first quarter of 2022, the Mission 'documented 466 human rights incidents (241 violations and 225 abuses), which is 142 more than during the previous reporting period.'[271] Although deliberate and widespread attacks by presumed extremist groups continue to be the main factor affecting the human rights situation in Mali, joint operations between the FAMa and foreign security personnel (Wagner) to counter these groups 'were fraught with allegations of serious human rights violations' and this 'continues to erode trust between the military and the affected population'.[272]

Children's Rights

During 2021, MINUSMA recorded 888 grave violations against children, including incidents that killed and maimed 152 children. The Mission documented the illegal recruitment into armed groups of at least 377 children aged between 10 and 17, 290 of which were successfully separated from armed groups. Numerous actors, including national security forces, were involved in these violations. In addition, attacks against schools remained prevalent and at least 1 664 schools remain closed due to the persistent insecurity, affecting half a million children at the minimum.[273] This indicates a deteriorating situation for children in Mali compared to 2020, as the annual report of the UNSG on CAAC reported that 809 violations against 525 children in Mali had been committed between January and December 2020.[274] In the first quarter of 2022, the situation deteriorated even further according to the Secretary General's report on the situation in Mali, with the UN recording a 57% increase of grave violations against children compared to the previous reporting period. The 396 recorded incidents directly affected 270 children, including 181 boys, 76 girls, and 13 children of unknown sex. As per the report, the 'recruitment and use (149), killing (25), and maiming (66) of children, attacks against schools (61), hospitals (4), and abductions (38) remained the most prevalent violations. Other violations included sexual violence (19) and denial of humanitarian access (34).'[275] It should be noted that these figures are likely to be much higher due to the limitations MINUSMA faces when documenting HRV/As, including grave violations against children.

269 UNSC (2021) S/2021/299, S/2021/519, S/2021/844, and S/2021/1117.

270 MINUSMA (2022) '*Note trimestrielle sur les tendances des violations et atteintes aux droits de l'homme au Mali, Jan-Mar 2022*', May.

271 UNSC (2022) S/2022/278.

272 Ibid.

273 UNSC (2021) S/2021/299, S/2021/519, S/2021/844, and S/2021/1117.

274 UNSC (2020) S/2020/1105.

275 UNSC (2022) S/2022/278.

Conflict-Related Sexual Violence (CRSV)

The political tensions following the coups of August 2020 and May 2021 and the deteriorating security situation, particularly in the north and centre of the country, have also worsened the existing trends of CRSV in Mali.[276] Displacement caused by intercommunal violence and the proliferation of weapons has exacerbated threats against the civilian population in general and has made women and girls more vulnerable, particularly to trafficking.[277] Due to reporting challenges, MINUSMA was only able to verify abuses committed against 21 women and eight girls in 2020 and against 19 women, 24 girls and four men in 2021[278] – a fraction of the actual extent of the problem. During the first quarter of 2022, MINUSMA documented nine cases of CRSV through the Monitoring, Analysis, and Reporting Arrangements (MARA) and six cases of CRSV were reported through the one-stop-centre in Gao.[279] Among the perpetrators were signatory armed groups, communal militias, Malian security forces, extremist groups, and unidentified armed men. Most cases committed between 2020 and 2022 were concentrated in the centre and the north of Mali and included cases of gang rape, forced marriage, abduction, and sexual slavery.[280]

Gender-Based Violence (GBV)

In 2020, UNFPA reported that 97% of incidents in Mali were directed against women and girls. GBV service providers in Mali reported a total of 1 020 cases, including 510 women, 489 girls, 15 boys, and six men in 2020 through the GBV Information Management System (GBV-IMS). Structural gender inequality continues as well as harmful social practices, with 89% of women and girls between 15 and 49 years having undergone female genital mutilation, and over 50% having been married before the age of 18. The situation deteriorated during 2021, with 3 744 cases of GBV being reported by the Protection Cluster between January and June 2021. 44% of these cases were reported as conflict-related, including rape and physical assault carried out around IDP camps, as well as during travel on roads and daily activities such as collecting water and firewood.[281]

According to the September 2021 Multisector Needs Assessment by the Mali HCT, the threat of being a victim of sexual violence is the first perceived concern for girls and the second perceived concern for women in conflict-affected zones, among both displaced and non-displaced women and girls. In Ménaka region, for instance, sexual violence was the main security concern for 75% of women interviewed, while the rate stood at 80% for girls in the same region.

276 OCHA (2021) '*Aperçu des besoins humanitaires: Mali*', https://reliefweb.int/sites/reliefweb.int/fileUNSCRources/apercu_des_besoins_humanitaires_mali_2021.pdf

277 Interviews, MINUSMA (Sept 2021 – Feb 2022).

278 UNSC (2021) S/2021/312; UNSC (2022) S/2022/272.

279 UNSC (2022) S/2022/278.

280 UNSC (2021) S/2021/312; UNSC (2022) S/2022/272.

281 UNSC (2021) S/2021/312.

Similarly, in Kidal region, 60% of women and 77% of girls interviewed perceived sexual violence as the principal security threat. This survey confirms that there are serious protection concerns, especially in relation to the situation of women and girls, throughout the country.[282]

CRSV continues to be underreported in Mali, partly for fear of social repercussions, retaliations by armed groups, the absence of Malian security forces, and a lack of trust in the Malian law enforcement and justice sectors.[283] As a result, perpetrators of CRSV often remain unidentified, and impunity is rife. However, CRSV reporting seems to have increased slowly since the establishment of 'one-stop-centres' in most regions, which has been identified as a good practice. At these centres, victims and survivors are offered holistic assistance ranging from medical, psychosocial, security, and legal support under one roof, while respecting the guiding principles of confidentiality, 'do no harm,' and survivor-centred approaches.

Humanitarian Situation

The humanitarian situation in Mali is dire and continues to deteriorate, with the number of people in need of humanitarian assistance increasing from 5.9 million in 2021 to 7.5 million during the first quarter of 2022,[284] accounting for 37% of the Malian population. In areas under the (partial) control of armed groups — estimated today as covering about two thirds of the territory — and sometimes under local agreements between these groups and the besieged populations, hundreds of thousands of girls, boys, women, and men are deprived of access to schools, health care, markets, and/or fields. In June 2021, the number of IDPs stood at 386 000. Almost two thirds of these IDPs, 243 000, were children.[285] The displacement figures went up to 400 000 in October 2021 but decreased to 350 000 by the end of the year. This illustrates the fluidity of the situation, which is further impacted by ongoing FAMa operations leading to displacement of the population in the regions of Douentza, Gao, Mopti, and Timbuktu.[286]

Although the level of violence and number of protection incidents against civilians seemed to decrease during 2021, the fourth quarterly report of 2021 by the Secretary-General on the Situation in Mali highlighted three trends that point to significant shifts in the general security situation:

282 Mali HCT (2021) 'Multi-Sector Needs Assessment'.

283 UNSC (2022) S/2022/272.

284 UNSC (2022) S/2022/278.

285 UNICEF (2021) 'Mali Humanitarian Situation Report No. 6', January, https://www.unicef.org/media/104476/file/Mali%20Humanitarian%20Situation%20Report,%20June%202021.pdf

286 UNSC (2022) S/2022/278.

'First, the Mission received few reports of confirmed incidents or threats of violence in areas effectively controlled by violent extremist and terrorist groups despite allegations of severe human rights violations, potentially indicating a high level of coercion occurring in those areas. Second, reported security incidents occurred primarily in areas where different groups are vying for control against either the State or community-based armed groups and militias, such as in Bandiagara, San and Ségou Regions, the entirety of the Gourma and key strategic access routes where radical armed elements are seemingly attempting to establish effective control. Third, incident trends indicate a continued shift from the centre to the south of the country, with an increase noted in attacks by unidentified armed individuals or members of violent extremist and terrorist groups in Koutiala, San and Sikasso, as well as increased intercommunal tension affecting in particular the Diabali and Dogofri communes in Niono district, Ségou Region. This spread of incidents from the centre southwards is due in part to the lack of an effective State presence, including the Malian Defence and Security Forces, in most of the rural areas of central Mali and is visible in threats by violent extremist and terrorist groups, the climate of fear, increased school closures and the absence of basic services and humanitarian activities. An increase in the use of embargoes or siege tactics was observed, as well as the strategic destruction of critical infrastructure, most importantly bridges and telecommunication installations, and the use of improvised explosive devices, which seems to be a deliberate tactic of war to further isolate communities.'[287]

These developments are further indicators of a deteriorating security situation and entail severe impacts on the extent of protection concerns faced by the Malian population.

C. MINUSMA's Mandate

MINUSMA was established by UNSCR 2100 of 25 April 2013 to support the political process in the country and carry out several peace and security-related tasks. By unanimously adopting UNSCR 2164 of 25 June 2014, the Council further decided that the Mission should focus on duties such as stabilisation and PoC, in support of the Malian State.

Concerns about the lasting insecurity and growing number of casualties among the Malian population led to the decision of the Security Council to add a 'second strategic priority' when MINUSMA's mandate was renewed in July 2019 in UNSCR 2480. In addition to providing support to the implementation of the Agreement for Peace and Reconciliation, the Council requested the Mission to '*facilitate the implementation of a comprehensive politically led Malian strategy to protect civilians, reduce intercommunal violence, and re-establish State authority, State presence and basic social services in Central Mali*.'[288] Furthermore, UNSCR 2480 and the following resolutions on MINUSMA (UNSCR 2531 of July 2020, UNSCR 2584 of June 2021) contain much stronger and more detailed language than earlier resolutions on PoC and human rights.

287 UNSC (2021) S/2021/1117.
288 UNSC (2019) UNSCR 2480.

MINUSMA's mandate (UNSCR 2584, adopted in June 2021) calls for it to work:

[I]n support of the Malian authorities, to take active steps to anticipate, deter and effectively respond to threats to the civilian population, notably in the North and Centre of Mali, through a comprehensive and integrated approach, and, in this regard: to promote understanding of and strengthen mission-wide early warning and response mechanisms […] to strengthen community engagement and protection mechanisms, including interaction with civilians, community outreach, reconciliation, mediation, support to the resolution of local and intercommunal conflicts and public information, to take mobile, flexible, robust and proactive steps to protect civilians, including through the set-up of a Mobile Task Force […] and to mitigate the risk to civilians before, during and after any military or police operation.[289]

Figure 3.2: MINUSMA composition[290]

289 UNSC (2021) UNSCR 2584.

290 UN (2021) 'MINUSMA Fact Sheet', https://peacekeeping.un.org/en/mission/minusma

The Mission is also tasked to 'provide specific protection and assistance for women and children affected by armed conflict, including through CPAs, WPAs, and civilian and uniformed Gender Advisors and focal points, as well as consultations with women's organisations, and address the needs of victims and survivors of sexual and gender-based violence in armed conflict' and 'to monitor, document, conduct fact-finding missions, help investigate, and report […] on violations of international humanitarian law and on violations and abuses of human rights, including all forms of sexual and gender-based violence, trafficking in persons, and violations and abuses committed against women and children throughout Mali.'[291]

> Ranging from political instability, ongoing changes in international (military) presence, asymmetric threats, and expansion of armed, extremist and terrorist group presence beyond the North and Centre of the country, MINUSMA arguably sits in the eye of a perfect storm.

With the latest mandate renewal of MINUSMA in June 2021, the language regarding child protection was significantly strengthened. The mandate calls on the parties to 'immediately release, without preconditions, all children from their ranks, hand them over to relevant civilian child protection actors, end and prevent further recruitment and use of children, and to ensure that the protection of children's rights is taken into account in the implementation of the 'Agreement', in DDR processes and in security sector reform.'[292] The new Operative Paragraph (OP) concerning CP was significantly longer, encompassing a broader set of concerns than the previous mandates.

D. Implementation of Protection Mandates: Interlinkages, Good Practices, and Gaps

As described in the sections above, MINUSMA currently finds itself deployed in a context that is volatile and entrenched in uncertainties. Ranging from political instability, ongoing changes in international (military) presence, asymmetric threats, and expansion of armed, extremist and terrorist group presence beyond the North and Centre of the country, MINUSMA arguably sits in the eye of a perfect storm. This is also illustrated by the fact that MINUSMA is the UN peacekeeping mission that has suffered the most fatalities over the last decade, with over 157 of

291 Ibid.
292 Ibid.

its peacekeepers losing their lives due to malicious acts since the Mission's inception in 2013.[293] For a UN peacekeeping mission to operate in a highly complex environment in which it faces daily threats of violence against its personnel and assets, adds major complications and, at times, unrealistic expectations to its ability to implement its protection mandates. The complexity of these threats against the Mission itself significantly adds to the challenges the Mission faces.[294]

Building on interviews conducted with MINUSMA and UNHQ representatives between September 2021 and February 2022, this section will outline some of MINUSMA's efforts to implement its protection mandates within its complex deployment setting. It will highlight how the Mission attempts to utilise interlinkages between the protection mandates, while identifying good practices as well as challenges that have adversely impacted implementation of the protection mandates.

Responding to Protection Concerns

Interviews for this research indicated that following its strengthened protection mandates, MINUSMA has taken several steps to enhance the Mission's effectiveness in responding to protection concerns. Given the deteriorating security situation in central Mali, the Mission created a new Sector with headquarters in Mopti (Sector Centre) in June 2019 to be able to respond more quickly to threats against civilians in the region. Adding to this, the use of Temporary Operating Bases (TOBs) has allowed for a stronger presence and increased patrolling by MINUSMA military and police units in hard-to-reach areas, while also serving as a staging ground for civilian activities. Operational control of PoC measures for physical protection was delegated from HQ down to regional offices with greater situational awareness. MINUSMA has also reinforced its Regional Joint Operations Centres (RJOCs) to facilitate the sharing and analysis of information by military, police, and civilian personnel, strengthening integration between mission components. In addition, the Mission increased the number of CLAs, strengthening its ability to engage with the population. Finally, MINUSMA introduced an EW/RR Standard Operating Procedure (SOP) in June 2020 that not only delineates responsibilities and establishes procedures, but crucially re-emphasises that PoC is not just a task for the military and police components but requires a whole-of-mission approach. This enables more thorough documentation of actions taken by the Mission, which in turn, significantly improves analysis of the Mission's protection efforts.[295]

293 UNDPO (2022) 'Fatalities up to March 2022', https://peacekeeping.un.org/en/fatalities

294 Ibid.

295 Interviews, MINUSMA (Sept 2021 – Feb 2022).

Prioritising Protection

According to most interviewees, the necessity to treat protection as a critical, cross-cutting issue with specific responsibilities for all three Mission components is largely accepted across MINUSMA. PoC was addressed as a priority by the Mission leadership at the time of this research, yet it was noted that the extent to which the protection mandates are prioritised is sensitive to personal interests, experience, and preferences. According to Mission personnel this implies that a long-term vision on protection is often lacking, many initiatives are personality driven, and the approach can alter significantly with a change in leadership as well as troop-contributing countries' (TCC) and police-contributing countries' (PCC) rotations. Still, interviewees from all three components (civilian, military, and police) repeatedly emphasised that their cooperation on protection concerns was marked by a spirit of trust and teamwork, resulting in a mostly cordial relationship and reciprocal information sharing.[296]

> The extent to which the protection mandates are prioritised is sensitive to personal interests, experience, and preferences.

The civilian, military, and police components of MINUSMA focus their efforts on the protection needs of civilians through the three PoC tiers. Initiatives range from physical protection, threat awareness, and EW networks to activities that aim to address and reduce violence against civilians through community sensitisation initiatives, intercommunity peace agreements, and preventive and curative measures to strengthen community resilience. Secondly, activities are undertaken to rehabilitate infrastructure for service delivery and State extension, community radio messages are broadcasted against violence and hate speech, and conflict resolution training and workshops are organised by the Mission. Thirdly, UNPOL representatives stressed the importance of approaching PoC as a medium- and long-term issue that needs to be tackled through, among other things, the reform of local security forces with an emphasis on community policing. Despite the volatile security context, the Mission's components try to work on community engagement activities yet face challenges in terms of trust by the population.[297]

Whereas the Mission leadership was generally described as supportive with regards to the protection mandates, individual MINUSMA staff members stressed the challenging context at the field level to implement protection mandates, as armed, terrorist, and extremist groups have gained control of large parts of the country. This severely impacts the Mission's ability to conduct protection activities and limits community engagement in most of the regions. In addition to that, Mission personnel and sections that are dedicated to work on the specific protection mandates did not always feel supported in the execution of the Mission's protection work. For example, one MINUSMA representative remarked that Mission personnel at various ranks

296 Ibid.

297 Interviews, MINUSMA (Sept 2021 – Feb 2022).

and levels incorrectly regard PoC work as exclusively the PoC section's work and pointed to the extremely challenging operational realities that hamper tangible results on the PoC mandate and related low morale. As a result, some parts of MINUSMA still treat the PoC section (and its interventions) as an inconvenience, as one interviewee put it, the 'unwanted stepchild of the mission.'[298] This further impacts the Mission's effectiveness in the implementation of its protection mandates.

To strengthen the protection performance across the Mission, MINUSMA held a joint internal PoC workshop in August 2021 that developed over 30 recommendations which were submitted to the Mission leadership. They include measures to improve patrolling activities by making them less predictable, increasing the number of female staff and CLAs, better monitoring of social media and quicker reactions to errors and hate speech directed against the Mission, and the development of simple one-page 'dos and don'ts' guidance documents on POC practice for different parts of the Mission. Several interviewees involved in the process urged a timely and positive reaction by the Mission leadership and a rapid implementation of the recommendations. Unfortunately, by January 2022 no progress had been made and Mission colleagues noted with frustration that 'the paper was never even discussed by leadership,' pointing to a lack of prioritisation of PoC.[299]

Monitoring and Reporting

During 2021, due to factors including the security situation, the COVID-19 pandemic, limited mobility, and access, MINUSMA was only able to verify 47 cases of CRSV, including 19 women, 24 girls, and four men.[300] During the same period the number of GBV cases reported through the GBV-IMS was 1061, including 510 women and 547 girls, indicating that the actual number of CRSV cases is much higher. Due to this discrepancy in figures and the continuing difficulties faced by MINUSMA to verify CRSV cases, some MINUSMA staff felt that the Mission should look beyond the limited number of cases it was able to verify and urged the Mission to make better use of information provided by GBV-IMS to target its activities. Noting that CRSV cases generally remain underreported,[301] the Mission also faced significant constraints to carry out integrated protection and verification and investigation missions[302] due to the deteriorating security situation and limited access to communities.

In terms of recent activities MINUSMA's CP Section, the SRSG for CAAC reported that during the COVID-19 pandemic efforts continued to deliver training on the related MRM. The Section also continued working on efforts to raise awareness and build capacity among

298 Ibid.

299 Ibid.

300 UNSC (2022) S/2022/272.

301 UNSC (2021) S/2021/299, S/2021/519, and S/2021/844.

302 These integrated field missions are normally composed of MINUSMA civilian, military and police personnel.

national partners involved in the implementation of the MRM, organising training workshops in the regions of Mopti, Timbuktu, Gao and Ménaka. Like MINUSMA's CRSV activities, the extent of child protection activities was also hampered by the security situation, leading to limited mobility and access restrictions that prevented full engagement with communities, and monitoring and reporting by the Mission.[303]

> Several civilian interviewees expressed that they experienced internal competition for credit, visibility, and resources, hampering coordination and collaboration on the implementation of the protection mandates.

Dedicated Protection Advisors and Coordination

To support the Mission on the implementation of the protection mandates, dedicated protection advisors are deployed at Mission headquarters as well as at field level. Most interviewees stressed the importance of these dedicated protection advisors, especially with regards to advising the Mission on technical aspects of mandate implementation.[304] Currently, the Mission includes PoC Advisors, CPAs and WPAs within its civilian pillar, as well as a larger Human Rights and Protection Division (HRPD). Some of the protection advisors have been integrated into the HRPD over recent years, whereas others have direct reporting lines to the Mission leadership. For example, within MINUSMA, the PoC section is directly attached to the Office of the Special Representative of the Secretary General (SRSG) office. This arrangement is mirrored in the regions where the PoC officers report to the respective Heads of Office in each of MINUSMA's regional hubs.[305] WPAs on the other hand are consolidated within the HRPD. Interviewees described pros and cons of the consolidation of some protection functions. Whereas WPAs seemingly gained better access to data pertaining specifically to CRSV after their consolidation into HRPD, they lost direct access and leverage with Mission leadership, and in some cases visibility of the specific aspect of the protection mandates.[306] According to interviewees, this is likely to have had an impact on the awareness of these issues among senior leadership and may have resulted in the Mission losing focus on these specific aspects of the mandate.[307]

303 Interviews, MINUSMA (Sept 2021 – Feb 2022).

304 Ibid.

305 It should be noted, however, that by early 2022 and despite PoC being stipulated as a priority, the Mission's civilian component only had four dedicated PoC advisors. These PoC advisors were based in Timbuktu, Gao, Ménaka, and Bamako. The PoC advisor position had been vacant for an extended period of time in Mopti, despite the urgent need for dedicated PoC expertise in this particular region.

306 Interviews, MINUSMA (Sept 2021 – Feb 2022).

307 Ibid.

Several interviewees described a generally constructive working relationship between civilian protection advisors, the Force and UNPOL, but not everyone agreed with this approach: one interviewee questioned the rationale of creating dedicated advisors on PoC, Women Protection, and CP. This interviewee described the protection advisors in the civilian component as 'Christmas tree decorations,' stating that protection issues could be better addressed by a strengthened HRPD instead, streamlining efforts and enhance coordination.[308] Others pointed to the challenges of working together with HRPD, noting the Division as being 'so disconnected from the rest of the Mission that their work is providing next to no operational guidance to uniformed personnel.' Another interviewee expressed that there was a general 'unwillingness of HRPD to cooperate with anyone.'[309] Interviewees not only linked this to the 'half in, half out' status of HRPD, being double hatted with reporting lines to the Mission and the UN Office of the High Commissioner for Human Rights (OHCHR) in Geneva. One interviewee went further and questioned the HRPD's 'added value in its current form and leadership.'[310]

This points to a broader challenge that comes with the fragmentation of the PoC, CRSV and CP mandates and dividing mandate responsibilities among various civilian substantive sections that belong to different divisions or pillars within the Mission. Several civilian interviewees expressed that they experienced internal competition for credit, visibility, and resources, hampering coordination and collaboration on the implementation of the protection mandates. This highlights the challenging task for the Mission to streamline the division of labour in the most effective way possible, while incentivising better, franker, and substantial collaboration among the different civilian substantive sections that each hold a piece of the protection puzzle.[311]

Against this background, most interviewees also stressed that there is a shortage of dedicated protection advisors in the Mission and that they are unable to meet the heavy workload. For example, whereas one dedicated PoC Officer is deployed to each regional office (except for Kidal), staffing in the Office of the Senior SWPA is restricted to the Mission headquarters and insufficient for the task. At the time of publishing this report, there are no WPAs deployed in the regions and to address the subsequent capacity gap in terms of addressing CRSV, especially at the regional offices, several civilian sections of MINUSMA now have CRSV focal points, as do the police and military components. Whereas this can be seen as good practice in terms of coordination and sharing of responsibilities, interviewees highlighted that these focal points often lack the required training and skills to concretely work on the prevention and response to CRSV. Within the civilian component, the key CRSV focal point role is played by human rights officers 'who have a lot on their plate,' and are therefore not able to dedicate adequate time to the CRSV work.[312] Adding a layer of challenges, the security situation has prevented MINUSMAs WPAs to undertake many activities aimed at combating CRSV, including engagement with

308 Ibid.

309 Ibid.

310 Ibid.

311 Interviews, MINUSMA (Sept 2021 – Feb 2022).

312 Ibid.

victims and survivors, and collaboration with other protection actors.[313] This has also limited capacity-building on CRSV with internal and external counterparts, as well as MINUSMA's reporting on CRSV and efforts to work on the fight against impunity.

> Whereas the appointment of focal points in theory is good practice, interviewees highlighted that some of these focal points were untrained on the subject matter and lacked the capacity to adequately respond to protection issues.

Within MINUSMA's military component, a Military Gender and Protection Advisor (MGPA) is deployed at Mission headquarters. The MGPA is supported by a network of Military Gender and Protection Focal Points in the Sectors. In addition to this, each battalion is requested to nominate a gender and protection focal point to enhance timely information sharing and protection responses. As per the CP policy, the Force should also appoint dedicated child protection focal points: 'Force Commanders shall designate a Military Child Protection Focal Point at mission headquarters to coordinate and work closely with CPAs and child protection staff. Battalion Commanders shall appoint a full-time child protection officer within each Battalion Command Group and Company Commanders shall designate a child protection focal point within Company Headquarters, tasked with, among other responsibilities, channelling alerts of violations against children to CPAs and child protection staff based on agreed information sharing protocols.'[314] Similar to MINUSCA and MONUSCO, in reality, the MGPA and focal points often end up covering all protection mandates as well as SEA, which is well beyond their scope and capacity.

Whereas the appointment of focal points in theory is good practice, interviewees highlighted that some of these focal points were untrained on the subject matter and lacked the capacity to adequately respond to protection issues. This is an area to be addressed by the MGPA and their representatives at the Sector level. At the Mission headquarters, the MGPA holds weekly meetings with protection colleagues within the civilian component to share information and coordinate activities. These meetings include PoC, Human Rights, Gender, Women Protection, and CP counterparts. Within UNPOL, Gender and SGBV Advisors are appointed to advise UNPOL leadership and to coordinate protection work with the civilian and military components. UNPOL has appointed 15 gender focal points among its Individual Police Officers (IPOs), including three liaison officers (LOs) in Bamako and 12 focal points in the regions. These LOs and gender focal points work as the police component's gender experts. In addition to this and like the military component, 'Heads of UNPOL components shall also designate a police child protection focal point at mission headquarters and police child protection focal

313 Ibid.

314 UN (2017) 'Policy on Child Protection in United Nations Peace Operations'.

points in field offices to facilitate coordination and sharing alerts of violations and abuses against children with CPAs and child protection staff."[315] This is not necessarily implemented across the Mission, which limits the extent of UNPOL's work on child protection.

Whereas the coordination between civilian sections and the police component was described positively by most interviewees, the coordination between the Force, including the MGPA, and UNPOL unfortunately seems less effective. As described by interviewees, MINUSMAs Force headquarters is largely Anglophone, including the MGPA. UNPOLs IPOs and FPUs, on the other hand, are mainly Francophone. The resulting language barrier has hampered coordination between the Force and the police component, including the MGPA. According to several interviewees, in some cases individual police and military officers whose positions require constant coordination are simply incapable of communicating with each other due to these language barriers.[316] UNPOL colleagues did stress that they try to find joint solutions to overcome these challenges, including through working with bilingual IPOs.

Physical Protection

MINUSMA's nearly 13 000 strong military contingent is making a conscious effort to be more proactive in PoC and is targeting most of its patrolling activities at locations where threats to the population have been recorded or are predicted. The Force has also increasingly established Forward Operating Bases (FOBs) in the northern region to gain access to areas that were previously unreachable from the MINUSMA hubs. Several interviewees specifically mentioned that the previously reported percentage of 80% of the Mission's military assets being required for Force and Mission protection no longer holds true. Others believed that this figure had only increased, as in multiple locations the Force is required to escort UNPOL. UNPOL, in turn, escorts civilian colleagues on mission. In other cases, the engagement of air support and deployment of combat helicopters is a required component of armed escorts.[317] This difference in opinions on the employment of Force assets could illustrate the security risks in varying regions. Still, the requirements of logistics in a vast country with a poor road network and the need to protect all convoys with a large detachment of troops are still a major drain on the Mission's resources, hampering MINUSMA's ability to allocate assets to protect civilians from physical violence.[318]

As is also the case in other UN peace operations, the short rotation time of military personnel and contingents ranging from six to 12 months is seen as a challenge. With every new deployment, it takes units, staff officers and military experts on mission months to gain contextual understanding, grasp mission dynamics, establish trust, and thus become fully functional. Equally

315 Ibid.

316 Interviews, MINUSMA (Sept 2021 – Feb 2022).

317 Ibid.

318 Ibid.

well-known challenges to the Force's effectiveness include the lack of adequate equipment to serve in the Malian context, political caveats of TCCs including unwillingness to deploy to certain regions, language barriers, and inadequate capacity of several contingents. This unpreparedness curtails the Force's ability to move quickly, particularly at night, during the rainy season, and off-road. This leads to a gap in the connection between EW/RR, seeing the Force often unable to respond to any early warnings they may receive. The second-order effect of this sees implications for the Mission's credibility as viewed by populations they are unable to protect.

> MINUSMA's nearly 13 000 strong military contingent is making a conscious effort to be more proactive in PoC and is targeting most of its patrolling activities at locations where threats to the population have been recorded or are predicted.

This is further compounded by the short duration of the presence of the Force and UNPOL in threatened areas, which provides correspondingly limited protection to civilians. This also includes MINUSMA's aerial interventions and reconnaissance flights, which, according to interviewees, have limited impact in terms of preventing armed groups from attacking villages as 'these groups know that the ground interventions of the Force and UNPOL usually arrive after the village is attacked.'[319] Furthermore, as mentioned by interviewees, once the Force and/or UNPOL leaves these areas, armed groups return and continue to commit crimes and retaliations against the population. These dynamics have contributed to populations making agreements with armed groups for their own protection.[320]

A small number of military contingents within MINUSMA also appear hesitant to address certain issues in relation to PoC. For instance, it was mentioned during interviews that some commanding officers were unwilling to discuss questions of gender, women protection, and child protection with civilian MINUSMA staff arguing that 'they did not apply to them – as their units were exclusively male.'[321] More generally, civilian interviewees felt that some European and North American military officers and contingents, often very experienced with multiple North Atlantic Treaty Organization (NATO) tours in Afghanistan and Iraq, had difficulties adapting to the specific civilian-led structure of UN peace operations that puts civilians not just in overall command, but also gives them a voice in operational questions such as where to patrol or to locate TOBs, in contrast with international peace enforcement operations such as the International Security Assistance Force (ISAF).[322] According to interviewees, prior experience in NATO operations also added a challenge with regards to the

319 Ibid.

320 Interviews, MINUSMA (Sept 2021 – Feb 2022).

321 Ibid.

322 Ibid.

mindset which is required in UN peacekeeping settings, noting that 'many in uniform are very 'terrorist-driven' in their security approach.'[323]

This background and mindset are similar to the approach of other European-led military operations in Mali, including the Takuba Task Force and Operation Barkhane, which further compounds the problem. Working within UN peacekeeping operations often requires a change in approach for TCCs with regards to military culture, shifting towards promoting a human-centric understanding of security focused on PoC rather than on eliminating terrorists. Interviewees stated that although many military colleagues do understand this, challenges were faced in the Mission as 'the entire military machinery has been trained and 'socialised' in different contexts with different goals, like Iraq and Afghanistan.'[324] As highlighted by MINUSMA civilian staff, 'many Western troops come with a certain set of preconceptions based on their operational socialisation in Afghanistan. This creates some unique challenges with regards to contextual understanding. Mali is not Afghanistan and experiences from Afghanistan are not easily applicable to the Sahel – even though both are set in an arguably similar asymmetrical environment.'[325] This speaks to a unique issue to MINUSMA based upon the high number of European and North American TCCs deployed in Mali compared to other UN peacekeeping missions.

Meanwhile, despite the challenges posed by language barriers as mentioned above, UNPOL increasingly participates in joint patrols together with military units, including long-distance patrols utilising TOBs. This practice now enables police officers to reach areas that had so far been inaccessible. An insight and good practice gained from these joint patrols is that French-speaking officers, particularly from African PCCs, accompanying otherwise Anglophone units are a major asset as they can interact more effectively with local administrators, elders, and the civilian population.

Several interviewees felt MINUSMA's PoC activities would benefit from a larger police component. Currently, the police component numbers approximately 1 800 officers, of which 300 to 400 are IPOs and the remainder are stationed in 11 FPUs in major population centres. UNPOL's contribution to PoC could further be improved by focussing its training activities for their Malian counterparts more on community engagement, in addition to the existing focus on criminal investigation techniques. There is an expectation that the adaptation plan currently under development will achieve some progress in this regard. Finally, UNPOL is increasingly engaging in addressing criminal activities, such as abductions for ransom and illegal gold mining, which are seriously underreported and play an important role in financing armed groups.[326]

323 Ibid.
324 Ibid.
325 Ibid.
326 Ibid.

Protection Tools and Information Sharing

The Mission's information sharing forums and technical tools appear to assist in deepening the cooperation and coordination on protection between MINUSMA's components and sections. A key forum to share information on protection concerns is the joint bi-monthly threat assessment that brings together the military, police, and civilian components. It analyses the types and extent of threats facing civilians based on reported incidents. On the civilian side, MINUSMA sections working on PoC, Gender, Women and Child Protection are included in this forum. In addition to this, the EW/RR mechanism was praised by several interviewees. Its lengthy development period of three years seems to have paid off by creating a stronger working relationship between the PoC section, the JOC and the Joint Mission Analysis Centre (JMAC). In line with the SOP, the Mission, with the technical support of the UN Operations and Crisis Centre (UNOCC), created an online EW/RR tool which accelerated information gathering and provided greater capacity for integrated responses to threats to the civilian population. It has been used on several occasions, particularly in the Mopti region to counter developing threats to civilians through real-time information sharing and a subsequent deployment of military assets to the location under threat. However, while the online tool increased the capacity to take faster and better-informed decisions, the limited means to implement these decisions has been a source of disappointment among some MINUSMA personnel.

> Despite recent improvements there still exists a silo mentality in parts of the Mission that hampers information sharing and cooperation on the implementation of protection mandates.

MINUSMA's Spatio-Temporal Incident Mapping Tool (STIM), created by the PoC unit in 2020 and piloted in the Mopti region, was mentioned several times as an excellent example of integrated and joint analysis and planning.[327] The electronic mapping tool is used by the Force and UNPOL to target their activities, such as patrol routes and the placement of TOBs on recent hotspots, and aims to enhance the Mission's ability to assess the impact of its operations on the PoC. Still as highlighted by other studies, 'in terms of early warning, the STIM Tool suffers from the same weakness as most trend analyses: the forecasting is based on current levels of violence, while violence against civilians can rise or drop, thereby reversing a trend. To improve forecasting, predictive models that draw on indicators other than PoC threats need to be designed (e.g., troop movements and tensions between armed groups).'[328]

327 Interviews, MINUSMA (Sept 2021 – Feb 2022).

328 Duursma, A. (2021) 'Protection of Civilians. Mapping Data-Driven Tools and Systems for Early Warning, Situational Awareness, and Early Action', PAX; Duursma, A. and Karlsrud, J. (2019) 'Predictive Peacekeeping: Strengthening Predictive Analysis in UN Peace Operations', *Stability: International Journal of Security and Development*, 8(1).

In contrast to the successes in terms of developing these tools and the subsequent enhanced coordination between Mission components, gaps in their implementation and performance with regards to information gathering were also identified. For example, several interviewees stated that the SAGE database used by the JOC is not useful in its present form to record specific threats to different groups of civilians. There are currently discussions underway within MINUSMA and with other UN peace operations that use the SAGE database on how to improve its performance. Some interviewees also deplored that a planned telephone hotline for reporting threats to civilians has not been operationalised yet. This is largely due to staffing problems, as the hotline would have to be monitored 24/7 by personnel fluent in French and local languages.

> The impact of climate change is making access to natural resources – agricultural lands in the Centre and water, particularly in the North – more precarious for already struggling populations, intensifies their grievances and sense of victimisation, and leads to more resource-related disputes and conflicts.

Furthermore, despite recent improvements there still exists a silo mentality in parts of the Mission that hampers information sharing and cooperation on the implementation of protection mandates. Particularly challenging in this regard seems to be the lack of sharing of information between the HRPD and other parts of the Mission. Several interviewees reported that the HRPD shares very limited information, including on impending threats to civilians. While understanding the need for the strictest confidence and the protection of sources in ongoing investigations of HRV/As, they urgently called for the development of a mechanism that would allow the rest of the Mission to access redacted information gathered by HRPD to respond to threats and better protect civilians.[329]

Environmental Challenges

Human-made climate change exacerbates security risks in Mali, as a large part of the population relies on natural resources, particularly water, pastureland, and arable land, for their livelihoods. The impact of climate change is making access to natural resources – agricultural lands in the Centre and water, particularly in the North – more precarious for already struggling populations, intensifies their grievances and sense of victimisation, and leads to more

329 Interviews, MINUSMA (Sept 2021 – Feb 2022).

resource-related disputes and conflicts.[330] However, it is not only changing weather patterns that endanger Mali's water supply, as harmful practices in the exploitation of mineral resources add to the threat. Most artisanal gold mining sites in Mali, particularly in the north, centre and west[331] of the country operate illegally and have become an important source of income for various armed groups.[332] As gold miners routinely dredge rivers and use highly toxic chemicals such as mercury and cyanide to separate the gold from undesirable minerals, these practices pose a severe risk to local populations, directly through poisoning their water supply as well as to their fisheries, livestock, and land.[333] As the Malian government's repressive approach so far has failed to produce results, MINUSMA is exploring a potential role for itself in this field, to mitigate the risks and to gain access to otherwise hard-to-reach communities. For example, MINUSMA is holding discussions with UNEP and UNODC about a project that would link PoC, environmental protection, access to water, combating organised crime, and the funding of armed groups in a way that is mutually supportive, aiming to protect civilians from physical violence that may otherwise result from these practices.[334] To further assist MINUSMA's work in this area, it is highly recommended that dedicated capacity on climate security within the Mission is created, which, among other things, should generate advice for the Mission leadership on how to address these issues.

Perceived Lack of Impartiality

A perceived lack of impartiality on the part of MINUSMA is hampering the Mission's ability to cooperate with local communities and humanitarian actors – including, in some regions, members of the UN Country Team. The main cause of this perception is the co-location of MINUSMA in some areas with other actors that are seen as parties to the conflict. For instance, interviewees mentioned that in Kidal, where MINUSMA shared a base with the counterterrorism focused Operation Barkhane, many members of the population did not distinguish between the two missions even though their mandates and activities are very distinct. Consequently they, and many humanitarian actors in the region, are hesitant to cooperate with MINUSMA. In Mopti, however, where no such co-location with Operation Barkhane has taken place, there is reportedly a closer working relationship with humanitarian NGOs and members of the UNCT. Still, as in other areas, it appears that the degree of cooperation between MINUSMA staff and humanitarian actors depends to a large degree on personal views and experiences, as well as the understanding of humanitarian principles and the ability to build mutual trust. This indicates a

330 Hegazi, F., Krampe, F. and Seymour Smith, E. (2021) 'Climate-related security risks and peacebuilding in Mali', SIPRI, https://www.sipri.org/sites/default/files/2021-04/sipripp60.pdf

331 ISS Africa (2021) 'How western Mali could become a gold mine for terrorists', https://issafrica.org/iss-today/how-western-mali-could-become-a-gold-mine-for-terrorists

332 ISS Africa (2019) 'Violent extremism, organised crime and local conflicts in Liptako-Gourma', https://issafrica.org/research/west-africa-report/violent-extremism-organised-crime-and-local-conflicts-in-liptako-gourma

333 ISS Africa (2021) 'Going for gold in western Mali threatens human security', https://issafrica.org/iss-today/going-for-gold-in-western-mali-threatens-human-security

334 Interviews, MINUSMA (Sept 2021 – Feb 2022).

need to look at supporting a more structured and coherent approach to developing the humanitarian, development, and peace nexus.

More broadly, several of the interviewees spoke of a strong disagreement within the Mission, as well as between the Mission and UNHQ, on how to handle the challenges around perceptions of the Mission's (non-)impartiality. Given the complex context in which MINUSMA operates, including the presence of terrorist groups and other international operations tasked with counter-terrorism mandates, some MINUSMA staff felt that the Mission needed to do more to preserve its actual and perceived impartiality to avoid being seen as a party to the conflict. Others believed MINUSMA had no choice but to collaborate with local security forces and missions like Operation Barkhane and Takuba to fulfil its mandate, especially for reasons of force protection and intelligence gathering.[335]

Role of the Malian government

One of the challenges mentioned most in the interviews is the inability to provide protection to the civilian population by the actor who bears primary responsibility for it: the Malian State and its various institutions. Not only are State justice and administration staff still largely absent from the centre and the north of the country, the same is also true of the military and civilian security forces. Interviewees highlighted that even well-equipped FAMa units often vacate their fortified positions at the first hint of opposition from armed groups, leaving vast stretches of the country unprotected.[336] In addition to this, MINUSMAs mandate requires the Mission to support and 'facilitate the implementation of a comprehensive politically led Malian strategy to protect civilians,'[337] but although the authorities are in the process of developing a strategy, there does not seem to be an overarching government vision guiding this effort to be supported or facilitated. Meanwhile, many ministries are in open competition with one another for resources.[338]

These challenges are compounded by the apparent unwillingness of the political elite to promote meaningful change and very limited progress on SSR. There remains an unwillingness to tackle glaring abuses such as the impunity of members of security forces accused of HRVs and the ubiquity of non-existing 'ghost soldiers,' who continue to drain public finances while enriching the officer corps. The number of actual FAMa troops remains unknown. Several interviewees advocated for increased outside political pressure to bear on the Malian ruling class, both through the UN as well as through influential Member States, to break this deadlock. Still, factors such as the political economy and incentive structures, social implications of corruption and nepotism, inherent risk associated with reform versus safety of the status quo, especially for

335 Interviews, MINUSMA (Sept 2021 – Feb 2022).

336 Ibid.

337 UNSC (2021) UNSCR 2584.

338 Interviews, MINUSMA (Sept 2021 – Feb 2022).

the privileged, are likely to limit the impact of such pressure. These dynamics complicate the implementation of MINUSMAs mandate, including its protection mandates, as it hampers coordination with the government as well as access to functioning systems to follow up on protection concerns.

A final obstacle to the effective implementation of MINUSMA's protection mandates is the highly centralised, top-down approach taken by the Malian government and administration. Promising local initiatives are regularly hampered by ministerial bureaucracies that insist on excessive centralisation and micromanagement. This situation is aggravated by the numerous changes in personnel caused by the upheavals of the two military coups in 2020 and 2021. New officeholders need time to familiarise themselves with their responsibilities and then to develop a good working relationship with MINUSMA, leading to serious delays in mission implementation in the last year. Adding to that, looking at statements of Malian transition authorities, there is a clear political scepticism as to the utility of MINUSMA altogether, which further impacts the willingness to collaborate with the Mission.[339]

> There remains an unwillingness to tackle glaring abuses such as the impunity of members of security forces accused of HRVs and the ubiquity of non-existing 'ghost soldiers,' who continue to drain public finances while enriching the officer corps.

Drawing from interviews with MINUSMA personnel, an additional challenge that was highlighted is the lack of unity-of-purpose, strategic guidance, or actor-mapping within the Mission on who and when to engage politically and to what end. This also points to the unresolved tension between the peace process and the State's PoC obligations. There are several political and cultural actors that are being engaged at Bamako-level by various MINUSMA substantive sections, that claim to speak for certain ethnic groups, or to be influential in specific areas. According to interviewees, these (nearly exclusively) men have limited relevance in local conflict dynamics, and have, at best, only a limited influence on the communities they claim to have a traditional inherited right to speak for. In the absence of a political strategy in the Mission, the uncoordinated and unstructured political engagement artificially inflates the importance of these interlocutors. At the same time, many of the important actors who have a political-economic interest in keeping the conflict going are either 'too big to touch' or their real interest to derail the protective efforts of the State is unknown. These factors may indicate a need to pivot towards a less State-centric, capital-based approach, and instead adopt a more community-based, field-level engagement that would be more effective in improving the overall protective environment.[340]

339 Ibid.

340 Interviews, MINUSMA (Sept 2021 – May 2022).

The lack of a coherent political approach also makes targeted Tier I interventions in moments of imminent danger to civilians less effective. On several occasions where villages in the Centre were under threat of attack by militia groups whose leadership was known to Mission personnel, MINUSMA did not sufficiently leverage its deterrent capacity through preventive political engagement. This led to a chronic underutilisation of political engagement, including strategic use sanctions and criminal prosecution, as a conflict prevention tool.

> 'PoC incidents happen in contested spaces. Once they are no longer contested, peace returns under a pax jihadi.'

Extremist Takeovers

The weakness of the Malian State has direct consequences on the ground. When asked about the significance of the low numbers of attacks against civilians in certain parts of central and northern Mali, several interviewees voiced their opinion that these were a result of the growing acceptance by local communities of the presence of non-signatory armed groups in these areas. Some even suggested that in areas where sufficient information on security incidents was available, consistently low numbers of incidents were a reliable indication of non-state armed actor influence and control of these sectors, including by extremist groups. Some interviewees felt that the number of such areas had grown over the last two years, allowing armed groups to operate openly, enforcing Islamic dress codes for women and men, imposing illegal tax or extortion disguised as *zakat*, and forbidding local communities to communicate or cooperate with Malian State actors. The same armed groups also use violent means to influence and control the population, often including intimidation, shooting threats, beatings, abductions, and killings. Schools were often closed, sometimes to be reopened later either separated by gender or as Islamic madrasas. Armed groups were exercising state functions such as dispensing justice – in their interpretation of sharia law – particularly in cases of contested inheritance and land ownership. In addition, they also provided a form of security by combating crimes such as theft and highway robbery. According to some interviewees, in many instances, local communities are willingly accepting this situation that provides them with improved justice, less taxation, greater economic opportunities, and improved physical security despite the loss of freedoms and access to education.[341] As an interviewee expressed: 'PoC incidents happen in contested spaces. Once they are no longer contested, peace returns under a pax jihadi.'[342]

341 Interviews, MINUSMA (Sept 2021 – Feb 2022).

342 Ibid.

Local Peace Agreements

As a further reason for the decreasing number of incidents, some interviewees cited the role of local peace agreements facilitated at times by MINUSMA, non-state actors such as the HCIM, and peacebuilding national and international NGOs. They felt that this was a promising approach to protecting civilians, showing that reconciliation was possible even between communities with a long history of conflict. Interviewees noted that further strengthening the involvement of CLAs and women's representatives in such initiatives could contribute to their success. However, achieving progress in negotiating such settlements is very time consuming and it is doubtful that field offices currently have enough resources to achieve more than just local improvements in security.

At the same time, it should also be noted that some of these agreements are short-lived and have already started to fall apart. A case in point is the breakdown of the 14 March 2021 Niono ceasefire – negotiated by the HCIM between the Dozo hunting fraternities and radical armed elements. The ceasefire, which built on earlier progress by Regional Reconciliation Support Teams (ERAR) and MINUSMA and was transformed into a final agreement in April 2021, initially restored a semblance of calm but quickly collapsed in July the same year – partly because it failed to establish a channel of communication or conflict resolution mechanism to address issues of conflict and challenges inherent to the ceasefire between the belligerent groups, address underlying tensions, or resolve critical issues such as the disarmament of the two warring parties. These agreements also come at a high price, sometimes with considerable trade-offs to buy peace and as such represent a double-edged sword. If they resolve insecurity, they often deepen and broaden the gap between the Malian State and the local communities. As stated by an interviewee, this holds especially true for the peace agreements 'that are de facto dictated by the Jihadi, equal to effective capitulation in-light of total state absence and exhaustion by most civilians.'[343] These developments illustrate the increasingly complex environment MINUSMA finds itself in and highlights the need for locally led protection strategies which are people centred.

COVID-19

The impact of the COVID-19 pandemic on mandate implementation and specifically on the Mission's protection efforts was seen as universally negative by interviewees. Troop rotation was suspended for a period in 2020 and remains a challenge due to quarantine rules. Police and civilian staff also experienced difficulties in entering and leaving Mali. Interviewees pointed out that in addition to national Malian regulations, the Mission itself was very conscious of the danger of UN personnel bringing COVID-19 into the country, or from Bamako into the regions. Therefore, in some field offices local staff were forbidden to enter the town and were required to live on the UN base for several months. MINUSMA also had to consider the possibility of

343 Interviews, MINUSMA (Sept 2021 – Feb 2022).

disinformation campaigns on social media that could spread fake news about COVID-19 outbreaks caused by UN peacekeepers, as happened in several other countries.[344]

The most negative impact of the pandemic on protection activities resulted from the contact restrictions put in place by the UN. This made it impossible to interact closely with national partners and the local population. While all three Mission components were affected, the impact was probably greatest for civilian staff and UNPOL IPOs. Military units and FPUs were able to continue to offer protection through patrolling, albeit with limited community engagement. This had a detrimental impact on the gathering of valuable information from local civilians. Police and civilian staff, on the other hand, were severely restricted in their effectiveness, as their work requires regular, personal contact with local counterparts. Training, mentoring, and advising from a home office setting proved very difficult, as the required digital infrastructure was often lacking. The same applied even more to gathering up-to-date information on threats to specific localities or on highly sensitive issues such as CRSV.[345]

Integrated planning was also impacted negatively due to COVID-19 restrictions. MINUSMA had made significant strides in enhancing civilian integration into military operation planning cycles, culminating in Operation Buffalo, consisting of intensive patrolling activities to improve protection of local communities in Central Mali in coordination with Malian security forces.[346] Unfortunately, the Operation's positive momentum was lost during the pandemic. Interviewees noted that the Mission would need to start from scratch again, as all personal contacts were lost with the rotations that took place while COVID-19 restrictions were enforced. All interviewees expressed relief that contact restrictions were largely lifted by the end of 2021, enabling the Mission to resume protection work on a presential basis.[347]

The Wagner Group

During the period of interviews, international media reported on the Malian government's plan to contract the services of a Russian PMC, the Wagner Group. Although little is known about the company, there are well substantiated claims of a close relationship to the Russian government and the Group's responsibility for human rights abuses committed in countries they operate in, including Libya and CAR.[348] Consequently, the comments of several interviewees on the potential effects of a deployment of the Wagner Group to Mali were strongly negative. Depending on the scope and scale of PMC activities, ranging from logistic and training support, to kinetic, offensive, counter-terrorism operations, grave issues have arisen in terms of threats and violence against civilians. Given the track record of the group in CAR (see MINUSCA

344 Ibid.

345 Ibid.

346 UNSC (2022) S/2022/8.

347 Interviews, MINUSMA (Sept 2021 – Feb 2022).

348 Thompson et al. (2022) 'Tracking the Arrival of Russia's Wagner Group in Mali'.

chapter), MINUSMA is expecting even less transparency and accountability with regards to human rights abuses committed by mercenaries as well as FAMa.[349] Indeed, in March 2022 FAMa and associated foreign mercenaries, identified by several sources as Russians, allegedly executed an estimated 300 civilians in central Mali, 'the worst single atrocity in Mali's decade-long armed conflict.'[350]

Despite the immediate warnings by 16 governments that a continued presence of their troops would be incompatible with the deployment of 'Russian mercenaries',[351] MINUSMA staff members predicted that Wagner Group activities would continue citing the experience of the CAR. There, Wagner operatives appeared in-country one day, in the company of the national armed forces without any previous information shared by CAR government.[352] The Mission expects the Wagner Group to be used in a similar manner to CAR, namely, to support offensive operations and as the last line of defence of the government against internal adversaries.

MINUSMA staff is particularly concerned about the possibility that the Mission might end up sharing a camp with Wagner Group personnel. This situation might arise in places where MINUSMA is co-located with Malian forces such as Timbuktu and Tessalit. The field offices would be powerless to stop FAMa inviting private contractors into their part of the shared camp – with predictable consequences for MINUSMA's reputation.

E. Conclusion

MINUSMA's operating environment is unique as compared to that of the others covered in this study. Unique in terms of the threats faced, especially direct targeting of peacekeepers, but equally unique in terms of the protection concerns and required responses. The fast-paced environment, with asymmetric terrorist activity, has meant that the expectations for MINUSMA, as well as its mandate and resources, are not in line with the dynamics of the environment it finds itself in, leaving the Mission operating at a disadvantage. While the past year has seen improvements, in terms of the Mission's footprint on the ground, new developments in EW/RR procedures and increased numbers of CLAs, large concerns over the Mission and its position within 'the storm' exist. When the mandate is renewed at the end of June 2022, the resource and expectation gap needs to be closed by the UNSC to provide MINUSMA with the foundations from which it can act with meaning and efficacy.

Given the interest from other nations, particularly those deploying capacities without UNSC mandates, in terms of delivering funding and foreign aid to address the terrorist threats in the

349 Interviews, MINUSMA (Sept 2021 – Feb 2022).

350 HRW (2022) 'Mali: Massacre by Army, Foreign Soldiers'.

351 The Governments of Belgium et al. (2021) 'Joint Statement on the Deployment of the Wagner Group in Mali'.

352 Interviews, MINUSMA (Sept 2021 – Feb 2022).

region, the Mission operates within a space of ongoing and rapidly changing external activity. This requires an extra layer of coordination, communication and deconfliction, which is extremely complex and time consuming. Additionally, several TCCs contributing to the Mission have extensive experience working in other counter-insurgency operations such as Iraq and Afghanistan, and those mind-sets are not easily shifted into a UN peacekeeping mentality. This presents challenges to even the most protection-minded of leaderships and requires training, advocacy, and awareness-raising from the strategic to the tactical levels; with roles for TCCs, PCCs, UNHQ, and the UNSC.

> The fast-paced environment, with asymmetric terrorist activity, has meant that the expectations for MINUSMA, as well as its mandate and resources, are not in line with the dynamics of the environment it finds itself in, leaving the Mission operating at a disadvantage.

For Mali, as with other nations within this study, improvements within the Mission will only be felt by the populations they are trying to protect, through support and corresponding improvements in the work of the Malian authorities. Unique to Mali, however, is the turbulence within which the government operates and the 'rampant impunity'[353] that exists for HRVs. And while the Mission's mandate has called for a joint endeavour to create 'a comprehensive politically-led Malian strategy to protect civilians, reduce intercommunal violence, and re-establish State authority, State presence and basic social services in Central Mali,'[354] that reality seems a long way off. Meanwhile, armed (extremist) groups continue in their efforts to expand their grip on the country, severely impacting the lives of civilians, particularly in the central and northern regions. Local peace agreements are being formed, but it should be noted that these, especially when involving extremist groups, represent a double-edged sword. As such, efforts should be enhanced to identify sustainable local reconciliation activities, in coordination with national and local counterparts.

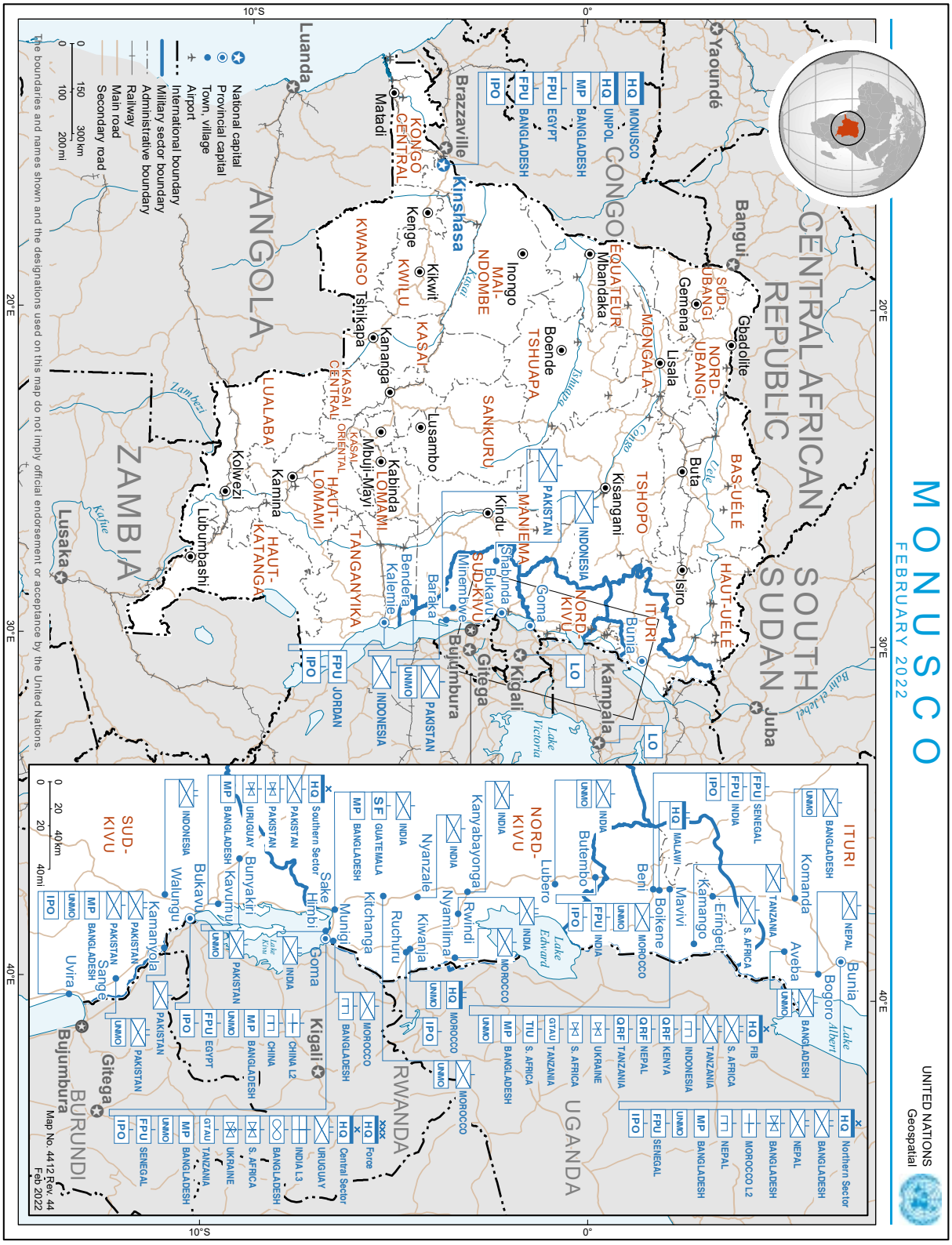
Today, the world witnesses the emergence of new security actors in Mali, including PMCs such as the Wagner Group, which present additional challenges for MINUSMA in terms of the implementation of its protection mandates. As the arrival of PMCs has led to the departure of several (French-led) military operations, the landscape continuous to change. If this shift is not anticipated and responded to in a timely manner, MINUSMA can expect the same limitations

353 OHCHR (2021) 'Mali: Rampant impunity for human rights violations poses grave risk for protection of civilians– Bachelet', https://www.ohchr.org/en/2021/06/mali-rampant-impunity-human-rights-violations-poses-grave-risk-protection-civilians?LangID=E&NewsID=27232

354 Just Security (2021) 'Protecting Civilians in Mali – More UN Peacekeepers Is Only Part of the Solution', July, https://www.justsecurity.org/77470/protecting-civilians-in-mali-more-un-peacekeepers-is-only-part-of-the-solution

on its freedom of movement as experienced by its colleagues in CAR. This will undoubtedly limit the Mission's ability to respond to protection issues. In this light, MINUSMA should prepare itself for a turbulent time ahead in which a new configuration of actors and relationships needs to be found. This balancing act will require significant support from UNHQ, including a particular focus on interaction with PMCs.

Figure 4.1: MONUSCO deployment map, February 2022[355]



355 UN Geospatial Information Section (2022), 'MONUSCO Deployment February 2022', https://www.un.org/geospatial/content/monusco-deployment-february-2022

Chapter 4: MONUSCO – Protection in a Transition Context

This chapter begins by providing the background and context to the operational environment in the Democratic Republic of the Congo (DRC). This lays the foundations for the following section (B), which highlights the existing protection concerns within the country, with a focus on children in armed conflict, gender, sexual violence, and the wider humanitarian situation in the DRC. Section C then details the mandate of the Mission using a transition-focused lens. It outlines protection from the physical, political, and humanitarian perspectives in line with the quarterly reports of the Secretary-General's on the situation in DRC. Section D presents the research findings and looks at the implementation of the Mission's protection mandates, identifying interlinkages, good practices, and gaps. The final section in the chapter expands on these findings and offers Mission-specific recommendations. Overarching recommendations can be found in the final chapter of this study.

A. Background and Context

Over the past few decades, the population of the DRC has experienced widespread insecurity, fuelled by competition over its vast natural resources, poor governance and infrastructure, chronic corruption, humanitarian crises, foreign interference, local and foreign armed forces and groups, and a security sector in need of much reform. While much of the country is verdant, offering the potential to develop into a wealthy nation, the vastness of its 2 345 million km^2 territory combined with numerous multi-dimensional conflicts at the local, national, and regional level, have had a damning impact on the lives of civilians. Widespread poverty, and displacement due to continued outbreaks of violence, have seen the Congolese people suffer more than most nations, particularly in the eastern provinces.

Adding to this mix is the complex relationship with its neighbours, including Burundi, Rwanda, and Uganda. In 1994, 1.2 million Rwandese Hutus fled to neighbouring eastern DRC following the Rwandan genocide, including armed elements that had taken part in the massacres.[356] As the Kivu regions of eastern DRC were home to ethnic Tutsis and others, the influx contributed to ethnic tensions that would fuel armed clashes over the decades to come. The Congolese population had been living under the dictatorship of President Mobutu Sese Seko since 1965 and had experienced a steady economic decline. This, combined with the end of cold-war related support and land conflict, led to further instability and the mobilisation of local self-defence groups.[357] This organised into all-out rebellion in the Kivus in 1996, beginning what became known as the first Congo War. The rebellion, led by Laurent Désiré Kabila and aided by Rwanda and Uganda, overthrew Mobutu's dictatorship and the capital city of Kinshasa was seized in 1997.[358]

> While much of the country is verdant, offering the potential to develop into a wealthy nation, the vastness of its 2 345 million km^2 territory combined with numerous multi-dimensional conflicts at the local, national, and regional level, have had a damning impact on the lives of civilians.

The new power arrangements would not last long: in 1998 a new rebellion started in the Kivus, this time against the new Kabila-led government. Despite military support from Angola, Chad, Namibia, and Zimbabwe, President Kabila was not able to effectively control the eastern regions as this rebel movement was also backed by Rwanda and Uganda. Following the volatile situation with growing concern, the UNSC made a series of attempts to stop the second Congo War, and called for 'a ceasefire and the withdrawal of foreign forces and urged states not to interfere in the country's internal affairs.'[359]

Progress was made and in 1999, the Lusaka Ceasefire Agreement was signed between the DRC, Angola, Namibia, Rwanda, Uganda, and Zimbabwe, aiming to stop the violence.[360] Still, only weeks after signing, the seven-nation war that had been fought on Congolese territory would start anew. Relations in the region grew increasingly strained, with Kabila being supported by Angola, Namibia, and Zimbabwe, and the rebels in the east being supported by Burundi, Rwanda, and Uganda.[361]

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356 MONUSCO (2022) 'Background', https://monusco.unmissions.org/en/background

357 McNulty, M. (1999) *The Collapse of Zaïre: Implosion, Revolution or External Sabotage?* Cambridge: Cambridge University Press.

358 Ibid.

359 Ibid.

360 UN Peacemaker (1999) 'Ceasefire Agreement (Lusaka Agreement)', https://peacemaker.un.org/drc-lusaka-agreement99

361 International Crisis Group (1999) 'The Agreement on a Cease-fire in the Democratic Republic of Congo', https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo/agreement-cease-fire-democratic-republic-congo

To observe the implementation of the Ceasefire Agreement and disengagement of forces, as well as to liaise with all signatories to the Ceasefire, the UNSC established the UN Organization Mission in the DRC (MONUC) in November 1999.[362] The Mission was initially authorised with a troop strength of 5 537 military personnel, including up to 500 observers.[363] Through subsequent UNSCRs that renewed the Mission's mandate, MONUC's responsibilities gradually expanded towards a focus on the PoC and the number of authorised troops was increased.[364] In the years that followed, several other developments took place, including the Ituri conflict (1999-2003), which was so violent that the ICC began its work on the DRC in this North-eastern region.[365] During these years, war was not confined to the East of the country. Conflict took place in the Northwest as well, with some militias also conducting operations across the CAR border.[366]

Over this period, MONUC was able to support the organisation of the first presidential elections to take place in the DRC in 46 years. The presidential election, won in 2006 by Laurent Désiré Kabila's son Joseph, were 'one of the most complex votes the UN had ever helped organise.'[367] While high-intensity conflict with the involvement of international militaries decreased during this period, unfortunately, the democratic transition did not bring stability to the DRC. While President Kabila and the Congolese government became increasingly agitated with MONUC's presence (perceived as an intrusion on sovereignty), instability persisted throughout the country, particularly in the eastern provinces.[368]

Amid these tense dynamics, the Congolese government pressured the Security Council to initiate MONUC's transition into a stabilisation mission.[369] As a result of the negotiations, MONUC was renamed as the MONUSCO in 2010, focusing on supporting the Congolese government to stabilise the eastern provinces and eventually drawdown and leave the DRC.[370] In addition to supporting the government in its efforts to stabilise the country and consolidate peace, PoC became a priority mandated task for MONUSCO, as well as the protection of humanitarian personnel and human rights defenders.[371] To assist the implementation of these tasks, the Security Council authorised an increase in the number of military personnel and observers, IPOs and FPUs to a

362 UNSC (1999) UNSCR 1279.

363 UNDPKO (2011) 'MONUC Mandate', https://peacekeeping.un.org/en/mission/past/monuc/mandate.shtml

364 Ibid; Holt, K.V. and Berkman, C.T. (2006) 'The impossible mandate? Military preparedness, the responsibility to protect and modern peace operations', Stimson, https://www.stimson.org/wp-content/files/file-attachments/Chap_8-The_Impossible_Mandate-Holt_Berkman.pdf

365 International Criminal Court (ICC) (2007) 'Investigation ICC-01/04, Democratic Republic of Congo', https://www.icc-cpi.int/drc

366 Pangburn, A. et al. (2019) *The Legacy of Mobilisation and Return of the MLC in DRC's Gemena.* London: London School of Economics.

367 MONUSCO (2022) 'Background'.

368 Novosseloff, A. et al. (2019) 'Assessing the Effectiveness of the United Nations Mission in the DRC', EPON and NUPI, https://effectivepeaceops.net/publication/monusco

369 Ibid.

370 UNSC (2010) UNSCR 1925.

371 MONUSCO (2022) 'Background'.

total 19 800 uniformed personnel. This further increased to 21 485 uniformed personnel in 2013, making MONUSCO the largest UN peacekeeping mission ever deployed.[372]

After thorough consultations with the AU, the Southern African Development Community (SADC), and the ICGLR, a peace enforcement element was added to MONUSCO in 2013: the Force Intervention Brigade (FIB).[373] Initiated to address the threats posed by armed groups, the FIB was under the direct operational command of MONUSCO's Force Commander and operated alongside other MONUSCO brigades in eastern DRC.[374] Being the first (and to date only) unit within UN peacekeeping that was mandated to carry out targeted offensive operations, the FIB would have the responsibility to neutralise armed groups by carrying out offensive operations alone or jointly with the Armed Forces of the DRC (FARDC) to contribute to the reduction of security threats in eastern DRC.[375]

Still, despite the deployment of the FIB, and in sharp contrast with progress made in other parts of the country during recent years, eastern DRC continues to be plagued by waves of violent conflict, humanitarian crises, and HRV/As, including high levels of CRSV. The main perpetrators include Congolese and foreign armed groups (including self-defence groups, militias, and criminal gangs), as well as the Armed Forces of the DRC (FARDC), and the Congolese National Police (PNC). Despite these concerns, the number of troops authorised to deploy to MONUSCO has decreased since 2013 and stronger language on the Mission's transition has been included in its mandate, striving towards a progressive handover of the Mission's responsibilities to the Congolese State, supported by the UNCT.[376]

The political landscape remained strained, adding further risk of a return to wide-spread violence.[377] After significant delays and challenges, new presidential elections were held, and President Joseph Kabila handed over to President Félix Tshisekedi in January 2019 in the country's first peaceful transition of power. However, despite the peaceful transition and the proclamation of several armed groups to lay down their weapons and demobilise, the general situation in eastern DRC has remained concerning since President Tshisekedi took office. A range of factors continue to fuel violence in the region, including community and ethnic conflicts, the ongoing illegal extraction of natural resources, and an estimated 100 armed groups remaining active in eastern DRC. [378]

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372 Novosseloff et al. (2019) 'Assessing the Effectiveness of the United Nations Mission in the DRC/MONUC – MONUSCO'.

373 UNSC (2013) S/2013/119.

374 While the mandate of the FIB is unique, it is important to note that other elements of MONUSCO's Force have been and continue to *support* extensive offensive military operations by the FARDC against armed groups.

375 UNSC (2013) S/2013/119; UNSCR 2098.

376 UNSC (2018) UNSCR 2409.

377 International Crisis Group (2022) 'Democratic Republic of Congo', https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo

378 Detailed information regarding the different armed groups is presented by the Kivu Security Tracker, a joint project by the Congo Research Group, based at New York University's Center on International Cooperation, and HRW at https://kivusecurity.org/about/armedgroups; CIVIC (2022) 'Democratic Republic of the Congo', https://civiliansinconflict.org/our-work/where-we-work/democratic-republic-congo

Due to increased attacks from the Allied Democratic Forces (ADF) and subsequent attacks from Cooperative for the Development of the Congo (CODECO), President Tshisekedi declared a state of emergency and decreed the provinces of North Kivu and Ituri to be under a state of siege in May 2021. The state of siege replaced the civilian administration with the military, and the region moved under the control of the FARDC. While the state of siege has been extended by the Congolese National Assembly and Senate,[379] its effectiveness remains questionable as the security situation continues to deteriorate.[380] In addition to this, the siege has drawn criticism across civil society and political spheres due to a perceived increase in attacks and the military focus of the siege leading to increased HRV/As by the State, ADF, and other armed groups.[381] Additionally, scepticism exists around ongoing FARDC involvement in criminal activities, as well as resourcing and logistical limitations which hamper the FARDC's ability to provide a safe and secure environment. Some have gone as far as to cite the state of siege as an aggravator to the current insecurity, not the solution.[382]

The persisting insecurity and presence of armed groups have not only led to an increased presence of national security forces but also to foreign military interventions in eastern DRC. This includes Ugandan military forces (due to the links between the ADF and attacks that took place in Uganda[383]), who were authorised by President Tshisekedi in late 2021 to enter Congolese territory to fight ADF rebels. Given the roles played by Uganda and Rwanda, including backing of armed groups over the past decades, President Tshisekedi's decision to cooperate militarily with DRC's neighbouring countries does not sit well with many Congolese in eastern DRC.[384]

> The persisting insecurity and presence of armed groups have not only led to an increased presence of national security forces but also to foreign military interventions in eastern DRC.

Given these violent trends, questions arise over how the Congolese population will be impacted and how MONUSCO's withdrawal from the DRC will be operationalised. As laid out in the Secretary-General's report on MONUSCO of September 2021, the Mission's phased drawdown will be benchmarked against improvements in the security situation as well as the capacity

379 UNSC (2021) S/2021/587.

380 Kivu Security Tracker (2021) '*L'état de siège a-t-il amélioré la sécurité dans l'est de la RDC?*' June, https://blog.kivusecurity.org/fr/letat-de-siege-a-t-il-ameliore-la-securite-dans-lest-de-la-rdc

381 Interviews, MONUSCO (Dec 2021 – Mar 2022).

382 Le Monde Afrique (2021) *'L'état de siège est un fiasco : les massacres se poursuivent dans l'est de la RDC'*, August, https://www.lemonde.fr/afrique/article/2021/08/06/l-etat-de-siege-est-un-fiasco-les-massacres-se-poursuivent-dans-l-est-de-la-rdc_6090708_3212.html

383 Al Jazeera (2021) 'After air raids, Uganda sends troops into DRC to hunt ADF', 1 December, https://www.aljazeera.com/news/2021/12/1/after-air-raids-uganda-sends-troops-into-drc-to-hunt-adf

384 France24 (2021) 'The ADF has been formally linked to the Islamic State (IS) by the United States', 29 November, https://www.france24.com/en/africa/20211129-dr-congo-authorises-ugandan-troops-to-hunt-rebel-group-on-its-soil

of the Congolese State to protect its civilians.[385] Yet, as indicated by CIVIC, 'achieving the 18 benchmarks and associated indicators detailed in the transition plan would mean a radically different future for civilians in eastern Congo. And in the context of widespread armed group violence and political instability, such a future feels a long way off.'[386]

MONUSCO's Exit Strategy

The MONUSCO mandate renewal in December 2019 (UNSCR 2502) outlined the need for the Mission to develop a plan in close coordination with the Government of DRC and the UNCT to enable a gradual exit from the country. The mandated language references the independent strategic review conducted by Youssef Mahmoud published in the same year, which provides a background to frame a withdrawal, a number of possible scenarios, and recommendations for such a move (UNSC, S/2019/842).

While the report suggests a minimum of three years for the transition period, the Mission mandate spoke of flexibility in timelines and an ongoing assessment of the security situation to ensure a sustainable and responsible handover (UNSCR 2502). From here, the UNSC requested the UNSG to identify 'a set of benchmarks that will measure progress transferring MONUSCO's tasks to other stakeholders'.[387] It is within this framework that the Mission now operates with a view to drawing down the Mission. Transition priorities and benchmarks can be found within the UNSG's report on MONUSC (S/2021/807).

B. Protection Concerns in the DRC

Despite MONUSCO being the 'longest-running UN mission tasked with PoC'[388] the DRC is still plagued with numerous protection concerns as the complex dynamics listed above make for a hotbed of instability. Combined with intervening external influences, the country continues to face 'significant security, human rights, humanitarian, and development challenges.'[389] Even with efforts to address these challenges, and MONUSCO proving 'a leader in the development of innovative protection practices,'[390] the Joint Human Rights Office (JHRO) documented

385 UNSC (2021) S/2021/807.

386 *The New Humanitarian* (2021) 'The UN risks a failed drawdown in Congo if it doesn't listen to civilians', 6 December, https://www.thenewhumanitarian.org/opinion/2021/12/6/UN-risks-failed-drawdown-in-Congo-listen-to-civilians

387 CIVIC (2020) 'What Does MINUSCA's November 2020 Renewed Mandate Mean for the Protection of Civilians in the Central African Republic?'

388 CIVIC (2022) 'Democratic Republic of the Congo', https://civiliansinconflict.org/our-work/where-we-work/democratic-republic-congo

389 UNSC (2019) S/2019/842.

390 CIVIC (2022) 'Democratic Republic of the Congo'.

nearly 7 000 HRV/As throughout 2021.[391] Committed by armed groups and security forces, the majority of these crimes took place in eastern DRC.[392] The December 2021 Secretary-General Report on MONUSCO further observes that despite the state of siege that was enacted in May 2021, the North Kivu and Ituri provinces experienced intensified attacks against civilians. Of the violations recorded in the last quarter of 2021, 49% were committed by armed groups and 32% were committed by State actors.[393] Given the constraints on reporting, these figures are likely under-representative. Unfortunately, the period of November 2021 to January 2022 saw an increase of 9% for HRV/As compared to the three months prior, with 1 932 incidents documented.[394] This increase was largely due to the increase of abuses committed by armed groups, as they perpetrated 57% of the total number of violations, with state agents committing 43%.[395] 92% of the violations committed took place within a number of the conflict-affected provinces of the eastern DRC: North Kivu, Ituri, Tanganyika, and South Kivu.[396]

> Despite MONUSCO being the 'longest-running UN mission tasked with PoC' the DRC is still plagued with numerous protection concerns

Children's Rights

Children remain severely affected by this ongoing insecurity. In 2021 MONUSCO verified 1 114 cases of grave violations against children.[397] These violations include killing and maiming, abduction, rape and other sexual violence, attacks against schools or hospitals, recruitment and use of child soldiers, and the denial of humanitarian access. During the months of March to April 2021, 20 girls were subjected to sexual violence including rape. Eight of these rapes were verifiably attributed to State actors, supporting the recognition of State perpetration of these violations.[398] Since 2020, there has been an upsurge in ethnicity-based attacks in eastern DRC, alongside which occurred the systematic destruction of schools and health centres, depriving thousands of children from their right to education. In 2021, the UN verified 112 attacks on schools (69), hospitals (43), and on protected personnel, including 31 attacks by the CODECO association of armed groups in Ituri, and 21 attacks by Mai armed groups in South Kivu. Acts of denial of humanitarian access aimed at preventing the IDPs from a specific ethnic group to

391 OHCHR (2022) 'Update on the Democratic Republic of Congo', March, https://www.ohchr.org/en/statements/2022/03/update-democratic-republic-congo

392 UNSC (2021) S/2021/274, S/2021/587, S/2021/807, S/2021/987.

393 UNSC (2021) S/2021/987.

394 UNSC (2022) S/2022/252.

395 Ibid.

396 Ibid.

397 UNSC (2021) S/2021/274, S/2021/587, S/2021/807, S/2021/987.

398 UNSC (2021) S/2021/587.

benefit from humanitarian assistance were also recorded in various locations. As the Mission moved into 2022, it verified 419 grave violations committed against children by parties to the conflict (between 1 December 2021 and 7 March 2022) and a total of 104 children (53 boys and 51 girls) were killed or maimed.[399]

Amid ongoing violence, MONUSCO continues to engage with armed groups to reduce the number of children within their ranks. By advocating and facilitating the use of road maps for the prevention and end of child recruitment, the Mission has successfully negotiated with 43 armed groups since July 2018,[400] which has resulted in the voluntary release of 2 615 children, including 364 girls' as of 7 March 2022.[401] However, recruitment and use of children by armed groups continues at an alarming rate, as demonstrated by the escape or separation of 487 boys and 78 girls in 2021,[402] and a further 177 (143 boys and 34 girls) recorded in the beginning months of 2022.[403] In what can be viewed as a success, the FARDC were delisted from the Secretary-Generals Annual Report on CAAC for recruitment and use of children in 2017. However, they remain listed for rape and other forms of sexual violence against children.[404]

Gender and Sexual Violence

Ranked 150 out of 163 countries on the 2021 UNDP Gender Inequality Index,[405] women and girls in the DRC continue to experience a lack of representation across the social, economic, and political spheres. Resulting from traditional patriarchal structures, 'inequities are linked to lower education levels in women, lack of work experience, and inequitable attitudes and practices that limit women's exposure to the labour market.'[406] These systems also see women legally required to obey their husbands and lacking autonomy in their marriages.[407] Combined, these issues result in a prevalence of violence against women, with 51% of women in the DRC experiencing violence at the hands of an intimate partner within their lifetimes.[408]

Exacerbated by the conflict, CRSV remains a prevalent weapon of war deployed throughout eastern DRC. In 2021, MONUSCO documented 1 016 cases of CRSV, affecting 544 women, 459 girls, seven boys and six men.[409] Over 70% of the total documented cases in 2021 were

399 UNSC (2022) S/2022/252.

400 Ibid.

401 Ibid.

402 UNSC (2021) S/2021/274, S/2021/587, S/2021/807, S/2021/987.

403 UNSC (2022) S/2022/252.

404 Watchlist on Children and Armed Conflict (2018) 'Children and Armed Conflict, Monthly Update', June, https://reliefweb.int/sites/reliefweb.int/files/resources/watchlist-cac-monthly-update-june-2018.pdf

405 UNDP (2021) 'Gender Inequality Index (GII)', https://www.hdr.undp.org/en/content/gender-inequality-index-gii

406 Concern Worldwide (2022) 'Gender equality in DRC: How we're bridging the divide', March, https://www.concern.net/news/gender-equality-in-drc

407 Ibid.

408 Ibid.

409 UNSC (2022) S/2022/272.

attributed to non-State armed groups (NSAGs), with State actors accounting for the remaining 293 cases, including 238 perpetrated by the FARDC, 48 by the PNC and seven by other State actors.[410] During 2021 armed groups continued using CRSV during abductions and raids on villages 'to assert control over natural resources and territory' and as a 'tool of collective punishment for perceived collaboration with other groups or with State forces.'[411] The first reporting period of 2022 showed at 'least 117 women were victims of conflict-related sexual violence, a slight decrease, of 7 per cent, from the previous quarter, which reflects a decrease in sexual violence committed by armed groups'.[412] 71 of the cases documented were carried out by armed groups and 46 by State actors.[413]

It is important to note that these figures are likely to reflect only the tip of the iceberg, as, among other factors, the prevailing insecurity in eastern DRC makes it impossible for MONUSCO to verify hundreds of additional CRSV allegations.[414] Meanwhile, despite structural challenges, progress was made in fighting impunity and military courts convicted 156 perpetrators of CRSV in 2021, including 118 FARDC members, 28 PNC members and 10 members of armed groups.[415] In the latter quarter of 2021 alone, the Congolese judicial authorities convicted '229 perpetrators (all men) of sexual violence, including 36 FARDC soldiers, 6 PNC officers, 54 armed group members and 133 civilians.'[416] Still, arrest warrants against several known perpetrators of CRSV are still pending and other alleged perpetrators of sexual violence have been released without trial by military prosecutors. Several of these perpetrators belong to the Bwira faction of Nduma Defense of Congo-Renovated (NDC-R), which is used as a proxy by the FARDC to fight other armed groups.[417] This continues to create protection risks for victims and witnesses in eastern DRC, which are further exacerbated by the ongoing insecurity, poor infrastructure, limited health facilities as well as movement restrictions due to the COVID-19 pandemic, each hampering access to (emergency) assistance for victims of CRSV. Furthermore, even when perpetrators of CRSV are convicted, the disbursement of reparations awarded to victims of rape is often significantly delayed.[418]

The Humanitarian Situation

The prevalence of HRV/As is driven by the widespread insecurity within the DRC. A further exacerbator is its geographical location, making it susceptible to natural disaster and disease outbreak, both of which have struck the country multiple times in recent years. The volcanic eruption of Mount

410 Ibid.
411 Ibid.
412 UNSC (2022) S/2022/252.
413 Ibid.
414 Interviews, MONUSCO (Dec 2021 – Mar 2022).
415 UNSC (2022) S/2022/272.
416 UNSC (2021) S/2021/987.
417 UNSC (2022) S/2022/272.
418 Ibid.

Nyiragongo, sitting just 12km outside Goma, caused widespread displacement in May 2021 when lava flowed into the city.[419] Disease outbreaks are also commonplace, with COVID-19 being an additional threat to the existing outbreaks of Ebola, malaria, cholera, and measles. This fragility has also seen weakened political institutions and a lack of basic services, resulting in a humanitarian situation that has worsened over time, especially in the eastern part of the country.[420] [421]

The figures are damning. It is estimated that 27 million Congolese need humanitarian assistance, with approximately five million people internally displaced. In addition to this, the DRC hosts 515 000 international refugees and there are nearly one million Congolese refugees in other countries.[422] This flow of people, moved by desperation, is evidence to the dire situation in the country. Unfortunately, due to the deteriorating security situation, lack of resources, and a reduction in movement as a result of the COVID-19 pandemic, humanitarian agencies are unable to adequately address the problem or stem the flow of displacement.

> It is estimated that 27 million Congolese need humanitarian assistance, with approximately five million people internally displaced.

The true impact of COVID-19 within the DRC is hard to know but it is certain to have affected the population directly, with illness and loss of life, and also indirectly, with economic shocks and further instability. With a very limited testing capacity and a slow vaccine uptake, the information regarding the spread and levels of contagion among the population is lacking.[423] While the capital Kinshasa is considered the most affected city in terms of prevalence, logistical challenges hamper efforts to provide vaccines and tests in remote and conflict-affected areas. Understanding the real impact on those living outside the capital city is difficult. [424] What is understood, however, is that the efforts to enforce restrictions to prevent the spread of the virus resulted in increased human rights violations (HRVs) committed by those enforcing them, and a greater freedom of movement for armed groups.[425]

In addition to the COVID-19 pandemic, poor road conditions, armed group activities, and the worsening security situation hinder the delivery of humanitarian assistance. While the government,

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419 CNN (2021) '8,000 people cross from the Democratic Republic of Congo into Rwanda following volcano eruption', 22 May, https://edition.cnn.com/2021/05/22/world/volcano-mount-nyiragongo-goma-congo-eruption/index.html

420 UNSC (2021) S/2021/987.

421 WHO (2021) 'Final Report of The Independent Commission on the review of sexual abuse and exploitation during the response to the 10th Ebola virus disease epidemic in DRC', https://cdn.who.int/media/docs/default-source/ethics/ic-final-report-28092021-en-version.pdf?sfvrsn=fef409a0_9&download=true

422 UNSC (2021) UNSCR 2612.

423 Our World in Data (2022) 'Democratic Republic of Congo: Coronavirus Pandemic Country Profile', https://ourworldindata.org/coronavirus/country/democratic-republic-of-congo

424 UNSC (2021) S/2021/987.

425 UNSC (2021) S/2021/274.

with support from the Mission, has adopted a national strategy for the implementation of the Demobilisation, Disarmament, Community Recovery and Stabilization Program (P-DDRCS),[426] armed groups continue to hamper the efforts of humanitarian actors in the eastern DRC. For instance, an attack on a World Food Programme (WFP) convoy by Mai armed groups in November 2021, resulting in the killing of one driver and two assistants, led to the suspension of humanitarian assistance to an estimated number of 7 000 IDPs in the Middle Plateau of Uvira in South Kivu, two-thirds of whom were children.[427] One of many other examples, thousands of IDPs that gathered around the MONUSCO COB in Bijombo in 2020 could not receive essential humanitarian assistance due to poor road conditions and the impossibility to airlift food.[428]

C. MONUSCO's Mandate

When considering the renewal of the MONUSCO mandate it is essential to understand the increasingly complex context within which it operates. From political developments within the Government of the DRC (broadly viewed as positive),[429] including the *Union sacrée de la nation* (see text box) and the adoption of the Government Plan of Action 2021 – 2023, to working within the construct of the Transition Plan devised between MONUSCO, the government, and the UNCT. Additionally, while the humanitarian situation in some areas of the DRC has seen improvement,[430] the eastern provinces remain stricken by conflict, leading President Tshisekedi to enact martial law across North Kivu and Ituri.

Union sacrée de la nation – 'sacred union of the nation'[431]

April 2021 saw President Félix Tshisekedi take a majority in Parliament, ceasing the previous power-sharing arrangement between himself and his predecessor Joseph Kabila. This parliamentary majority, referred to as the 'sacred union of the nation' enabled the President to launch a reform agenda focused on 'strengthening the country's security and justice institutions while simultaneously declaring martial law in North Kivu and Ituri provinces to counter deteriorating security conditions.'

The Government Action Plan 2021 – 2023 offers MONUSCO the opportunity to work with the government to identify priorities and tasks in line with the current transition plan.[432]

426 More details on the P-DDRCS can be found in Section C and D.
427 Interviews, MONUSCO (Dec 2021 – Mar 2022).
428 Ibid.
429 IPI (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MONUSCO'.
430 Ibid.
431 IPI (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MONUSCO', p. 2.
432 UNSC (2021) S/2021/807.

It is within the confines of these developments, among others, that the UNSC developed and renewed the MONUSCO mandate, with one eye on the present situation and another on the future drawdown and exit of the Mission. It is, therefore, important to view MONUSCO's protection mandates, including their constraints and opportunities, through the Transition Plan lens.

UNSCR 2612 (December 2021)

Authorising the joint strategy on the 'progressive and phased drawdown'[433] of MONUSCO in the 2020 Resolution (2556), the Security Council requested the creation of a plan, 'to include a set of detailed criteria and specific, measurable, and realistic indicators with indicative timelines.'[434] With the intention of outlining the practicalities involved in the drawdown of the Mission to allow for the eventual transfer of all tasks to the Government of the DRC, the UNCT and other stakeholders, the Plan would also consider roles and responsibilities as well an identification of risks involved and possible mitigation strategies. All to enable a 'responsible and sustainable'[435] transition. Praised for the inclusive process that was undertaken during its design, the plan's creation enabled a fresh channel of communication between the Mission and the government. Through a Joint Working Group, jointly chaired by the Prime Minister, Jean-Michel Sama Lukonde Kyenge, and the SRSG to MONUSCO, Bintou Keita, consultations took place across civil society, including women's groups, and the Plan was presented to the SC alongside the September 2021 Quarterly Update.

The Transition Plan includes a set of 18 benchmarks collated around two themes:

a. Minimum conditions for the drawdown of MONUSCO (security and protection of civilians, and disarmament, demobilisation, and reintegration); and

b. Priority actions in collaboration with the agencies, funds, and programmes of the UN (community recovery and stabilisation, and restoration of State authority in conflict and post-conflict areas).[436]

Transition Plan – State of Play[437]

In line with the Joint Strategy and UNSCR 2556 (2020), the Mission withdrew from Kasaï and Kasaï-Central Provinces in June 2021 and the plan to withdraw from Tanganyika Province by mid-2022 remains.

433 UNSC (2021) S/2021/807.
434 Ibid.
435 Ibid.
436 Ibid.
437 UNSC (2021) S/2021/807.

Each benchmark is accompanied with a set of indicators, the area it is to be achieved in, who is responsible for achieving it, and the timeline it should be completed within. However, questions have been raised as to whether MONUSCO's drawdown should be time-bound, and while the Plan states that realising each benchmark is dependent on the government's successful implementation of its Action Plan,[438] the realistic nature of achieving each benchmark prior to withdrawal is also in doubt.[439]

The two themes within the Transition Plan can be mapped onto the strategic objectives of the renewed mandate:

1. Protection of Civilians (PoC); and
2. Support for the stabilisation and strengthening of State institutions in the DRC and key governance and security reforms.

While both objectives were also a priority in the 2020 Resolution (2556), UNSCR 2612 has been passed in a new era of engagement and cooperation between the Mission, the UNCT, and the Government of DRC. The mandate looks to exploit the prior successful consultations and existing lines of communication by requesting MONUSCO to work closely with the UNCT 'to identify ways to address gaps in capabilities to prepare for the Mission's exit and underscores the need to progressively transfer MONUSCO's tasks to the government, the country team and other relevant stakeholders.'[440]

Protection of Civilians (PoC)

UNSCR 2612 retains the PoC as its number one objective and reaffirms PoC as a priority across decision making and the allocation of resources. With PoC at the heart of the mandate, and the heart of the transition plan, the mandate further requests the follow-through of the withdrawal from Tanganyika and the consolidation of the Mission in Ituri, North and South Kivu to focus on the areas of Eastern DRC that remain most affected by the conflict.

The renewed mandate (UNSCR 2612) emphasises the need to strengthen PoC through community engagement and the development of more robust, timely and user-friendly EW mechanisms. This includes 'systematically recording and analysing its rate of response'.

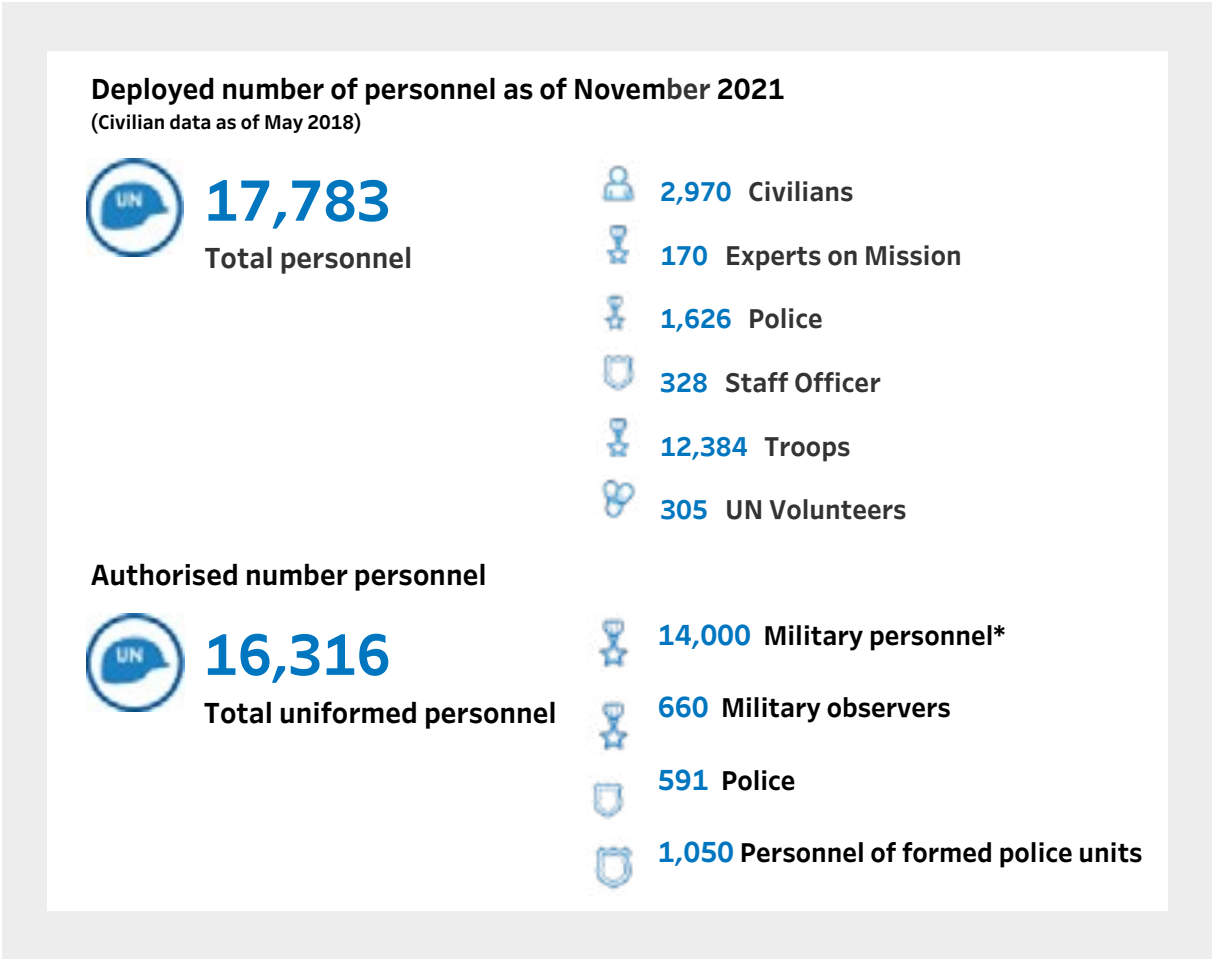
438 The Government 'Plan of Action' referred to throughout this section has also been referred to as the 'Programme of Action'.

439 IPI (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MONUSCO'.

440 UNSC (2021) 'Security Council Extends Mandate for United Nations Organization Stabilization Mission in Democratic Republic of Congo, Unanimously Adopting Resolution 2612 (2021)', December, https://reliefweb.int/report/democratic-republic-congo/security-council-extends-mandate-united-nations-organization-1

The renewed mandate asks a lot of the Mission in terms of its ability to respond to threats against civilians effectively. Yet, the renewal contains a reduction in the Mission's authorised troop ceiling from 14 000 to 13 500 as well as 660 military observers and staff officers, 591 police personnel, and 1 050 FPU personnel.[441] While the decrease of uniformed personnel is small, the Resolution also encourages further reductions in personnel, deployments, and the Mission's footprint 'based on the positive evolution of the situation on the ground.'[442] While the transition provides benchmarks and indicators to assist in determining what a 'positive situation' might look like to enable reductions such as this, the realities of the fragility and volatility of eastern DRC remains.

Figure 4.2: MONUSCO composition[443]



To enable the reduction in the Mission's size and scope (geographical footprint) while allowing for the fulfilment of the PoC objective, its Protection Through Projection (PTP) Strategy, must be underpinned by flexibility, coordination with other actors (including the Government

441 UNSC (2021) UNSCR 2612.
442 UNSC (2021) S/2021/807.
443 UN (2021) 'MONUSCO Fact Sheet', https://peacekeeping.un.org/en/mission/monusco

of DRC, the UNCT, and humanitarian workers), and effective EW/RR mechanisms. There remains a plethora of barriers to each factor listed above (elaborated upon in Section D), and previous research conducted by CIVIC has highlighted the risk to existing mechanisms, such as CANs,[444] as a result of reducing the Mission's footprint.[445]

In addition to PoC being core to the mandate, HR, CP and the response to, and prevention of, CRSV are integrated throughout the renewed mandate and the work of the Mission. Each of these are whole-of-mission mandates, with specific sections within the Mission guiding the work on the protection mandates. Drawn from the MONUSCO mandate, the child protection section's principal role is to identify 'relevant protection concerns through monitoring and reporting, to advocate, within MONUSCO and with the authorities, for those needs to be addressed and to recommend ways that this can be done.'[446] While the Mission itself works primarily with external actors working in child protection to ensure the protection needs of children are met, they also work on specific issues outlined in the mandate such as Children Associated with Armed Conflict (CAAC). This role includes advocating for the release and end to the recruitment of child soldiers (both within the host nation security forces and the armed groups), the protection of children as part of the civilian population, and to fight for an end to sexual violence and impunity.[447]

Supported by the resolutions within the WPS agenda and the specific language and tasks laid out in the mandate, WPAs in MONUSCO work to mainstream the UN policy and handbook on the Response to and Prevention of CRSV and implement the Mission's 'Comprehensive Strategy on Combating Sexual Violence in the Democratic Republic of Congo.'[448] Specific tasks regarding sexual violence, as laid out in the mandate, include strengthening the Mission's EW and Response Mechanisms to include, analyse, and record rates of response to sexual violence incidents, supporting the government to implement their 'commitments on addressing sexual violence in conflict and post-conflict situations'[449] and work to hold perpetrators of CRSV to account.[450]

While the protection mandates have dedicated sections working on them, they continue to be the responsibility of all within the Mission with each having a role to play.

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444 CANs were established between the Mission (often through CLAs) and local communities. They are specific to a community's capacities, situation and needs. Intended to create a communication mechanism between the Mission and the population, they are designed to enable communities to highlight any security concerns, help both parties access information, and ensure the populations understand the work the Mission is undertaking.

445 CIVIC (2018) 'Community Engagement by MONUSCO with Reduced Field Presence', June, https://civiliansinconflict.org/publications/policy/monusco-reduced-field-2

446 MONUSCO (2022) 'Child Protection', https://monusco.unmissions.org/en/child-protection

447 Ibid.

448 UN (2020) 'Handbook for United Nations Field Missions on Preventing and Responding to Conflict-Related Sexual Violence'; UN (2020) 'Policy for United Nations Field Missions: Preventing and Responding to Conflict-Related Sexual Violence'; MONUSCO (2022) 'Sexual Violence Unit', https://monusco.unmissions.org/en/sexual-violence-unit

449 UNSC (2021) UNSCR 2612.

450 Ibid.

Provision of Physical Protection

Of all the Mission's mandated tasks, physical protection (PoC Tier II) remains the most explicit despite the drawdown. Within the priority tasks listed there is no confusion over the Mission's authorisation and ability to use force: 'Take all necessary measures to ensure effective, timely, dynamic and integrated protection of civilians under threat of physical violence'[451]. This links to the unique Offensive Mandate given to the FIB and the calls for its improvement and reinvigoration to deliver 'effective, timely, dynamic, and integrated PoC and the neutralisation of armed groups.'[452]

Protection Through Projection (PTP)[453]

While largely said to be driven by budget and resource cuts, the PTP strategy was born through the instruction laid out in the 2015 mandate renewal, 'instructing MONUSCO to develop rapidly deployable units to increase the Mission's flexibility'.454 RDBs were created, with the idea that units could deploy and sustain themselves at short notice on Standing Combat Deployments (SCDs).

This transformation of the Force (military component) has seen MONUSCO hold a less static presence with base closures and the civilian component working to adapt in line with the more rapid and mobile nature of working.

This shrinking static presence further underlines the importance of collaboration with other stakeholders to ensure PoC.

The mandate's renewed emphasis on the reduction of threats to civilians, including those posed by MONUSCO before, during, and after any operation, demonstrates its resolve to reduce the risk the Mission itself presents to the population. It includes, in addition to the identification of threats to civilians, preventive, and responsive actions in collaborative work with the government as well as strengthening civil-military cooperation.[455] The role played in the physical PoC by actors outside of the military is not always clear, but the mandate's desire for an integrated approach and its recognition that there 'can be no purely military solution to these problems'[456] highlights the importance of collaboration across Mission components and externally with governmental departments, and coordination with humanitarians.

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451 Ibid.

452 Ibid.

453 CIVIC (2018) 'Protection with Less Presence: How the Peacekeeping Operation in the Democratic Republic of Congo is Attempting to Deliver Protection with Fewer Resources', January, https://civiliansinconflict.org/wp-content/uploads/2018/01/BaseClosurePrint_Web.pdf

454 UNSC (2015) UNSCR 2211.

455 In addition to PoC, the mandate mentions that MONUSCO carries the responsibility to ensure the protection of UN personnel, facilities and equipment, and the freedom of movement of associated personnel.

456 UNSC (2021) UNSCR 2612.

While this collaboration and coordination across the Mission, the government, and other stakeholders may seem like a challenge, the mandate goes further. UNSCR 2612 recognises the need for an 'integrated regional approach and strong political engagement by the governments of DRC, SADC and the ICGLR' for threats to civilians to be truly eliminated.[457] Cross-border collaboration is also a part of the Government Action Plan and 'substantial progress has been made at the regional level'[458] as President Tshisekedi has engaged in outreach in a bid to 'strengthen bilateral relations with neighbouring countries and to coordinate efforts to combat negative forces.'[459] Two positive outcomes have been the signing of bilateral agreements between DRC and Burundi, Uganda, and Rwanda regarding security, infrastructure, and mining, and the development of an action plan on 'non-military measures to complement ongoing military operations'[460] by the 'Contact and Coordination Group.' This group comprises members of the intelligence and security services of 'countries bordering conflict affected areas'[461] and highlights a positive collaboration to combat the illegal flow of arms, fighters, and natural resources.

> Of all the Mission's mandated tasks, physical protection (PoC Tier II) remains the most explicit despite the drawdown.

Protection through Dialogue and Engagement

Due to the success of President Tshisekedi's work to secure a new government and the subsequent announcement of the Government Action Plan, political progress has largely been viewed as positive,[462] which is intrinsically linked to PoC Tier I: protection through dialogue and engagement.

'Key actions covered by the Programme of Action include: the declaration of a state of emergency in conflict-affected eastern provinces; the establishment of a disarmament, demobilisation, community reintegration, and stabilisation programme that precludes integration into the army or the police; the implementation of security sector, justice, and administrative reforms, as well as consensus-based constitutional reforms; and the holding of local and national elections in 2023.'[463]

The second objective of the renewed mandate, 'support to stabilisation and the strengthening of State institutions' speaks to the commitments laid out by the government in its Action Plan. Under this objective, stabilisation remains a priority for MONUSCO through targeted

457 Ibid.
458 UNSC (2021) S/2021/807.
459 Ibid.
460 Ibid.
461 Ibid.
462 IPI (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MONUSCO'.
463 UNSC (2021) S/2021/587.

coordination with the government, international partners, and UN agencies,[464] and the provision of technical assistance. Engaging on the root causes of conflict is also established as a priority task, which includes providing 'good offices and technical support, in coordination with regional and international partners, with a view to furthering reconciliation, democratisation, and inclusion, addressing the root causes of conflict and promoting intercommunal and gender-responsive reconciliation, and countering hate speech, including through political support and engagement with interlocutors across the political spectrum, including the Government, opposition parties, local authorities, women, and civil society.'[465] This support across the political space is enhanced with the directed provision of technical assistance to the Government of the DRC to 'prevent, mitigate, and resolve intercommunal conflicts through, inter alia, mediation, and community engagement,'[466] which compliments the capacity-building work for EW mechanisms with the intention of handing such tools over to the government.

The Mission also has a duty to monitor and report to the SC concerning 'restrictions on political space and violence, including in the context of elections,'[467] which underpins the priority tasks laid out under the SSR section of the mandate. Tasks designated to the Mission to aid the improvement of the security sector focus around accelerating national ownership of SSR while encouraging inclusivity in its delivery, ensuring 'independent, accountable, and functioning justice and security institutions.'[468] The promotion of SSR should span the military, police, justice, and prison sectors, and should, therefore, include the provision of 'expertise, advice, and training to the Congolese security forces to strengthen their capacity, particularly through human rights training.'[469] This support should be extended, via the UN Mine Action Service, to the Government of DRC to build capacity to counter the new and evolving threat of IEDs. The provision of training and support has direct implications for the Mission and the UN Country Team in terms of due diligence and accountability, which includes the Human Rights Due Diligence Policy (HRDDP) on UN support to non-UN security forces.

DDR also presents a critical component in the fulfilment of the stabilisation objective of the mandate; an essential aspect of the Government's Action Plan and integral to the DRC moving out of conflict. The Mission is requested to support the implementation of the P-DDRCS, which is to be complemented by a Community Violence Reduction (CVR) approach in close coordination with 'civil society, donor partners, and government officials, including local and provincial leaders.'[470] Logistical support is also to be provided to the government as it looks to facilitate return and reintegration of foreign combatants, and to dispose of weapons and ammunition.

464 UNSC (2021) UNSCR 2612.
465 Ibid.
466 Ibid.
467 Ibid.
468 Ibid.
469 Ibid.
470 Ibid.

Building on the recommendations made in the Action Plan, the mandate strikes a balance between supporting the upcoming electoral cycle while maintaining a focus on the important issues of reforms across the security, economic and political spheres.[471] The mandate requests MONUSCO to support work towards 'peaceful, transparent, inclusive, and credible processes for the presidential and legislative elections scheduled in 2023 as well as for future elections.'[472] It is notable that the mandate does not labour the Mission's role in either the preparation or execution, which reminds that the upcoming elections may present a distraction (both of attention and resources) from supporting the implementation of other reforms stated in the Action Plan.[473]

Establishment of a Protective Environment

Despite progress in the political space, the dire humanitarian situation in the DRC persists, and the new mandate reflects serious concerns regarding 'increased attacks on humanitarian personnel and medical personnel,'[474] as well as ongoing difficulties for humanitarians to gain access to those in need. To this end, the mandate requests MONUSCO to support humanitarian actors and strengthen collaboration, coordination, and information sharing to provide improved assistance in a more efficient manner; coordinating activities to ensure MONUSCO continues to support the work of humanitarians by offering security and logistical support to ensure the delivery of assistance (PoC Tier III). Considering the drawdown and the strategy of projection, putting this into practice will remain challenging. Again, effective and appropriate collaboration with the government as well as humanitarians will undoubtedly prove beneficial.

D. Implementation of Protection Mandates: Interlinkages, Good Practices, and Gaps

While MONUSCO has been operating under a PoC mandate since 2007,[475] the complex dynamics as described above have furthered instability, making the implementation of MONUSCO's mandate increasingly challenging. Building on information collected during desk-based research and interviews conducted with MONUSCO military, police, and civilian personnel, the following section elaborates on the implementation of the Mission's protection mandates. It highlights interlinkages, good practices as well as challenges faced by MONUSCO personnel when working on PoC in the DRC. The interviews identified several

471 IPI (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MONUSCO'.

472 UNSC (2021) UNSCR 2612.

473 Zounmenou, D. (2021) 'Will the DRC's 'Sacred Union' Deliver Electoral Reform?' Institute for Security Studies, August; UNSC (2021) S/2021/857.

474 UNSC (2021) UNSCR 2612.

475 Nagel, R., Fin, K. and Maenza, J. (2021) 'Case Study: United Nations Stabilization Mission in the Democratic Republic of the Congo', https://giwps.georgetown.edu/wp-content/uploads/2021/05/MONUSCO-Case-Study.pdf

key issues regarding resourcing, presence, information sharing, coordination, and interpretation of the mandate providing important field perspectives.

Protection as a Shared, Whole-of-Mission Responsibility

Protection is a shared, whole-of-mission responsibility that sits firmly anchored at the heart of MONUSCO's mandate. In addition to PoC, MONUSCO's protection mandates also include the protection and respect for human rights, prevention, and response to CRSV, and child protection as shared, whole-of-mission responsibilities, and specific policies and guidance on these mandates detail the role of civilian, military, and police components in their implementation.[476] These protection mandates sit alongside and complement the PoC mandate and remain distinct with regards to the work of the Mission. As highlighted throughout the new mandate (UNSCR 2612), PoC is a priority in decision making as well as resource allocation, and the Mission is mandated with a broad range of tasks stretching across the protection sphere. Simultaneously, the Mission is requested to reduce its footprint and presence, and to consolidate in regions in the fragile east while working towards a ´positive situation' and a 'responsible and sustainable' transition.[477] Meanwhile, given the enduring volatility in eastern DRC and the ongoing external interests in its resources, the conflict drivers persist. This begs the question as to whether MONUSCO's mandate, framed within the Transition Plan, is realistic and achievable given its limited resources and footprint.

> This begs the question as to whether MONUSCO's mandate, framed within the Transition Plan, is realistic and achievable given its limited resources and footprint.

At the same time, interviews indicated that there are varying degrees of support to, and engagement with, MONUSCO's protection mandates among its leadership and personnel. Where interviewees generally described MONUSCO's leadership as supportive of the protection mandates, there seems to be a large difference in commitment, motivation, and expertise among personnel within the civilian, military, and police components. Interviewees described the fatigue among civilian colleagues, who have often been in MONUSCO for many years and have lost the will, drive, and energy to continuously establish new working relationships and to initiate innovative ways to address the many protection issues in the DRC while seeing little progress in the eastern provinces. Others highlighted the challenges around short deployments of uniformed personnel, and the lack of a deep contextual understanding as well as difficulties of some

476 For example, UN (2020) 'UN Handbook for United Nations Field Missions on Preventing and Responding to Conflict-Related Sexual Violence'; UNDPO and DPPA (2019) 'Manual for Child Protection Staff in United Nations Peace Operations'.

477 UNSC (2021) UNSCR 2612, S/2021/807.

uniformed personnel to adapt to the multidimensional character of the Mission under the lead of a civilian, namely the Special Representative of the Secretary General (SRSG).[478] In part this is due to the different backgrounds and organisational cultures found among civilian, military, and police colleagues, and varying levels of understanding and/or respect thereof. This variety of cultures also contributes to the creation of a nuanced spectrum of attitudes and approaches to protection within the Mission. Yet, others spoke of a general lack of will to act, and for some their deployment to MONUSCO was seen as a welcome break from higher intensity operations ongoing in their home nation, with the elements of some contingents viewing the deployment as a chance for rest and recuperation.[479]

Efforts to bridge the (cultural) differences between Mission components and to approach protection as a joint task and shared responsibility are still largely personality driven, despite structured efforts by the Mission and UNHQ to support whole-of-mission approaches to protection.[480] For example, interviewees spoke of a strong working relationship that exists between specific civilian sections and the Force, including daily interactions, while other civilian sections rarely interact with the Force, further enforcing misconceptions and the acknowledged divide between the two components. Some Force colleagues suggested the civilian components held judgmental views against them and misunderstood the military working structure, while civilian interviewees mentioned being made to feel inferior to their Force colleagues.[481] Interviewees highlighted that frequent and direct engagements between civilian sections and the Force had resulted in successful joint planning to address protection issues. For example, the Force worked closely with PoC colleagues in the planning and execution of base closures, ensuring the needs of the population were understood and the other actors remaining in the region were informed and able to take on essential roles.[482] There is room to further develop these types of approaches in MONUSCO, for instance collaboration with UNPOL was rarely mentioned during interviews with civilian and military personnel and integrated approaches between UNPOL and other Mission components seemed more limited.[483] This reported limited interaction acts as a barrier to a truly integrated approach, diminishing the potential of the Mission to protect civilians.

Protection Through Projection (PTP)

In line with the PTP strategy, COBs were closed, and the Mission increasingly used Rapidly Deployable Battalions (RDBs) based close to Force and Sector Headquarters (FHQ and SHQ) to respond to PoC matters through short-term Standing Combat Deployments (SCDs). While

478 Interviews, MONUSCO (Dec 2021 – Mar 2022).

479 Ibid.

480 These structured efforts include improved official guidance on the various protection mandates.

481 Interviews, MONUSCO (Dec 2021 – Mar 2022).

482 Ibid.

483 Ibid.

on paper this may look like an efficient approach to address the many issues at stake, the reality in DRC and MONUSCO is more complex, and interviewees highlighted the limitations of the PTP strategy. As underscored in section C of this chapter, the PTP strategy must be underpinned by effective EW mechanisms, flexibility, and coordination with other actors.

> The effectiveness of existing EW mechanisms, such as CANs, is threatened by the reduced field presence, weakening the communication networks they rely on.

While UNSCR 2612 indeed stresses the need to strengthen PoC through community engagement and the development of more robust, timely and user-friendly EW mechanisms, the reality sees the Mission limited in terms of effectively carrying out these tasks due to its smaller footprint and limited resources. For example, the effectiveness of existing EW mechanisms, such as CANs, is threatened by the reduced field presence, weakening the communication networks they rely on. This makes it increasingly difficult for MONUSCO to gather and act on information in a timely manner, and therefore, to protect through projection. Additionally, the Mission is no longer able to provide extensive physical protection to the interlocutors of the CANs.[484]

Additionally, other factors are at play, representing challenges to the effective implementation of the protection mandates through the PTP approach. These include environmental issues such as terrain and weather, impacting on the Mission's flexibility. Given the limited infrastructure throughout the country, the RDBs often require air assets to respond appropriately. These air assets are limited in their number, but also have limitations regarding the weather in which they can operate. The same can be said for UAVs used by the Force for EW and intelligence collection. Daylight hours also limit the way these forces can move as some air assets are unable to fly at night due to lack of appropriate night vision equipment. These factors directly impact the Mission's ability to operate proactively and respond in a timely manner to protect civilians. It should also be noted that these limitations adversely affect the Mission's ability to protect its own personnel.[485]

Due to the decrease in physical infrastructure and the subsequent lack of permanent presence, coordination between the Mission and other actors, including the government and FARDC, is often challenged. This was illustrated during interviews with MONUSCO personnel.[486] This issue is further compounded by the presence of bilateral forces as the Government of the DRC works with the Uganda People's Defence Forces (UPDF) to eradicate armed groups in eastern

484 Interviews, MONUSCO (Dec 2021 – Mar 2022).

485 For example, 14 peacekeepers were killed during the Semuliki attack, see BBC News (2017) 'DR Congo: UN peacekeepers killed in attack in North Kivu', December, https://www.bbc.com/news/world-africa-42285871

486 Interviews, MONUSCO (Dec 2021 – Mar 2022).

DRC. Of particular interest to the FARDC and the UPDF is the ADF, as they conduct operations across Beni territory to rid the area of the group. Force personnel explained how these joint operations have been effective but have also seen curtailing MONUSCO's operations and ability to move freely.[487] Authorisation by the FARDC to conduct operations or fly aircraft in certain areas must be sought by MONUSCO to eliminate the risk of friendly fire and to enable transparency of operations. As the FIB are present in this region, and the risk of friendly fire is so significant; it was decided by the Mission that the FIB would limit their activities and movements.[488] This has meant that since the UPDF and FARDC began joint operations, the FIB has largely been confined to the area immediately surrounding their camps.[489]

Uganda People's Defence Forces (UPDF): View from Senior Leadership[490]

'The lack of information regarding the UPDF-FARDC operations impede MONUSCO's ability to implement its protection mandate. In addition, while MONUSCO is not authorized to provide direct support to foreign armed forces engaging troops on DRC territory, there are risks, including of human rights violations by the FARDC and/or UPDF and/or violations of IHL including indiscriminate bombings, that are associated with Force support to the FARDC, while the FARDC are engaged in joint operations with the UPDF in the same zone. Moreover, it is difficult to put in place measures to mitigate against the risks, including those to PoC, associated with these operations, given the lack of information available.'

One identified good practice has been the level of engagement between the Force and the FARDC regarding these operations. In fact, one interviewee stated: 'Since the launch of joint UPDF-FARDC operations in North Kivu, MONUSCO has pursued tripartite coordination with the FARDC and the UPDF.'[491] A high-level meeting was arranged between the parties to ensure boundaries were drawn up (especially important given the extensive use of artillery by the UPDF) and discussions about MONUSCO's role took place. One interviewee suggested this was all 'very much FARDC led'[492] and explained that despite MONUSCO's Force having six bases within the FARDC and UPDF's area of operations, the FARDC General in charge told the Force to ensure safety and security of the MONUSCO bases and immediate surroundings but to leave the rest of the area to their joint forces.[493] Despite the efforts on coordination and communication, these limitations have hampered not only MONUSCO's ability to conduct operations but also to monitor and report, especially with regards to HRVs.[494] It was

487 Ibid.
488 Ibid.
489 Ibid.
490 Interviews, MONUSCO (Dec 2021 – Mar 2022).
491 Ibid.
492 Ibid.
493 Ibid.
494 Ibid.

communicated that the FARDC and UPDF are not looking to 'hold ground' but to move through the region disrupting and destroying ADF operations and strongholds.[495] These joint forces have been thought to be largely effective but the cost of this is not yet known, with MONUSCO receiving reports of mass graves in the vicinity of their operations, possibly holding bodies of ADF fighters. However, one interviewee did say there were limited reports of HRVs due to the locations of these operations, often happening within the jungle and away from civilian population centres. Interviewees also spoke about prior imagery MONUSCO held of the regions these operations were taking place, with the footage showing women and children within the ADF camps. Mission reports indicate that at least some women and children were abducted or forcefully recruited by the ADF, but all were armed and are, therefore, legitimate targets holding combatant status.[496] Questions over legality, due diligence, and ethical aspects of these operations remain.

While the level of engagement between the FARDC and MONUSCO on these matters is positive in some respects, it does not detract from the lack of control and input the Mission seems to be able to bring to bear on the situation. It also highlights a shift in partnership between the two, moving from partnership, where the Force supports the FARDC, to the Force becoming answerable and almost subordinate to the FARDC. Critically, the agreements reached between the two have left MONUSCO with a delay in their reaction times as gaining the necessary authority and clearance to move beyond their camps takes time, an issue that seriously affects the PTP approach. Liaison mechanisms are in place to enable this communication, with the FARDC having embedded LOs within the FIB HQ and the establishment of Operations Coordination Centres (OCCs) which are in varying degrees of completion and part of a broader aim for MONUSCO to support the work of the FARDC. This support to the Host Nation security forces is especially important in the transition context. However, it is also contextualised by the understanding that government security forces are thought to be responsible for over half of all HRV/As committed across the DRC[497] and, therefore, training, awareness-raising, and accountability mechanisms are crucial if the Mission is going to transfer its engagement on PoC.

495 Ibid.

496 Ibid.

497 Interviews, MONUSCO (Dec 2021 – Mar 2022).

The Fight Against Impunity

The involvement of State actors in HRVs, including widespread CRSV, has large implications for the Mission. Given its role to support the host government and its ongoing work with the FARDC and PNC, including training and operations, MONUSCO has run the risk of being associated with violence used against the Congolese population. Moreover, research suggests that relationships exist between the FARDC and some armed groups operating in the country.[498] For example, former rebel commander Sheka of the Nduma Defense of Congo (NDC) who was successfully put on trial in 2020 had known affiliations with elements of the FARDC which has clear implications on the effectiveness of the trial as some FARDC witnesses were afraid to speak out. These same relationships were found between the FARDC and the splinter group of NDC, the NDC-R (Renovated).

The relationship between the FARDC and NDC-R highlights the complexity of the conflict dynamics, showing how the State Forces can and do rely on 'proxy forces', rendering some armed groups as a 'critical partner for the government in Kinshasa'. SSR is, therefore, not only important to fight impunity but also to build trust among the population in the security sector and the judiciary.

Under-reporting

Additionally, the difficulties in accurately documenting and verifying cases of HRVs lead to a recognised problem of underreporting. It is widely understood that MONUSCO's reporting figures are not a full reflection of reality and are in fact 'the tip of the iceberg'. Reporting has likely been hampered further by the prevalence of COVID-19. This seriously affects the Mission's ability to respond to and/or investigate case of violations.

Dedicated Protection Advisers and the (Non-)Consolidation of Protection Functions

To assist the Mission in the implementation of its protection mandates, dedicated civilian, military and police protection advisers, and focal points are appointed at various levels within MONUSCO. For example, while all military personnel are charged with protection, there exists a structure within MONUSCO's Force dedicated to Gender and CP.[499] This structure starts at the FHQ with the Force Gender and Child Protection Advisor sitting within the G5 (Plans) office, with a direct reporting line to the Force Commander and the Force Chief of Staff (FCOS), and links to the Deputy Chief of Staff Operations (DCOS Ops) and DCOS Strategy (among others). This central positioning of the advisor is critical to enable the integration of gender and protection issues across Force activity, and to enable the provision of timely advice and guidance to the Force

498 Congo Research Group (2021) 'For the army with the army, like the army?' May.

499 Confusion over the title and responsibilities of this role remains, largely due to the differences in these roles throughout the Missions. MONUSCO has a 'Gender and Child Protection' advisor while others have 'Gender and Protection' advisors. Additionally, advocacy is ongoing within the Office of the Military Affairs (OMA) to remove the 'protection' aspects of the role from the title. By which entity these responsibilities will be assumed is unclear.

Commander. This role is also the point of entry to the Force for UNPOL and civilian staff working on protection, including (but not limited to) the dedicated civilian and police advisors on PoC, child protection, and CRSV. The Force Gender and Child Protection Advisor is also responsible for maintaining a Focal Point network that stems from the HQ to the Sector levels and below; aiming to create trained and able personnel at the field levels, working to coordinate protection work across the Force and other mission components, as well as external stakeholders and partners. There has yet to be an impact evaluation of the focal point network and how they plug into the realities on the ground and the effect they have is largely unassessed.[500]

Within the police component, UNPOL Gender Advisers and SGBV focal points are appointed at Mission headquarters as well as at the Sector level. Among other things, these advisers and focal points advise MONUSCO's Police Commissioner and other UNPOL colleagues on the implementation of the WPS aspects of the protection mandate.[501] This involves ensuring the inclusion of these aspects in operational strategies, assisting in the identification of priority areas to address SGBV against women, men, girls, and boys, as well as outreach, advocacy, and support to the PNC. The advisers and focal points also assist UNPOL in ensuring that gender and the protection of women is mainstreamed across all its activities.

Within the civilian component, several dedicated protection advisers are attached to various divisions and sections. Where PoC advisers are integrated into the Deputy SRSG (DSRSG) office and WPAs are integrated into the JHRO as part of the consolidation in 2016, CP continues to have a dedicated section. There are pros and cons to this integration versus 'independence', which were highlighted during the interviews. As WPAs have been consolidated within JHRO this gives them better access to data on CRSV and a larger team to work with, sharing resources and responsibilities. For example, where there are no WPAs present in field offices, JHRO appoints CRSV focal points to cover some of the responsibilities WPAs would normally have. Given the limited number of WPAs deployed to MONUSCO, this is a significant arrangement to ensure focus and create tools to implement the Mission's CRSV mandate. A downside of consolidating WPAs into JHRO is that the emphasis of their work often lies on monitoring and reporting, due to the nature of the work.[502] In practice this means that other aspects of the WPA mandate often receive limited resources and attention, including training of mission components.[503] In addition, the consolidation meant that WPAs no longer had direct access to Heads of Offices at the field level and their participation in coordination platforms such as the Senior Management Group on Protection – Provincial (SMGP-P) was cut back. As a result of this, Mission personnel felt that the visibility and focus on the CRSV mandate was reduced due to the consolidation, and that this impacted on the effectiveness of the Mission to engage in this area.[504]

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500 Interviews, MONUSCO (Dec 2021 – Mar 2022).

501 For more detail, see the forthcoming EPON study by Lisa Sharland on the implementation of MONUSCO's WPS mandate.

502 Noting that while monitoring, investigation, and reporting are key functions of JHRO, their purpose also includes informing analysis, EW, and advocacy.

503 Interviews, MONUSCO (Dec 2021 – Mar 2022).

504 Ibid.

Contrary to the WPAs, the Child Protection Section (CPS) has been maintained and was not consolidated into JHRO. Views on this arrangement vary: some interviewees were of the opinion that integrating Child Protection Advisers into JHRO would support coherence and cost effectiveness of protection work carried out by the Mission.[505] In addition to that, maintaining separate civilian sections to address MONUSCO's protection mandates could lead to duplication of work as well as a lack of information sharing and collaboration between these sections. Others disagreed with this and highlighted the importance of remaining independent from JHRO, especially with regards to CPS' engagement with armed groups to release children and prevent their (re-)recruitment. Being consolidated within JHRO would change the space and dynamics to engage with armed groups and may thereby limit possibilities for negotiating the release of children by such groups.[506] In addition to that, being independent of JHRO, CPS maintains the space to carry out activities across its mandate, including on child DDR, child protection mainstreaming, the prevention and response to grave violations, coordination of UN Country Task Force on Monitoring and Reporting (CTFMR) activities with UNICEF, and training of the Force and UNPOL, as well as capacity-building of the FARDC and PNC. Training is a particularly important aspect of the CPS work within the Mission, as military units are often the first peacekeepers that are approached by children associated with armed groups. Over the past years, children associated with armed groups and armed forces who voluntarily surrendered at MONUSCO military bases have been sent away rather than being separated and supported. To address this challenge, MONUSCO's CPS conducts briefings for military units and has developed guidance to support correct following of procedures. This is an ongoing and resource-intensive aspect of CPS' work particularly due to the regular rotation of troops and which could be diminished should CPS be integrated into the monitoring, investigation, and reporting-focused work of JHRO.[507] In addition to these aspects, interviewees also highlighted the specificity of the child protection mandate, implementing UNSCRs on children and armed conflict, reporting to the SRSG for CAAC at UNHQ, and providing the Security Council Working Group on CAAC and the Secretary General Executive Office with high-level reports based on the related MRM, as important reasons to remain independent of JHRO.[508]

Formal Guidance to Enhance Protection Efforts

To assist the various Mission components in the implementation of the protection mandates and taking an integrated approach, MONUSCO relies on formal guidance from UNHQ, including policies and handbooks on PoC, CRSV, and CP. These documents assist the Mission in implementing its protection mandates and were found to be helpful tools by Mission personnel. Still, gaps in formal guidance provided by UNHQ were also mentioned, including on the preparation, training, and use of FETs and METs by the Force. While these teams are seen as

505 Ibid.

506 Interviews, MONUSCO (Dec 2021 – Mar 2022).

507 Ibid.

508 Ibid.

an important tool to implement the protection mandates, MONUSCO and other UN peacekeeping missions have been deploying Engagement Teams (ETs)[509] since 2017 without formal guidance from UNHQ. As UNHQ policy and guidance intentionally follows field practice to ensure it is grounded in mission experiences, the Missions have each tried out various formats and approaches over the past years. This initiative by the Missions is to be commended yet interviewees did point to challenges that are created by the lengthiness of guidance development processes at UNHQ level, especially due to troop rotations and ongoing reinvention of the 'engagement team wheel' in the absence of formal guidance.[510] Aiming to address this challenge, MONUSCO has worked on identifying good practices to enhance the effectiveness of their efforts. They have formalised this in their Practice Note entitled 'MONUSCO's engagement teams: Promoting the Women, Peace and Security mandate'.[511] Written to share good practice, lessons learnt and the foundation for the concept as a way of raising awareness, the note is evidence of the initiative taken at Mission level to further the work in this field. The note also includes guiding principles, challenges, and recommendations. Among these recommendations are those directed to the DPO Office of Military Affairs (OMA), which include developing Terms of Reference for the teams, developing pre-deployment training and streamlining guidance on reporting, monitoring, and evaluation – all of which remain relevant and highlight an existing gap in direction and policy from UNHQ.

> With troops rotating so often, community engagement and trust building suffers, especially when the Force is already viewed poorly by members of the local community.

In addition to formal guidance from UNHQ, MONUSCO has updated its Mission Concept, which defines and communicates the direction for the Mission, acting as an umbrella document, linking all plans and efforts regarding the Transition together. In addition, the Mission has developed several other guidance documents. These include the Force Commander's Directive on CP, which is an example of how formal guidance from UNHQ assisted the Mission in implementing its child protection mandate as it is based on guidance developed by the CP Team at DPO's Policy, Evaluation and Training Division (DPET). The template for the Directive is an annex to the CP Manual, and it was rolled out, adapted and adopted by peacekeeping operations with a CP mandate, including MONUSCO.[512] Other MONUSCO specific guidance

509 Terminology around Engagement Teams varies, from Female Engagement Teams (FETs) and Mixed Engagement Teams (METs) to simply Engagement Teams (ET). It is mostly accepted (including by the OMA) at the political level that ET or MET is appropriate, including men and women within the Team.

510 Interviews, MONUSCO (Dec 2021 – Mar 2022).

511 MONUSCO (2021) 'MONUSCO's engagement teams: Promoting the women, peace and security mandate', MONUSCO Practice Note, February, http://dag.un.org/bitstream/handle/11176/401105/MONUSCO_Practice_Note_February%202021.pdf?sequence=1&isAllowed=y

512 Interviews, MONUSCO (Dec 2021 – Mar 2022). See DPO and DPPA (2019) 'Manual for Child Protection Staff in United Nations Peace Operations', http://dag.un.org/bitstream/handle/11176/400956/1904812-E-DPKO-Manual%20Child%20Protection-Rev2-WEB.pdf?sequence=1&isAllowed=y

documents include the Force Commander's Directives on Gender, an SOP to guide engagement and communication with NSAGs on preventing grave child rights violations,[513] and an SOP to provide guidance on the Closure of Bases and withdrawal of MONUSCO Forces from a particular area. Other guidance such as the Terms of Reference (TORs) of the SMGP-Ps and the Mission's PoC Framework also inform these decisions to be taken. These documents all aim to offer insights to those operating at the Operational and Tactical levels to protect civilians, providing them with the guidance to act, aiming for a more coordinated and effective mission-wide response.

MONUSCO's Force works to an overarching campaign plan that has recently been redrafted in close collaboration with the Mission's civilian PoC advisors. This plan sets out the four lines of effort for the Force: PoC, the Defeat of Armed Groups, Support to the FARDC, and Withdrawal.[514] Each line of effort represents a priority for the Force and for the Mission. This foundational document is the cornerstone of every document produced by MONUSCO's military component and offers a framework for the Force HQ to work within, highlighting where to focus resources. From there an effects-based operational plan feeds into Operational Orders and Fragmentary Orders. The tight structure and process-based nature of the military component affords it both opportunities and challenges in its own implementation of its mandate. However, from an external coordination point of view these documents are neither well communicated nor understood outside of the Force.

Despite clear mission guidance, differences are still observed in the interpretation of the Mission's PoC mandate observed, a challenge which is enhanced by the regular turnover of personnel as well as changes in the Mission leadership. This is especially felt within the military component, whose troop rotations occur the most frequently with TCCs remaining in mission for on-average no more than one year. Given the complex context and ever-changing dynamics within the region, the time needed to understand the situation and the way the Mission works is considerable. The deployment duration can be even less for Staff Officers, with some staying only six to nine months despite holding critical roles. Given the emphasis on personal relationships, this short time in mission can hinder effective work and can be fatiguing for civilian colleagues who must continually re-engage with new members of the Force. Interviewees highlighted how much knowledge they felt was lost due to the high turnover of personnel and the importance of an adequate handover period between postings, to enable the successor to gain critical information and to have the incumbent introduce them to key actors.[515] This handover period is not necessarily guaranteed, nor funded by the Mission, who will generally not pay to have two people in the same role, even if for a matter of days. Without this crucial aspect, TCCs have had to look at alternative ways to maintain momentum, with Canada and the UK beginning a good practice by funding handover periods for certain roles within the Force HQ.[516]

513 MONUSCO (2021) 'SOP on communication with armed groups for the release and protection of children'.

514 Interviews, MONUSCO (Dec 2021 – Mar 2022).

515 Interviews, MONUSCO (Dec 2021 – Mar 2022).

516 Ibid. This was also highlighted as good practice at the DPO PoC Advisers Conference.

Community Engagement, Early Warning and Rapid Response (EW/RR)

The high turnover of Mission personnel also affects the communities they are engaging with. With troops rotating so often, community engagement and trust building suffers, especially when the Force is already viewed poorly by members of the local community. This 'anti-MONUSCO' sentiment was highlighted by several interviewees, including one who specifically discussed the work of the FIB.

Freedom of Movement

The relatively recent change in tactics by armed groups to use IEDs has had a large impact on the Mission's ability to move freely around the region and the Community's ability to do so without fear. As we have seen in other Missions, it takes time to respond to the use of such tactics especially in terms of appropriate equipment, training and knowledge to prove and clear routes.

The FIB operates in a region where the community live under the threat of everyday violence from Armed Groups, who recently began deploying IEDs as a part of their violent tactics. The increased threat led the community to resent MONUSCO and they have been found to be reluctant to engage.[517] An interviewee said to approach the community, MONUSCO only uses activities such as events to donate items in a bid to interact with them and deliver messages on such topics as CRSV or child protection.[518] Having to use material incentives to galvanise engagement is further hampered by the limited budget of these units, ultimately resulting in very limited engagement between the Force and the community.

Despite the drawbacks facing the FIB, senior leadership stated in interviews that MONUSCO continues to strengthen coordination to address the 'multiplication of cross-province and cross-sector PoC concerns'[519] including those relating to the ADF and the increased use of IEDs. This strengthened coordination is conducted at various levels, for example by the Beni and Bunia field offices. Another example is the Kalemie and South Kivu field offices that jointly approach armed group activism at the border between Tanganyika, South Kivu, and Maniema.

517 Interviews, MONUSCO (Dec 2021 – Mar 2022).

518 Ibid.

519 Ibid.

Language

Internally, language was also cited as a barrier between effective communication and coordination. English speaking military components reported asking civilians to come and deliver training only to find the civilians that came (often local nationals) could only communicate in French and Swahili.

MONUSCO's community engagement is further hampered by the barriers presented by language and culture. Very few elements of TCCs and PCCs speak French, and even fewer still speak Swahili. Some Mission personnel also hold cultural beliefs that interaction with opposite members of sex is inappropriate.[520] These issues all pertain to hurdles that exist when operations are not integrated across the police, military, and civilian components. These must be overcome by MONUSCO to enable community engagement and, therefore, accurate information collection and a clear understanding of the security situation.

CLAs are a critical tool for MONUSCO to overcome the hurdles listed above. These national staff members that belong to MONUSCO's CAS possess a wealth of knowledge on the cultural aspects of a region, local communities, as well as local conflict dynamics. MONUSCO currently has 139 CLAs, of which 13% are female. CLAs are deployed among the Mission's military bases where they assist the Force in responding to protection issues. MONUSCO's website describes their role as serving 'as an interface between the Mission, including between MONUSCO's Military and the Congolese population and local authorities at field level, and play a key role in efforts to engage with local communities and other key actors.'[521]

> If used correctly, CLAs can become a 'force multiplier' to build a bridge of communication and trust between the Mission and the community.

As such, if used correctly, CLAs can become a 'force multiplier' to build a bridge of communication and trust between the Mission and the community.[522] With the intention of having a CLA based with every military unit at field level, the CLA should be involved in outreach and planning, and work towards facilitating improved understanding. The fact that very few CLAs are women affects the work of not only the military FETs but the work of any unit trying to engage across the spectrum of society. Additionally, one interviewee reported a 'misunderstanding' within the Force on what CLAs do and how to adequately employ them.[523] For example,

520 Ibid.

521 MONUSCO (2016) 'Civil Affairs', https://monusco.unmissions.org/en/civil-affairs

522 Interviews, MONUSCO (Dec 2021 – Mar 2022).

523 Ibid.

while often having to act as interpreters, CLAs are not language assistants. To overcome these misunderstandings, a good practice that was recognised during the interviews was the creation of one-day workshops run by CAS to train the Force on CLAs and how to best use them as a force multiplier. The workshop also includes a session on feedback from the Force, on the abilities, opportunities, and challenges presented by the CLAs.[524] These mobile and flexible workshops work towards enabling a more effective deployment of CLAs, in turn closing the gap between the Force and the population they serve.

Community engagement and CLAs are seen by many as critical aspects of EW/RR,[525] an essential element to the work of the Mission and key to the idea of PTP. However, understanding of the concept of EW varies throughout the Mission, with no mission-wide SOP in place yet on how to establish, use, and maintain such mechanisms.[526] The military component has their own SOP on EW, but as a civilian colleague pointed out, this points to the Force as the primary actors in the EW/RR space. However, other offices have 'different networks and links that could play an important role in EW/RR and mission response.'[527] Therefore, coordination across components (and external actors) is essential in this role. To address these gaps, MONUSCO's DSRSG Protection and Operation tasked CAS and the PoC Unit to undertake a mission-wide review of its EW/RR system, including an internal review engaging all components and a review by a consultant from CIVIC.[528] The report and recommendations were endorsed by the Mission Leadership Team on 22 December 2021, tasking CAS and the PoC Unit to prepare a mission-wide SOP on EW/RR. The draft SOP was circulated in February 2022 for review and comments, and in-mission consultations are ongoing. In addition to this, an action plan has been developed on the implementation of the EW/RR review identifying actions, deadlines and focal points for sections and components which will be regularly reviewed to track progress.[529]

MONUSCO has adopted a data-driven approach to PoC with the rollout of the SAGE database since 2019, systemising PoC data to enable a shift from static reporting to trend analysis.[530] A SAGE PoC Dashboard has been developed that uses data analytics to provide the Mission with quick, yet sophisticated, pattern and trend analysis, mapping, and especially visualisation and presentation of the data. Further developing this work, the Beni Field Office is piloting an EW/RR app developed jointly by MONUSCO and the UNOCC with plans to ensure links with MONUSCO's SAGE database. The app will be reviewed in 2022 to inform possible replicability to other field offices. This work pushed forward by the 'Integrated Operations Coordination Hub' also known as the 'Beni Hub' which works to enable cross-component

524 Ibid.

525 Ibid.

526 Ibid.

527 Ibid.

528 Ibid.

529 Ibid.

530 Interviewees highlighted that SAGE can be used for trend analysis, but not for EW as it takes too long for incident reports to be approved. Prior to 2019, MONUSCO used ITEM, which was a database specifically designed with the objective of enhancing the Mission's capacity on PoC.

integration to strengthen joint capacity to verify, share, analyse, and respond to POC threats. It is seen by Mission staff as a strong tool to centralise and disseminate PoC alerts and to act as a catalyser for response.[531] Part of this response has been the newly established operations centre, which is staffed at all times by military personnel to monitor operations and emerging threats, especially those posed by the ADF.[532]

This new and engaged level of interest within the Mission underscores the importance of EW/RR in the PTP era, and while the effects of the recent developments are hard to quantify, the process behind their design and implementation is promising. However, successful and long-term implementation demands, among other things, that the existing level of focus and resources remains, something which fluctuates within the Mission environment as highlighted by interviewees of this study.[533]

Integration, Information Sharing, and Coordination

Integrated approaches between its components, timely sharing of information, and coordination across the board are crucial for MONUSCO to effectively implement its protection mandates. Although MONUSCO has dedicated advisors on PoC, CRSV and child protection, these aspects of its protection mandates remain a whole-of-mission responsibility, as described above.[534] Still, several interviewees highlighted that the protection advisers within the military, police, and civilian components are seen by some as the main people responsible for protection efforts within the Mission, and pointed to a lack of integration, information sharing, and coordination on protection across the Mission. Interviewees spoke about the siloed nature of some of the Mission's work which has led to a duplication of efforts and a breakdown in communication. For example, the Gender Affairs Section conducted a mapping exercise that highlighted 'hotspot' areas where women and girls face threats. Although these findings are accessible for other sections and components, it is unclear to what extent the initiative was visible and coordinated with other ongoing initiatives on hotspot mapping and early-warning led by other sections. There seem to be limited use of this mapping in the planning of activities and operations by the Mission, which links back to the need for stronger coordination and sharing of information. Ultimately, this is one example of important work carried out in isolation, which means other offices can neither assist in its development nor benefit from its output.

These silos do not just exist in the conceptual space, but often physical infrastructure such as the Force HQ being located away from the civilian offices and the need for airconditioned workplaces meaning all doors to offices are often kept shut – enforcing barriers that exist already.

531 Interviews, MONUSCO (Dec 2021 – Mar 2022).

532 Ibid.

533 Ibid.

534 MONUSCO (2022) 'Child Protection Mandate and Objectives', https://monusco.unmissions.org/en/child-protection-mandate-and-objectives

Additionally, one interviewee highlighted the challenges presented by boundaries and how even internally the physical Brigade (force) boundaries do not align with the Head of Office boundaries, and therefore, they often 'straddle' jurisdictions.[535] This further complicates information sharing and decision making. Effective in-mission coordination is key for the success of the implementation of MONUSCO's mandate. Its troops need to obtain and share information and represent the Mission as they work closely with the CLAs, contributing to MONUSCO's EW/RR system, by maintaining close contact with the local population through the CANs.[536] The Force works directly with the communities, not only to gather information in support of protection, but also to ensure that communities understand the Mission's mandate and how they can contribute by proactively sharing information.

These CANs are an essential EW/RR mechanism and through the understanding and awareness-raising of such tools, more people within communities will become engaged and proactively involved in their deployment. To this end, PoC can be enhanced alongside improvements in monitoring and reporting of HRV/As which can lead to the improved respect for IHL. The far-reaching and profound impact of an effective CAN is just one method through which the Mission can use EW/RR to bring about meaningful and sustainable change, something that will be key for an effective transition. While the JHRO 'has the important role to monitor, report, and sometimes investigate allegations of HRVs committed by the Congolese army,' as well as armed groups,[537] they are not the only section being confronted with allegations. It is important that MONUSCO can 'build trust and understanding among the population […] and prevent disinformation campaigns aimed at undermining the mission's credibility and hindering its performance.'[538]

PTP and Internal and External Coordination

To achieve PTP and the transition of the Mission, coordination internally and externally must happen. In some areas, such as Tanganyika, insecurity persists despite MONUSCO plans to close offices in June 2022. The Mission is working now, to engage and advocate for an enhanced presence of national security forces whilst simultaneously handing over 'tasks and mechanisms to local stakeholders'. Additionally, plans are also being made to keep a residual presence in areas of high risk with personnel from JHRO and UNPOL remaining in place to continue the engagement with the UNCT once the field office is closed.

535 Interviews, MONUSCO (Dec 2021 – Mar 2022).

536 Weyns, Y. (2018) 'Democratic Republic of Congo: Interventions to prevent evictions of subsistence farming communities', *Land and Conflict Report*, 2/2018.

537 Ibid.

538 UNSC (2021) UNSCR 2612.

Prior to base closures, joint plans should be made with the civilian and military component in consultation with the UNCT and government officials to identify risks and impacts of any closure. These should then be reinforced through local protection mechanisms and pre-emptive capacity-building. This model is underpinned by MONUSCO's new 'mobile and flexible posture', enabling a withdrawal of permanent troops in place of rapidly deployable forces where needed. This concept has recently been tested in South Kivu where the Force has re-opened an SCD in in Bibokoboko in the Hauts Plateaux following the resumption of attacks by Mai coalitions. The space left by the base closures is monitored by the Force using integral intelligence, surveillance and reconnaissance (ISR) assets, enabling pre-emption and subsequent response through SCDs.

The concept of protection by projection presupposes that the force redeploys in areas vacated where the situation warrants it, that local protection committees are in place and that deployment of FARDC and PNC takes place before bases are closed. Providing there is information sharing with the Mission, remote assistance can be provided or redeployment done at short notice in case of need.

When Force is deployed, each base is supported by a CLA from the CAS. The CLA serves as the bridge between the military base and local communities – including local authorities – and also links to a Community Alerts Network (CAN). Within the local communities, CLAs have focal points that provide them with alerts on threats to PoC which enables the Military to play its protection role. The CLAs work to get the communities to take local ownership of these PoC tools and structures to ensure that they can continue to operate after bases close and the Military withdraw from an area.

Where a base is closed, the PoC tools and structures that have been put in place by the CLA continue to serve continued Mission awareness of the situation. This is also strengthened by post-closure assessment activities (such as Joint Assessment Missions (JAMs) and Joint Protection Teams (JPTs), etc.) that are a standard follow-up requirement. These assessments are to assess the POC situation and monitor and support the functionality of the PoC tools and structures.[539]

To implement the Mission's mandate effectively, it is essential to ensure good coordination mechanisms and information sharing platforms among the various components. Some of the mechanisms intended to contribute to this are the SAGE database that was rolled out in MONUSCO in 2019, the MARA on CRSV, and the MRM on grave violations against children. The extent to which these mechanisms are coordinated varies. For example, the SAGE database, built to record incidents and events, was rolled out in MONUSCO in 2019 with the intent of coordinating information in a central repository, but how it interacts with the other mechanisms remains unclear. One interviewee recommended the database be 'scaled up'[540] after noting that the database could be utilised to greater effect, by capturing MONUSCO activities and interventions, and that it would have greater effect if it directly informed the Comprehensive Planning and Performance Assessment System (CPAS). The same interviewee

539 Interviews, MONUSCO (Dec 2021 – Mar 2022).
540 Ibid.

likened information collection to 'fishing or hunting. Waiting or acting,'[541] which is an interesting frame from which to view these tools, as they are only as proactive as those feeding into them, and only as useful as the timeliness in which they are communicated.

SAGE, MARA, and MRM are overarching tools utilised by many UN peacekeeping missions. In addition to these, following their arrival in the Mission, MONUSCO's SRSG and DSRSGs have resumed and strengthened other coordination mechanisms on protection, including the SMGP.[542] Over the last six months, three SMGP meetings were held on the ADF threat, and it has been a useful forum to make joint decisions between the Force, civilian sections, UNPOL, and the UNCT through a comprehensive all-of-mission approach, understanding that a military response alone would not suffice. Interviewees highlighted that it is especially important to use these coordination platforms to work on systematic contingency planning and to ensure that key civilian sections work with the Force in identifying measures to ensure civilian harm mitigation. The reinforced Senior Management Group for Protection (SMGP) has helped to bring Mission components closer and to increase collaboration between MONUSCO and the UNCT.[543]

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The Mission also has its own mechanisms for enhanced information collection, sharing, and coordination at the field level. The Integrated Operations Coordination Hub and the Joint Analysis Collection and Early Warning Team that have been created in Beni are examples of these bespoke mechanisms. The team is interdisciplinary in nature, which aims to remove the barriers from siloed working. Their aim is to work together to get more detailed information on PoC issues, to share this and then coordinate the response. These teams are undoubtedly one way to break silos, but are resource-intensive in a time when resources are already decreasing, whereas mandated tasks are not. Additionally, questions exist over how and if such concepts will be handed over during the transition.

Coordination with National Counterparts

The relationship with the government of the DRC is of complex character and dynamics have shifted back and forth over the years, influenced by changes in MONUSCO's leadership as well as members of government which impacted the approaches by each side. Progress in the

541 Ibid.

542 The SMGP resumed in May 2021, after having been paused since October 2019. Interviews, MONUSCO (Dec 2021 – Mar 2022).

543 Interviews, MONUSCO (Dec 2021 – Mar 2022).

protection of civilians by the Congolese State remains limited, and the FARDC and PNC continue to be responsible for significant levels of CRSV. President Tshisekedi continues to participate in joint efforts with the UN to address the volatile security situation, such as establishing a reparation fund for survivors of CRSV and other serious crimes, and promotes women's meaningful participation in political processes and public affairs.[544] In an effort to assist the government in addressing the numerous challenges, the Mission works to train FARDC unit commanders on the prevention of CRSV and the fight against impunity. Following this effort, a positive step was taken in the latter stages of 2021 when 52 officers signed a 'commitment to combating impunity for crimes related to sexual violence.'[545]

Additionally, MONUSCO supports elements of the FARDC that have passed the screening according to the HRDDP in the provision of logistical support and in implementation of joint operations. This work is facilitated through the Operations Coordination Centres (as discussed above) to ensure efficiency and up-to-date information on movements of the BDFs.

Following the 2012 FARDC Action Plan, MONUSCO has worked with the FARDC to end grave child rights violations committed by its troops, including the recruitment and use of children, and sexual violence against children. To ensure the effective implementation of the Action Plan, a Joint Technical Working Group on CAAC (JTWG-CAAC) was established by MONUSCO and the government. The JTWG-CAAC serves as a coordination framework for joint activities to achieve goals set out in the Action Plan. It also acts as an important tool for the government to engage with MONUSCO regarding its communications with armed groups on their formal engagement to end the recruitment and use of children, and other grave violations. MONUSCO's support to the JTWG-CAAC contributed to the prevention of new formal recruitment and use of children by the FARDC, and the systematic release of children arrested by the government police, military, and judiciary institutions for association with armed groups. Following MONUSCO's engagement, 44 armed group commanders formally committed themselves to end and prevent child rights violations through the signing of roadmaps since 2018, and a total of 2 612 children have been voluntarily released by these commanders since 2018.[546] All separated children were referred to UNICEF and partners for programmatic assistance.[547]

As expressed during interviews, the effective commitment of the Congolese State to protect its civilians remains of concern and was highlighted by civilian, military, and police interviewees. A lack of financial resources available to implement protection and WPS strategies also remains a challenge. For example, UNPOL supports national counterparts on protection through collocation with the PNC department that oversees gender and SGBV, working on awareness-raising as well as capacity-building on SGBV. In addition to that, UNPOL has supported the

544 UNSC (2021) S/2021/987.

545 Ibid.

546 Interviews, MONUSCO (Dec 2021 – Mar 2022).

547 Ibid.

development and roll out of the PNC Action Plan to fight against sexual violence, while also strengthening the operational capacities of the PNC Unit in charge of Child Protection and Sexual Violence Prevention (EPEPVS) through the implementation of quick impact projects (QIPs), outreach, and programmatic projects. Unfortunately, these types of efforts are often challenged by a lack of financing and commitment by government actors, and slow progress on implementation. These barriers to progress in this area impacts on MONUSCO's ability to build capacities outside the Mission to deal and respond to protection concerns such as sexual violence, preventing a more effective approach to the PoC, especially in view of the upcoming transition.

> The effective commitment of the Congolese State to protect its civilians remains of concern and was highlighted by civilian, military, and police interviewees.

The Mission's DDR section is making progress in its attempt to engage with and work alongside the governmental DDR departments. Due to a lot of flux and the amalgamation of DDR programmes and entities, the newly established P-DDRCS strategy was agreed in July 2021.[548] A revised strategy was later endorsed by President Tshisekedi on 4 April 2022. Led by the Head of State, this strategy is based upon five pillars: conflict resolution, the restoration of State authority and security, economic recovery and community reintegration, stabilisation, economic and social development, and communication and awareness-raising in eastern DRC.[549] At the launch of the revised strategy, Prime Minister Jean-Michel Sama Lukonde referred to it as a tool to enable the government to take over MONUSCO's tasks when it withdraws, and the Mission was commended for its involvement in the development of the programme.[550] The SRSG who was present at the launch event also commended the strategy for being a 'harmonised programme for the consolidation of peace which is carried out in the communities and by the communities.'[551]

Aside to this work, the DDR section within the Mission continues to work through its own programmes to attempt to reduce the circulation of weapons within the community, taking those who voluntarily surrender and moving them into governmental DDR programmes. The progress and engagement on DDR seem to vary across the different sectors, with some Heads of Office being very engaged, especially advocating to Armed Groups for disengagement. However, limited resources and the number of mandated tasks for each office again present a challenge.

548 UNSC (2021) S/2021/807.

549 UNDPO (2022) 'DRC: MONUSCO Supports the New Demobilization Program for Ex-Combatants', https://peacekeeping.un.org/en/drc-monusco-supports-new-demobilization-program-ex-combatants

550 Ibid.

551 Ibid.

DDR and protection exist within the same pillar and, therefore, under the responsibility of the same DSRSG. This has benefits for maintaining the protection focus with DDR activities. One particular interest for the pillar, and for the DDR section especially, is the ongoing operations between the UPDF and the FARDC. There was concern the offensives would see an influx of those looking to surrender, and although this has reportedly not come to fruition, the increase of instability and the movement of populations could result in an increase of volunteers surrendering themselves to MONUSCO.[552] Given the limitations presented to the Mission as a result of these joint operations, how effective the Mission will be at receiving and processing these combatants is yet to be seen.

One interviewee highlighted a trend noticed by the DDR section. When a new DDR programme is launched, a new armed group often appears because the programmes represent an economic opportunity. In an ironic twist, the armed groups almost become the beneficiary of the system, as the programme creates the pull factor to establish an armed group to then position themselves to be considered a partner to the DDR programme.[553] This was especially noticeable when the work of the previous DDR programmes enabled those entering them to integrate into the FARDC or PNC, which of course has direct implication for PoC and the use of MONUSCO's capacity to protect.

COVID-19 Impact

Finally, COVID-19 continues to impact on the DRC and on the work of MONUSCO. As part of the Joint Operation Centre's (JOC) functions to support the coordination of operations, it leads the COVID-19 Task Force. The aim of the Task Force is to bring about a coherent and coordinated approach to COVID-19, ensuring the situation is managed and that guidance is effectively mainstreamed. Acting as a central hub for COVID-19 guidance and direction has been identified as a good practice,[554] especially given the decentralised nature of the JOC, with offices and teams at field level enabling the flow of information. However, a key limitation arising from the pandemic was that of 'hunting' for information. The restrictions on movement, the fear of contagion and the lack of communication and understanding of the virus all compounded to make access to information, especially regarding protection issues exceptionally difficult.[555] From a protection perspective, while Mission personnel manoeuvred around these limitations by using other methods of communication to collect information, such as phone calls, the feeling was that these calls are not as reliable as in-person visits. Additionally, it was felt that many assumptions were made to 'fill in the blanks' of missing information, because of the lack of direct access to the population.[556]

552 Interviews, MONUSCO (Dec 2021 – Mar 2022).
553 Ibid.
554 Ibid.
555 Ibid.
556 Ibid.

These restrictions on movement also created a vacuum of security presence in certain areas. This lack of presence had direct impacts upon MONUSCO's reputation linked to its ability to respond to incidents. In the age of PTP, EW/RR is key. Without personnel on the ground or robust communication mechanisms, this strategy is hampered. This is especially felt as the pandemic endures, with operations resuming albeit in a limited manner. [557]

> Team cohesion, internal workings, and mission coordination has been negatively affected by the COVID-19 pandemic.

Team cohesion, internal workings, and mission coordination has been negatively affected by the COVID-19 pandemic. With a new way of working, mostly virtually, relationships that are essential to everyday working have suffered and new arrivals into mission are unable to meet their colleagues. This makes for a more challenging environment to implement the protection mandates, especially given the poor infrastructure and a very limited power network; meaning virtual meetings are often cut short or continuously interrupted.[558] There have also been reports of some personnel becoming sick from COVID-19 and not returning to the Mission, leaving offices short of staff and unable to fill the posts. These absences raise another issue, one of mental health. Interviewees reported that mental health issues relating to the pandemic and associated stresses were high among Mission personnel. How this is dealt with and what the long-term implications for those living in a state of 'constant crises'[559] is still being addressed.

Another aspect affecting staffing was the decision of some TCC's to withdraw their Military Staff Officers (MSOs) from the Mission to reduce their risk of contracting COVID-19. While all TCC's have returned their MSOs, some roles within the Force headquarters were unfilled for up to six months.[560] Although some of these officers were able to work remotely, one interviewee we spoke with, who had to arrive after the period of his predecessor's absence, felt this removal from the Mission left them at a disadvantage, especially in situational awareness and relationship building.[561] While every TCC needs to evaluate each risk as it arises and make decisions regarding the safety and security of their personnel, this drastic measure did result in at least three critical positions within the Force headquarter staff being absent. The impact of this was felt for months after.

To reduce the spread of COVID-19, the Mission maintains measures such as quarantines and regular testing for personnel who are travelling or taking part in meetings. While this is good practice and is surely the right thing to do, one interviewee reported that a positive test often sees the entire meeting cancelled. Additionally, Mission leadership were advised to limit travel, again

557 Ibid.
558 Ibid.
559 Ibid.
560 Ibid.
561 Interviews, MONUSCO (Dec 2021 – Mar 2022).

impacting team cohesion, personnel morale, and general passage of information. Moreover, the Mission has worked to roll out an effective vaccination campaign for all UN personnel and NGO personnel.

One aspect that has been hugely affected by the pandemic, having an effect internally and externally, is the delivery of training. Most in-person training sessions have been cancelled, and given the limited access to computers, especially for the population, very little alternatives were found. With staffing already under pressure, the risk of 'losing' more people to the outbreak became untenable for many, which has led to further restrictions. The impact of this absence of training will only be measurable over time, but undoubtedly, both the Mission and the population will be worse off.

E. Conclusion

Operating in the context of transition, with no specified timeline and several benchmarks and associated indicators to reach prior to withdrawal, MONUSCO and the UNSC has a lot at stake. As was notably stated in the *New Humanitarian*, 'a botched transition could further destabilise the region, where communities already contend with weak or non-existent government institutions and frequent human rights violations by state and non-state forces alike.'[562]

While there are many positive aspects with regards to the increased engagement with the Government of DRC, the context of violence and instability in eastern DRC persists. This reality makes reaching the transition benchmarks seem like a long-term goal rather than a short- or medium-term one. Managing limited (and depleting) resources with the achievement of the benchmarks is an issue the UN and particularly MONUSCO will need to contend with for years to come. While it is recognised that enhanced engagement, especially across the CSO and NGO space, will build capacities to replace those that will be removed as the Mission withdraws, there are risks ahead. The presidential elections scheduled for 2023 threaten violence, the current food insecurity is likely to grow due to the crisis in Ukraine,[563] and the threat from armed groups, especially the ADF, do not seem to be diminishing.[564] The success of the transition hinges on how flexible and responsive to changing circumstances the Mission can be. The PTP strategy has worked with regards to reducing the footprint of the Mission, with the intent of creating an element of flexibility required to respond to crises as they arise. Other means can be put in place to strengthen the strategy. These include improving strategic communications across the region and scaling up databases such as SAGE to use information to greater effect and enhancing coordination mechanisms with UN agencies, NGOs and CSOs. CLAs must

562 *The New Humanitarian* (2021) 'The UN risks a failed drawdown in Congo if it doesn't listen to civilians'.

563 HRW (2022) 'Ukraine/Russia: As War Continues, Africa Food Crisis Looms', 28 April, https://www.hrw.org/news/2022/04/28/ukraine/russia-war-continues-africa-food-crisis-looms

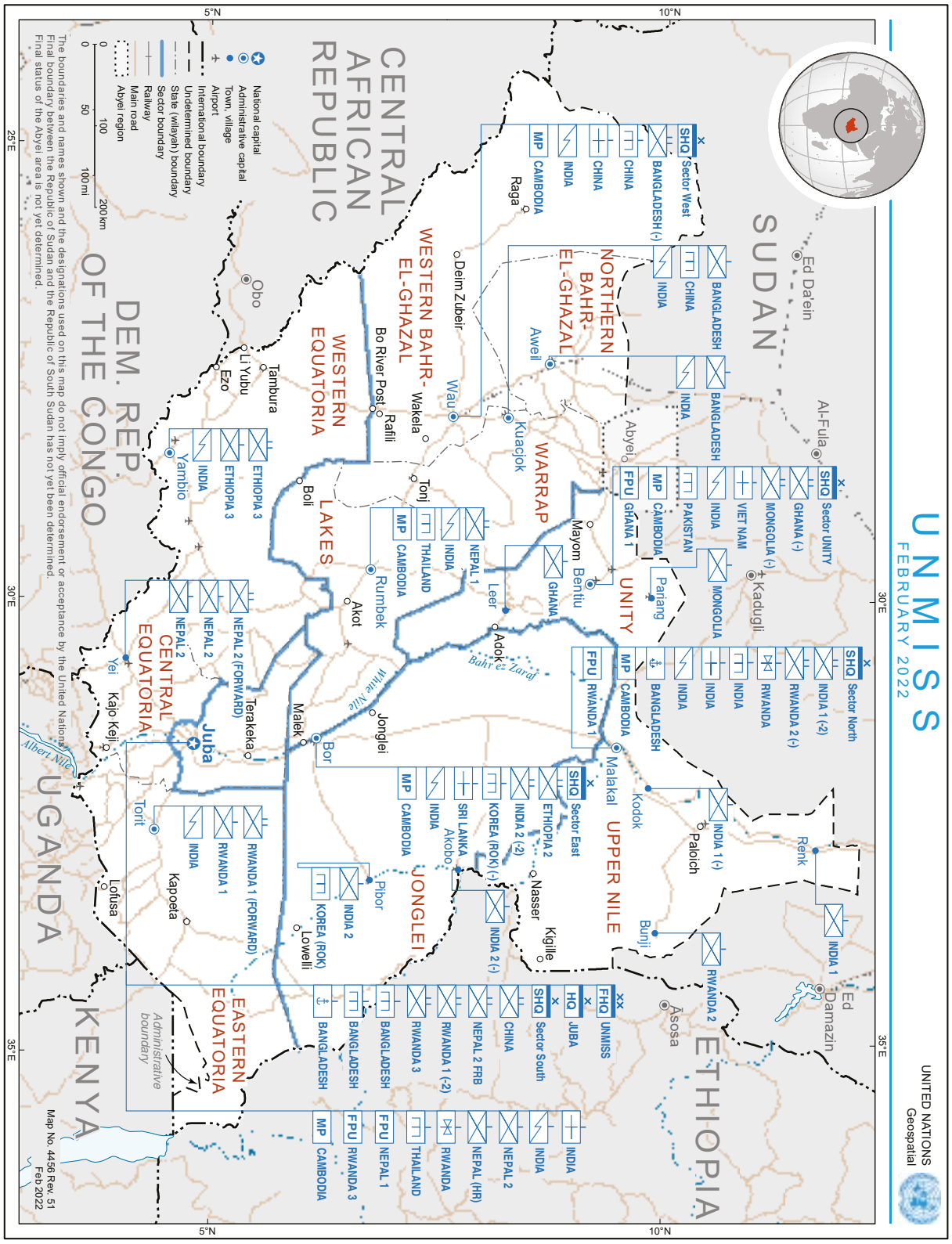
564 *New Humanitarian* (2021) 'The UN risks a failed drawdown in Congo if it doesn't listen to civilians'.

play their crucial role in all efforts and their value cannot be underestimated. Ongoing work to leverage their utility within the Mission is identified as a good practice that should be continued. Meanwhile, the primacy of politics reigns and more should be done to advocate to the Government of DRC to strengthen capacities of its institutions, especially those of the security forces; allocation of resources towards this aspect will be a critical element of the transition.

> Operating in the context of transition, with no specified timeline and several benchmarks and associated indicators to reach prior to withdrawal, MONUSCO and the UNSC has a lot at stake.

Finally, while the newly established partnership between the FARDC and UPDF has curtailed some of MONUSCO's freedom of movement, it also shows that alliances between neighbouring countries play an important role. The existing communication systems and operation centres should be invested in, both in terms of time and money.

Figure 5.1: UNMISS deployment map, February 2022[565]



565 UN Geospatial Information Section (2022), 'UNMISS Deployment February 2022', https://www.un.org/geospatial/content/unmiss-deployment-february-2022

Chapter 5: UNMISS – Protection at a Crossroads?

This chapter focuses on the implementation of UNMISS' protection mandates. First, it provides an outline of the background and context in South Sudan, followed by an overview of ongoing protection concerns in the country. It then details UNMISS' mandate, highlighting the Mission's protection mandates and describe how the Mission works on their implementation. Drawing from interviews with UNMISS personnel, interlinkages, good practices, and challenges are identified. Based on these, the concluding chapter of this study captures UNMISS-specific and overarching recommendations on enhancing the implementation of protection mandates by UN peacekeeping missions.

A. Background and Context

Although South Sudan is the world's youngest country, its short history includes multiple intractable and intersecting conflicts that have 'cost an estimated 400 000 lives, displaced millions and plunged the nascent country into a state of deprivation.'[566] Power struggles between the government and opposition groups, polarised communities, spill-over grievances, corruption, and competition over resources, are only some of the factors that have led to widespread violence against civilians and mass displacements over the past decade.[567] Adding to that, the country faces chronic underdevelopment and some of the worst socio-economic indicators

566 Maphasa, T. (2020) 'Finding peace in uncertain times: South Sudan and the revitalised peace process', September, https://saiia.org.za/research/finding-peace-in-uncertain-times-south-sudan-and-the-revitalised-peace-process

567 HRW (2021) 'South Sudan at a Crossroads, Challenges and Hopes 10 Years After Independence', https://www.hrw.org/news/2021/07/09/south-sudan-crossroads

in the world, with millions of South Sudanese facing hunger or famine and being dependent on humanitarian assistance while vast areas of the country are inaccessible due to regular flooding and poor infrastructure.[568] Further to this, over the past years, violence has increased between communities who have been armed by political and military leaders, and between government forces and opposition groups, often including attacks against civilians.[569] As a result, the ongoing conflict has unleashed unprecedented security, development, and humanitarian consequences that will take years to effectively address. South Sudan scored 109.4 on the 2021 Fragile State Index, and is the fourth most fragile state worldwide.[570] It has also one of the worst rankings on the Human Development Index (HDI), ranking 185 out of 190 countries.[571]

> Over the past years, violence has increased between communities who have been armed by political and military leaders, and between government forces and opposition groups, often including attacks against civilians.

Many of the root causes of the ongoing violence in South Sudan lead back to the conflict that divided the Republic of Sudan (1956-2011) in two.[572] Following independence, the largely Christian south rebelled against the Muslim-dominated North, leading to numerous periods of high-intensity conflict. After years of negotiations facilitated by the Intergovernmental Authority on Development (IGAD) and its Partners' Forum,[573] the Comprehensive Peace Agreement was signed in 2005. While it became a landmark agreement that put an end to two decades of civil war in Sudan and paved the way for the independence of South Sudan, it was never implemented as envisaged. As described by Ottaway and Hamzawy:

> [T]he signing of the agreement was due to skilful international mediation and diplomacy, rather than to a sincere change in the position of the two sides. For the south, the six-year interval mandated by the agreement before the holding of the referendum was simply a waiting period before the goal of independence could be achieved. And the northern government gave no indication that it was willing to try democracy and power-sharing

568 For more on the history of the conflict in South Sudan, the EPON study on UNMISS (2019) provides a brief history. See Day, A. et al. (2019) 'Assessing the Effectiveness of the UN Mission in South Sudan', https://effectivepeaceops.net/wp-content/uploads/2019/04/EPON-UNMISS-Report-LOWRES.pdf

569 HRW (2021) 'South Sudan at a Crossroads, Challenges and Hopes 10 Years After Independence'; HRW (2019) 'South Sudan: Government Forces Abusing Civilians, Rein in Troops, Ensure Justice for Abuse by All Sides', https://www.hrw.org/news/2019/06/04/south-sudan-government-forces-abusing-civilians

570 Fragile States Index (2021) 'Fragile States Index Annual Report', https://fragilestatesindex.org/wp-content/uploads/2021/05/fsi2021-report.pdf

571 UNDP (2022) 'Global Human Development Indicators', http://hdr.undp.org/en/countries

572 Ottaway, M. and Hamzawy, A. (2011) 'The Comprehensive Peace Agreement', Carnegie Endowment, https://carnegieendowment.org/2011/01/04/comprehensive-peace-agreement-pub-42223

573 The Forum included the US, Norway, Netherlands, Canada, Italy, and the UN.

> as a solution. It remained authoritarian in the north, dealing harshly with the opposition, and more determined than ever to crush resistance in Darfur with force. Sudan under the Comprehensive Peace Agreement was not a country at peace.[574]

As per the provisions laid out in the Comprehensive Peace Agreement, a referendum on independence was held after the six-year interim period that lasted from 2005 – 2011, 'allowing the people of southern Sudan the opportunity to choose between perpetuating the power-sharing agreement or opting for full independence through secession from the north.'[575] The referendum was organised jointly by the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A).[576] However, even at the time, critics argued that the Comprehensive Peace Agreement's exclusion of other parties made it much less than its 'comprehensive' title promised. Failing to include other parties and armed groups after two decades of armed rebellion in Sudan incentivised marginalised people to take up arms as a means towards participation in power-sharing.[577]

Consequently, implementation of the Comprehensive Peace Agreement proceeded unevenly. The extremely high level of detail and assortment of new institutions within the Agreement yielded delays, raising questions about shared political will, the capacity of both sides to fully implement the Agreement, and the persistent, broader question of shared Sudanese identity.[578] In addition to that, the implementation of the revenue-sharing system that was stipulated by the Agreement faced significant obstacles, including a lack of transparency in the oil sector, disagreement over control of the oil fields, weak administrative capacity, and political tensions. As 98% of the budget in the south was financed by oil revenue, this became one of the greatest threats to peace in the region.[579]

Against this background a referendum was held, and South Sudan achieved independence in 2011. Building on the work of the UN Mission in Sudan (UNMIS) (2005-2011), the UNSC established UNMISS to support state-building.[580] Although the energy and excitement were unparalleled when South Sudan became an independent state,[581] the power struggle between President Salva Kiir and Vice President Riek Machar led to an outbreak of large-scale violence

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574 Ottaway and Hamzawy (2011) 'The Comprehensive Peace Agreement'.

575 Ibid.

576 Africa Review (2010) 'Sudan's Peace Agreement: The Highlights', August, www.africareview.com/news/979180-985184-10f88k9z/index.html

577 HRW (2006) 'The Impact of the Comprehensive Peace Agreement and the New Government of National Unity on Southern Sudan', https://www.hrw.org/report/2006/03/08/impact-comprehensive-peace-agreement-and-new-government-national-unity-southern

578 Wolpe, H., McDonald, S., Jackson, N., Tekeu, R.F. and Diouf, M.K. (2008) 'Implementing South Sudan's Comprehensive Peace Agreement: Prospects and Challenges', Woodrow Wilson International Centre for Scholars, https://www.wilsoncenter.org/sites/default/files/media/documents/publication/Africa_SudanCPA_rpt_booklet.pdf

579 Ottaway and Hamzawy (2011) 'The Comprehensive Peace Agreement'.

580 UNSC (2011) UNSCR 1996.

581 HRW (2021) 'South Sudan at a Crossroads, Challenges and Hopes 10 Years After Independence'.

in December 2013, dashing hopes of long-term peace.[582] The 2013 conflict was reminiscent of the pre-independence period that was fuelled by unresolved (local) grievances between ethnic and identity groups.[583]

Although IGAD's mediators understood the December 2013 crisis as a symptom of much deeper social and political problems, and unresolved legacies of the liberation war, their peace efforts were insufficient in solving the country's fundamental issues.[584] Consequently, the South Sudanese civil war continued to rage on throughout the negotiation period of the Agreement on the Resolution of Conflict in the Republic of South Sudan (ARCSS) that was eventually signed in 2015.[585] Once signed, the violence temporarily paused, but this would not last long. During the negotiation period of the ARCSS, disagreements on, among other things, cantonment sites had been inevitable, creating conditions for further tensions between Salva Kiir's Sudan People's Liberation Movement (SPLM) and Riek Machar's Sudan People's Liberation Movement in Opposition (SPLM-IO). The tensions led to a severe escalation of violence in Juba in July 2016, leaving hundreds of people dead and many more wounded.[586]

> The neglect of key issues with regards to security arrangements and state boundaries, as well as the role of South Sudanese leadership and external actors, continued to create numerous uncertainties, divisions, delays, and a regionalisation of the conflict.

As stated in the joint report of UNMISS and OHCHR on the July 2016 events in Juba, the escalation 'demonstrated the extremely fragile political and security situation in South Sudan, and the complete disregard of civilians by the parties to the conflict given the serious HRV/As that were perpetrated, including the direct targeting of civilians along ethnic lines, and the

582 Liaga, L. A. (2021) 'South Sudan's transitional government: Realities, challenges, and opportunities', ISS Africa, https://issafrica.org/research/east-africa-report/south-sudans-transitional-government-realities-challenges-and-opportunities?utm_source=BenchmarkEmail&utm_campaign=ISS_Weekly&utm_medium=email; Stamnes, E. and de Coning, C. (2022) 'The Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)', PRIO.

583 Willems, R. and Deng, D. (2015). 'Justice and Conflict in South Sudan Observation from pilot survey', https://www.cmi.no/file/3253-Justice-and-Conflict-in-South-Sudan---Pilot-Survey---Briefing-Paper.pdf

584 Lucey, A. and Kumalo, L. (2018) 'Practical pathways to peace: Lessons from Liberia and South Sudan', https://issafrica.org/research/africa-report/practical-pathways-to-peace-lessons-from-liberia-and-south-sudan

585 IGAD (2015) 'Agreement on the Resolution of Conflict in the Republic of South Sudan', https://peacemaker.un.org/sites/peacemaker.un.org/files/Agreement%20on%20the%20Resolution%20of%20the%20Conflict%20in%20the%20Republic%20of%20South%20Sudan.pdf

586 UN (2017) 'A Report on Violations and Abuses of International Human Rights Law and Violations of International Humanitarian Law in the Context of the Fighting In Juba, South Sudan, July 2016', https://www.ohchr.org/sites/default/files/Documents/Countries/SS/ReportJuba16Jan2017.pdf

extreme violence against women and children.'[587] The ARCSS had collapsed and IGAD faced significant pressure from the Troika (US, UK, and Norway) and the EU to revive the peace process in South Sudan. Subsequently, representing the main two parties to the conflict, the SPLM and SPLM-IO were put under significant pressure by IGAD mediators to find a way to lasting peace. To stop the violence, IGAD organised new peace negotiations, launching a High-level Revitalised Forum in June 2017 that consisted of Djibouti, Ethiopia, Kenya, Somalia, Sudan, South Sudan, and Uganda. As a result of these high-level negotiations that involved the Heads of State of the Forum members, in September 2018, the R-ARCSS was finally signed between nine political signatories and 16 civil society stakeholders, including the Government of South Sudan and various armed groups.[588]

While the peace process leading to the R-ARCSS was hailed internationally, it was not inclusive, and can be seen as coercive, which made it weak and difficult to implement.[589] Due to this and other factors, Thomas Cirillo, leader of the Opposition Alliance as well as the National Salvation Front (NAS) (a large group of rebel forces), withdrew from the peace process, resulting in significant security implications, unrest and thousands of people being displaced.[590] It would not be the only threat to the R-ARCSS. The neglect of key issues with regards to security arrangements and state boundaries, as well as the role of South Sudanese leadership and external actors, continued to create numerous uncertainties, divisions, delays, and a regionalisation of the conflict.[591] As a result of the ongoing struggles, by December 2018, it was reported that over 5.7 million people were in severe need of humanitarian assistance and over 380 000 people had died, creating one of the largest humanitarian crises in Africa.[592]

587 Ibid.

588 IGAD (2018) 'Revitalised Agreement on the Resolution of Conflict in the Republic of South Sudan', https://www.peaceagreements.org/viewmasterdocument/2112; Stamnes and de Coning (2022) 'The Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)'.

589 Ibid.

590 Ibid.

591 Maphasa (2020) 'Finding peace in uncertain times: South Sudan and the revitalised peace process'. Other causes for the delay included government attacks on camps, especially Malakal and Unity states, and the creation of PoC sites.

592 OCHA (2018) 'Humanitarian Bulletin South Sudan No. 12', 30 December, www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/ss_20181230_ocha_humanitarian_bulletin_12_final.pdf

Table 1: Key Events in South Sudan[593]

Timeline of Key Events for South Sudan	
9 July 2011	South Sudan's independence from Sudan. UNMISS deploys with a state-building-focused mission.
December 2013	Outbreak of large-scale hostilities between the Government and the Sudan People's Liberation Army-in-Opposition (SPLA-IO) following the political dispute during the Southern People's Liberation Movement (SPLM) National Liberation Council, which subsequently spread to other locations in the country.
May 2014	UNMISS' mandate shifted from a state-building focus to the current focus on PoC, facilitating humanitarian delivery, human rights, and support to the peace process.
August 2015	Kiir and Machar sign the Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS).
July 2016	Peace deal fails. Return of major hostilities between Government and opposition.
June 2017	IGAD-led Forum for the Revitalization of ARCSS starts.
September 2018	Revitalized Agreement on the Resolution of the Conflict in South Sudan (RARCSS) signed. Talks ongoing between parties.

Over the following years, the conflict in South Sudan continued to be fuelled by numerous intersecting factors, including competition over declining resources (including oil, water, land, and cattle) and the absence of mechanisms for equitable distribution in a society where State power (control of the SPLA/M) is the only mode of wealth accumulation and distribution.[594] Elite fragmentation against the backdrop of already weak institutions, legitimate grievances – political and economic – and limited resources places the politics of exclusion at the heart of the crisis. Factors such as climate change, patterns of movement, and incentivised violence also add to the widespread insecurity.[595]

The current situation lends itself to mistrust among the government and the opposition, as well as the South Sudanese population. Much of the stalemate with the peace process has been due to under-resourced structures and transitional institutions often due to the misappropriation of funds by the government, as well as weak or non-existent State institutions and the stalling of

593 Day et al. (2019) 'Assessing the Effectiveness of the UN Mission in South Sudan'.

594 Interviews, UNMISS (Sept 2021 – April 2022).

595 Ibid.

army unification.[596] Though dwindling, the government still has access to significant resources and controls the oil fields. Importantly also, many of the political elite are benefiting from the violence and chaos.[597] Corruption is thriving, the security sector is getting a sizeable portion of budget, and procurement processes are opaque. Moreover, armed groups are extorting the local population and targeting trade roads and humanitarian personnel, hampering the delivery of humanitarian assistance.[598]

> Leaders of warring parties have continued to manipulate and exploit ethnic grievances to drum up support for conflict that serves their interests only, and have supplied arms and ammunition to civilians, fuelling intercommunal conflict.

Meanwhile, poverty and economic deprivation have pushed down the cost of armed-group mobilisation. Leaders of warring parties have continued to manipulate and exploit ethnic grievances to drum up support for conflict that serves their interests only, and have supplied arms and ammunition to civilians, fuelling intercommunal conflict.[599] At the same time, a lack of hope, limited life skills, and destitution have made cattle camps breeding groups for old and new recruits, while the proliferation of small arms, an increase of local conflicts, and legitimate grievances continued to create conditions that make mobilisation straightforward.[600] Today, the situation in South Sudan remains fragile as a plethora of groups with divergent political and economic interests often expressed in the language of ethnicity, and against a backdrop of recent and historical grievances, conflict violently over scarce resources.

Although slow, positive changes are also taking place, including improvement in public financial management, as well as the establishment of State governors, the Legislative Assembly, and the Council of States.[601] During 2021, parliamentary appointments continued, the fifth National Governors Forum was concluded, and President Salva Kiir 'reconstituted and appointed members of nine State assemblies.'[602] In addition to that, in April 2022, after weeks of escalating conflict

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596 International Crisis Group (2022) 'South Sudan's Splintered Opposition: Preventing More Conflict', Briefing No. 179 Africa.

597 See The Sentry (2016) 'War shouldn't pay: Stopping the looting and destruction in South Sudan', https://cdn.thesentry.org/wp-content/uploads/2016/09/Sentry_WCSP_Finalx.pdf

598 International Crisis Group (2021) 'South Sudan's Other War: Resolving the Insurgency in Equatoria', https://www.crisisgroup.org/africa/horn-africa/south-sudan/b169-south-sudans-other-war-resolving-insurgency-equatoria

599 Leff, J. and LeBrun, E. (2014) 'Following the Thread: Arms and Ammunition Tracing in Sudan and South Sudan', Small Arms Survey, May, https://www.smallarmssurvey.org/sites/default/fileUNSCRources/HSBA-WP32-Arms-Tracing.pdf

600 Watson, D. (2021) 'Surface Tension: Communal Violence and Elite Ambitions in South Sudan', ACLED, 19 August, https://acleddata.com/2021/08/19/surface-tension-communal-violence-and-elite-ambitions-in-south-sudan

601 Interviews, UNMISS (Sept 2021 – April 2022).

602 UNMISS (2021) 'Statement by the Special Representative of the Secretary General Mr. Nicholas Haysom to the UNSC', December, https://unmiss.unmissions.org/statement-special-representative-secretary-general-mr-nicholas-haysom-united-nations-security

and violence in the country, talks resumed between President Salva Kiir and Vice President Riek Machar regarding the integration of their rival forces under a unified command.[603] On 13 April, the parties signed a deal that sets out the terms of integrating Sudan People's Liberation Army in Opposition (SPLA-IO) and the South Sudan Opposition Alliance (SSOA) into government forces. Accordingly, President Kiir announced the appointment of the leadership of the unified army command, with the decree giving the SPLM 60%, the SPLM-IO 27% and the SSOA 13% of the armed forces positions.[604] Although this is indeed a boost for the implementation of the R-ARCSS, scepticism remains given the dynamics characterising the past decade, and it remains to be seen whether the move will finally lead South Sudan towards a peaceful future.

B. Protection Concerns in South Sudan

As described in the section above, violence continues to severely affect civilians in South Sudan and protection concerns remain widespread. Inter-communal clashes are persistent, fuelled by economic and resource competition, and enabled by the widespread availability of small arms, and the absence of State authority.[605] According to the UNMISS Human Rights Division (HRD), the number of civilians affected by violence in 2020 increased by 120% compared to 2019, from 2 631 to at least 5 800 recorded victims. Community-based militias and/or civil defence groups were responsible for 78% of these incidents, which included a steep increase in killings and abductions.[606] However, 2021 saw a decline in the number of incidents and a decline of 42% in civilian victims compared to 2020. During 2021, UNMISS' HRD documented 'more than 982 violent incidents (1,197 in 2020) affecting at least 3,414 civilians (5,850 in 2020) who had been subjected to one of the four major types of individual harm (killing, injury, abduction, and conflict-related sexual violence).'[607] Although this seems a positive trend, it is important to note that 'COVID-19-related prevention and mitigation measures, as well as other challenges, hindered HRD's capacity to verify and document all incidents, which may have led to under-reporting of the number of victims.'[608]

According to UNMISS HRD, civilians continued to bear the brunt of armed violence during 2020 and 2021, predominantly of sub-national violence (not directly connected to national level actors), which accounted for 78% and 87%, respectively. Much of the violence was characterised by attacks on civilians along clan lines or perceived political affiliations, while CRSV

603 Reuters (2022) 'South Sudan government and opposition re-commit to peace deal', https://www.reuters.com/world/africa/south-sudan-government-opposition-re-commit-peace-deal-2022-04-04

604 Olouch, F. (2022) 'Unified South Sudan army key step to peace', April, https://www.theeastafrican.co.ke/tea/news/east-africa/unified-south-sudan-army-key-step-to-peace-3783998

605 Liaga (2021) 'South Sudan's transitional government: realities, challenges and opportunities'.

606 UNMISS Human Rights Division (2021) 'Annual brief on violence affecting civilians (January-December 2020)', https://reliefweb.int/report/south-sudan/unmiss-annual-brief-violence-affecting-civilians-january-december-2020

607 UNMISS Human Rights Division (2022) 'Annual brief on violence affecting civilians (January-December 2021)', https://unmiss.unmissions.org/sites/default/files/unmiss_hrd_annual_brief_2021.pdf

608 Ibid.

and widespread destruction and looting of civilian property remained rife. During both years, most attacks against civilians were carried out by community-based militias and/or civil defence groups, sometimes with support of the government or opposition forces.[609] In addition to that, areas like Tambura, Western Equatoria saw 'high levels of coordination between parties to the R-ARCSS and their affiliated community-based militias […] As armed militias in the Tambura conflict functioned as proxies of conventional parties and received their support […] the violence perpetrated by these actors are referred to as joint operations by conventional actors and affiliated militias.'[610] This effectively made sub-national conflict national, though the linkages were difficult to verify.

As a result of the R-ARCSS, violations and abuses attributed to conventional parties remained lower compared to community-based militias and/or civil defence groups. Still, 2020 saw an increase of 42% in the number of victims harmed by conventional parties as compared to 2019 (increasing from 787 to 1 119), with 62% of victims being subjected to abduction for the purpose of forced military recruitment and/or forced labour.[611] During 2021, the number of victims harmed by conventional parties decreased by 60% as compared to 2020. However, if violence by joint operations by conventional parties and affiliated militias is included in the data, the decrease in number of victims is only 8%.[612]

> The ongoing violence has exacerbated several specific protection concerns, including CRSV and gender-based violence (GBV), forced recruitment, destruction of property, arbitrary detention, and physical risks linked to extensive re-mining.

The ongoing violence has exacerbated several specific protection concerns, including CRSV and gender-based violence (GBV), forced recruitment, destruction of property, arbitrary detention, and physical risks linked to extensive re-mining.[613] Additionally, the pervasive environment of impunity is a significant impediment to stability. Beyond these, South Sudan faces the challenge of governing a new country while being in the early stages of building its State institutions. In addition, humanitarian needs remained dire in 2021, with an estimated 8.3 million people – almost 70% of the population – in need of urgent humanitarian assistance.[614] As noted in the December 2021 Report of the Secretary-General on the Situation in South Sudan, 'widespread flooding, ongoing violence, and subsequent displacement continued to deepen humanitarian

609 Ibid; UNMISS Human Rights Division (2021) 'UNMISS annual brief on violence affecting civilians'.
610 UNMISS Human Rights Division (2022) 'Annual brief on violence affecting civilians'.
611 UNMISS Human Rights Division (2021) 'Annual brief on violence affecting civilians'.
612 UNMISS Human Rights Division (2022) 'Annual brief on violence affecting civilians'.
613 Ibid; UNMISS Human Rights Division (2021) 'Annual brief on violence affecting civilians'.
614 UNSC (2021) S/2021/566.

needs in South Sudan.'[615] Due to the country's high vulnerability to climate change, among other things leading to the worst floods in six decades in Bentiu, Unity State,[616] devastation and inundations of farmlands and crops, the food security situation also remains precarious.[617] As in previous years, due to the floods, some population groups fled into areas perceived to be traditionally associated with other groups, which in turn increases tensions over land rights.[618]

> Widespread flooding, ongoing violence, and subsequent displacement continued to deepen humanitarian needs in South Sudan.

These developments continued during the first quarter of 2022, indicating growing humanitarian needs with an estimated 8.9 million people expected to need protection and humanitarian services during 2022.[619] Meanwhile, displacement of civilians continued due to violence, which also disrupted humanitarian operations and reduced access to critical services, as the COVID-19 pandemic created further pressure on already weakened health services. In addition to that, 'approximately 8.3 million people are projected to experience severe food insecurity at the height of the lean season in May and July 2022 as a result of the climate emergency, violence, and economic shocks. An estimated 2 million people, including 1.3 million children under the age of 5 and over 675,500 pregnant and lactating women, are expected to be acutely malnourished in 2022, the highest number in four years.'[620]

Human Rights Situation

According to the four 2021 quarterly reports of the Secretary-General on the Situation in South Sudan – covering the period 9 December 2020 to 30 November 2021 – UNMISS reported a total of 685 incidents that negatively affected the human rights and protection situation in the country, with at least 1 746 civilian casualties (1 200 killed and 546 injured).[621] Among them were at least 123 women and 92 children. The primary cause of violence affecting local populations is civil self-defence groups or community-based militias, with 441 incidents attributed to them. Sixty-two incidents were attributed (exclusively) to the South Sudan People's Defence Forces (SSPDF), 35 to the SPLM/A-IO, 27 to the NAS, 13 to the National Security Service (NSS), and nine to the South Sudan National Police Service (SSNPS). The most violent

615 UNSC (2021) S/2021/1015.

616 UNMISS (2021) 'Statement by the Special Representative of the Secretary General Mr. Nicholas Haysom to the United Nations Security Council'.

617 UNSC (2021) S/2021/1015.

618 Ibid.

619 UNSC (2022) S/2022/156.

620 Ibid.

621 UNSC (2021) S/2021/172, S/2021/566, S/2021/784, and S/2021/1015.

areas reported included Warrap, Lakes, Eastern Equatoria, and the Tambura area of Western Equatoria. The 2021 UNMISS HRD annual brief on violence affecting civilians highlighted that men make up the majority of victims among the local population: 75% of victims were men, 14% were women, and 11% children.[622]

During the first quarter of 2022, UNMISS documented 184 incidents 'that had a negative impact on the human rights and protection situation, including arbitrary killings, extrajudicial executions, abductions, conflict-related sexual violence, arbitrary arrests, and detention (including proxy detention), torture and ill-treatment, forced military recruitment, and the looting and destruction of civilian property. The incidents resulted in the killing of 245 civilians and injury to 125 others, including 40 women and 22 children. Of those incidents, 127 were attributed to community-based militias and other armed elements, 21 to the SSPDF, seven to the pro-Machar SPLM/A-IO, five to NAS, ten to the NNS, and one to the SSNPS.'[623]

Children's Rights

Children in South Sudan continue to face numerous threats, including grave violations of children's rights.[624] According to the Secretary-General's reports on children and armed conflict covering 2019 and 2020, 250 grave violations were documented in 2019, dropping to 154 documented grave violations in 2020.[625] In 2020, key child protection concerns included the recruitment and use of children, killings and maiming, rape and other forms of sexual violence, and abductions. While 98% of documented recruitment cases were boys, all documented victims of sexual violence were girls.[626] The risk of abduction was also highlighted by the UNMISS HRD 2020 Annual Brief on Violence Affecting Civilians, indicating a sharp spike of abductions, including of children, with many of them abducted during militia-led raids.[627]

In 2021, out of the 125 children affected by grave violations, UNMISS documented 72 who were recruited by armed groups, eight abducted, 10 killed, one injured, 15 maimed, and eight raped.[628] During the first quarter of 2022, 28 grave violations against 27 boys and one girl were verified. A total of 18 boys were recruited and used by the SSPDF (nine boys), SPLM/A-IO (five boys), and SSOA (four boys). Five boys and one girl were abducted by unknown armed

622 UNMISS Human Rights Division (2022) 'Annual brief on violence affecting civilians'.

623 UN (2022) S/2022/156.

624 The grave violations are killing and maiming of children; recruitment and use of children by armed forces and armed groups; sexual violence against children; attacks against schools or hospitals; abduction of children; and denial of humanitarian access for children. For more information, see https://www.unicef.org/press-releases/grave-violations-childrens-rights-conflict-rise-around-world-warns-unicef

625 UNSC (2020) A/74/845 – S/2020/525; UNSC (2021) A/75/873 – S/2021/437.

626 UNSC (2021) A/75/873 – S/2021/437.

627 UNMISS Human Rights Division (2020) 'Annual brief on violence affecting civilians'.

628 UNSC (2021) S/2021/172, S/2021/566, S/2021/784, and S/2021/1015.

persons, the SSPDF, and SPLM/A-IO. Violations against four other children were unattributed, as the children were killed or maimed by explosive remnants of war.[629]

The perpetrators of grave violations listed in the annexes of the Report of the Secretary-General on CAAC covering 2019 and 2020 are the SSPDF and the SPLM/A-IO. This happened even though these parties put measures in place aiming to improve the protection of children. An example of this is the February 2020 signing by parties to the R-ARCSS of the Comprehensive Action Plan to end and prevent all grave violations against children in South Sudan in February 2020, establishing national and state-level committees tasked with operationalisation of the Action Plan.[630] As the plan expired in February 2021, UNMISS has engaged with relevant actors to extend the implementation and, among other things, delivered knowledge and skills-based child protection capacity-building to national counterparts to 'strengthen capacity to implement the accountability measures in the Comprehensive Action Plan.'[631] As highlighted during the visit of the SRSG for CAAC, Virginia Gamba, to South Sudan in May 2022, 'thousands of members of the armed forces of South Sudan have been trained, hundreds of children have been released, and grave violations have decreased compared to just a few years ago, but efforts must be sustained as all six grave violations against children continue to be committed by parties to the conflict in South Sudan.'[632]

Although the declining number of grave violations seem to indicate a positive trend, the situation also remains alarming in the context of unpredictable escalations of intercommunal violence. Further, defections, in-fighting within armed groups, and the prevalence of impunity remain a constant challenge with regards to protection, including the protection of children. In addition to that, it should be noted that the actual figure for grave violations is likely to be higher as COVID-19, limited resources, and other factors have posed significant reporting challenges to UNMISS over the past years. Also, due the COVID-19 pandemic, OCHA in South Sudan expected 1.4 million children under the age of five to be acutely malnourished in 2021[633] and 54% of IDPs in the last remaining PoC site in Malakal are children,[634] pointing to several continuing protection challenges faced by South Sudanese children that go beyond the grave violations.

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629 UNSC (2022) S/2022/156.

630 UNSC (2020) A/74/845 – S/2020/525; UNSC (2021) A/75/873 – S/2021/437.

631 UNSC (2021) S/2021/566.

632 UN Office of the SRSG for CAAC (2022) 'South Sudan: Efforts to Protect Children from Armed Conflict Must be Sustained', May, https://childrenandarmedconflict.un.org/2022/05/south-sudan-efforts-to-protect-children-from-armed-conflict-must-be-sustained

633 OCHA (2021) 'South Sudan Humanitarian Snapshot', June, https://reliefweb.int/sites/reliefweb.int/fileUNSCRources/south_sudan_humanitarian_snapshot_june.pdf

634 Ibid.

Women's Rights and Protection

Although consolidated data is scarce, there are profound gendered dimensions to the context in South Sudan. Women and girls suffer disproportionately from the impact of conflict and displacement. They are often excluded from access to basic education and primary healthcare, and lack ownership or control over property and access to information, while remaining responsible for the bulk of the family workload.[635] The country's high illiteracy rates and the prevailing cultural norms, especially in the countryside, marginalise women, heavily limiting participation in any level of political activity or decision-making.[636] Women continue to be subjected to harmful cultural practices. For example, customary laws deal with a large majority of civil and criminal cases in South Sudan yet reconciling customary law with international human rights laws and the rights granted to women and children is a challenge.[637] While statutory law takes precedence over customary law on human rights issues, there is still limited awareness over the respective jurisdictions. A traditional practice that continues to be applied in some parts of the country is the 'girl-child compensation,' which means that if a person kills another person, the perpetrator must pay compensation by giving a girl child from their family to the victim. The girl child given as compensation becomes a slave and often faces abuse due to the new family's bitterness.[638] Although there are efforts to end such practices, they continue to infringe on the rights of women and girls.

Domestic violence is widely accepted by women and men in South Sudan: 82% of women and 81% of men agree that women should tolerate orders to keep her family together.[639] There is no specific domestic violence law in South Sudan. Early marriage is prevalent: 45% of girls are married before they reach the age of 18, and 7% of girls are married when they are younger than 15 years.[640] A bride price paid by the husband to the girl's family is the norm. Violence is often used to obtain cattle for the bride price, and cattle raids have increasingly targeted women and children in the attacks.[641] Divorce is complicated for women to obtain. Traditionally, only men can ask for a divorce, and the wife's family must pay back the bride price. Further to that, Sexual and Gender Based Violence (SGBV) in South Sudan is driven by a culture of silence and stigma, masculine identity tied to cattle raiding, the bride price, a lack of access to legal recourse, and customary practices that favour compensation for crimes like rape.[642]

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635 Interviews, UNMISS (Sept 2021 – April 2022).

636 UN Education, Science and Cultural Organisation (2022) 'South Sudan Country Page', http://uis.unesco.org/en/country/ss

637 Chr. Michelsen Institute (2012) 'Peacebuilding in Sudan, Micro-Macro issues', https://www.cmi.no/projects/830-peacebuilding-in-sudan-micro-macro-issues

638 Kaphle, S.R. (2013) 'A life can be replaced by another life', Gurtong, 12 July, https://studylib.net/doc/9873706/girl-

639 Care International (2014) 'South Sudan – Gender in Brief', May, https://www.care.org/wp-content/uploads/2020/05/Gender20in20Brief20South20Sudan20.pdf

640 UNICEF South Sudan (2020) 'Some things are not fit for children – marriage is one of them', https://www.unicef.org/southsudan/press-releases/some-things-are-not-fit-for-children

641 *The Economist* (2017) 'The link between Polygamy and War', 19 December, https://www.economist.com/christmas-specials/2017/12/19/the-link-between-polygamy-and-war

642 Interviews, UNMISS (Sept 2021 – April 2022).

Conflict-Related Sexual Violence (CRSV)

Since 2013, sexual violence has been a pervasive and continued problem in South Sudan, with many reports written on the ordeals victims and survivors have experienced, especially relating to long-term physical and mental health consequences.[643] In 2020, UNMISS documented 193 cases of CRSV affecting 142 women, 46 girls and five men in that year. A further 25 cases between 2014 and 2019, affecting 14 women, eight girls and three men, were also verified in 2020.[644] During 2021, UNMISS documented 194 cases of CRSV that were committed against 130 women, 35 girls, 28 men, and one boy. An additional 15 incidents involving 20 survivors (15 women, four girls, and one man) that occurred in previous years were also documented and verified in 2021.[645] Similar to reporting of grave violations, it should be noted that the actual number of CRSV cases is likely to be significantly higher as UNMISS does not capture data within all communities due to a lack of resources and coverage of reporting mechanisms, among other things.[646]

Perpetrators of CRSV include community-based militias and/or civil defence groups, organised armed groups and other armed elements. In addition to these, government security forces are responsible for about half of all the documented CRSV cases, as '33% of incidents were attributed to the SSPDF, and another 14% to the South Sudan National Police Service and the National Security Service. Some 5% of incidents were attributed to the Sudan People's Liberation Army in Opposition (SPLA- IO).'[647]

In South Sudan, CRSV has been used to assert dominance over and degrade civilians from rival ethnic groups to stoke animosity between South Sudanese communities. In addition to that, the use of sexual violence has continued during localised fighting and during military operations, exploiting the permissive environment created by conflict, prevalent insecurity, weakened rule of law, and widespread impunity. The Transitional Justice Working Group in South Sudan highlighted the devastating impact of CRSV on victims and survivors, including harrowing accounts of murder or attempted murder of children born of rape.[648] CRSV has been a pervasive feature of the conflict, leaving communities, victims and survivors, and families to experience the devasting consequences including physical injuries and social exclusion.[649] By September 2021, no victim or survivor of CRSV had received any formal reparations, mostly due to many not being

643 UNMISS (2020) 'Access to health for survivors of conflict-related sexual violence in South Sudan', May, https://www.ohchr.org/sites/default/files/Documents/Countries/SS/access_to_health_for_survivors_of_conflict-related_sexual_violence_in_south_sudan.pdf

644 UNSC (2021) S/2021/312.

645 UNSC (2022) S/2022/272.

646 Interviews, UNMISS (Sept 2021 – April 2022).

647 UNSC (2022) S/2022/272.

648 Rights of Peace (2021) 'Survivors speak out in South Sudan', https://www.rightsforpeace.org/post/survivors-speak-in-south-sudan

649 Global Survivors Fund (2021) 'Global Survivors Fund welcomes South Sudan efforts to secure justice for survivors of a devastating conflict', February, https://www.globalsurvivorsfund.org/media/the-global-survivors-fund-welcomes-south-sudan-efforts-to-secure-justice-for-survivors-of-a-devastating-conflict

aware of the legal framework for reparations set out in the R-ARCSS.[650] Additionally, victims and survivors are reluctant and fear to refer their cases to the judicial system due to stigma and confusion regarding the relevant competent jurisdictions (civilian, military, and traditional courts).[651] Despite the reduction in CRSV cases since 2018, CRSV continues to be widespread in South Sudan.

> The Transitional Justice Working Group in South Sudan highlighted the devastating impact of CRSV on victims and survivors, including harrowing accounts of murder or attempted murder of children born of rape.

With UNMISS support, the implementation of the (Joint) Action Plans of the SSPDF, the pro-Riek Machar Sudan People's Liberation Army in Opposition (SPLA-IO/RM), and the SSNPS continues, with over 700 uniformed personnel receiving training on command orders prohibiting sexual violence in 2021. Following the official launch of the Action Plan for the Armed Forces on Addressing CRSV (which merges the action plans of the SSPDF and that of the SPLA-IO into a single document), UNMISS sustained its engagement with relevant stakeholders for its effective implementation. It is worth emphasising that the UNSC, in UNSCR 2577 (2021), identifies the implementation of the Joint Action Plan as a benchmark for renewal of the sanctions regime, and the government is expected to report on its implementation progress by 15 April 2022.[652] The UN further assisted the Military Justice Directorate of the SSPDF in conducting international and domestic legal standards training to prosecute sexual violence crimes, and the President announced the establishment of a Truth and Reconciliation and Healing Technical Committee in February 2021.[653] Preparatory activities have been organised by UNDP and a roadmap was set out by the Ministry of Justice and Constitutional Affairs, yet progress remains slow. By September 2021, the technical committee received training on what a victim-centred approach should entail.[654] In addition to these initiatives, in January 2021, the AU supported the announcement by the President to establish the AU Hybrid Court in South Sudan.[655] The purpose of the hybrid court is to hold those accountable for the country's conflict and war crimes.

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650 Global Survivors Fund (2021) 'Reparations for Survivors of Conflict Related Sexual Violence', September, https://drive.google.com/file/d/1qIDTrEKWHnWM1BffPZKVuwQ28Q3WsDss/view

651 Interviews, UNMISS (Sept 2021 – April 2022).

652 At the time of publishing this paper, no updates had been reported yet.

653 UN News (2021) 'South Sudan: UN rights commission welcomes "first steps" towards transitional justice institutions', https://news.un.org/en/story/2021/02/1083492

654 UNDP (2021) 'Commission for Truth Reconciliation and Healing Technical Committee Receives Training on Inclusive and Victim-centred Public Consultations', https://www.ss.undp.org/content/south_sudan/en/home/presscenter/pressreleases/2021/ctrh-technical-committee-training-public-consultations-transitional-justice-south-sudan.html

655 AU (2021) 'Statement by H.E. Mr. Moussa Faki Mahamat, Chairperson of the African Union Commission, on African Union Hybrid Court of South Sudan', February, https://au.int/en/pressreleases/20210130/statement-he-mr-moussa-faki-mahamat-chairperson-african-union-commission

C. UNMISS' Mandate

Ever since UNMISS was established in 2011 through UNSCR 1996, its mandate had a focus on the PoC. Initially, the Mission was authorised to perform the following tasks:

a. Support for peace consolidation and thereby fostering longer-term state building and economic development.

b. Support the Government of the Republic of South Sudan in exercising its responsibilities for conflict prevention, mitigation, resolution, and civilian protection.

c. Support the Government of the Republic of South Sudan, in accordance with the principles of national ownership, and in cooperation with the UN Country Team and other international partners, in developing its capacity to provide security, to establish rule of law, and to strengthen the security and justice sectors.[656]

Over a decade later, its mandate has evolved, but protection has remained a key aspect of it. In March 2022, through UNSCR 2625, the UNMISS mandate was renewed until March 2023. It was designed to 'advance the three-year strategic vision defined in resolution 2567 (2021) to prevent a return to civil war in South Sudan, to build durable peace at the local and national levels, and to support inclusive and accountable governance and free, fair, and peaceful elections in accordance with the Revitalised Agreement.'[657] To achieve this, the Mission is authorised to use all necessary means to implement its mandate which focuses on:

a. The Protection of Civilians (PoC);

b. The creation of conditions conducive to the delivery of humanitarian assistance;

c. Support for implementation of the Revitalised Agreement and the Peace Process; and

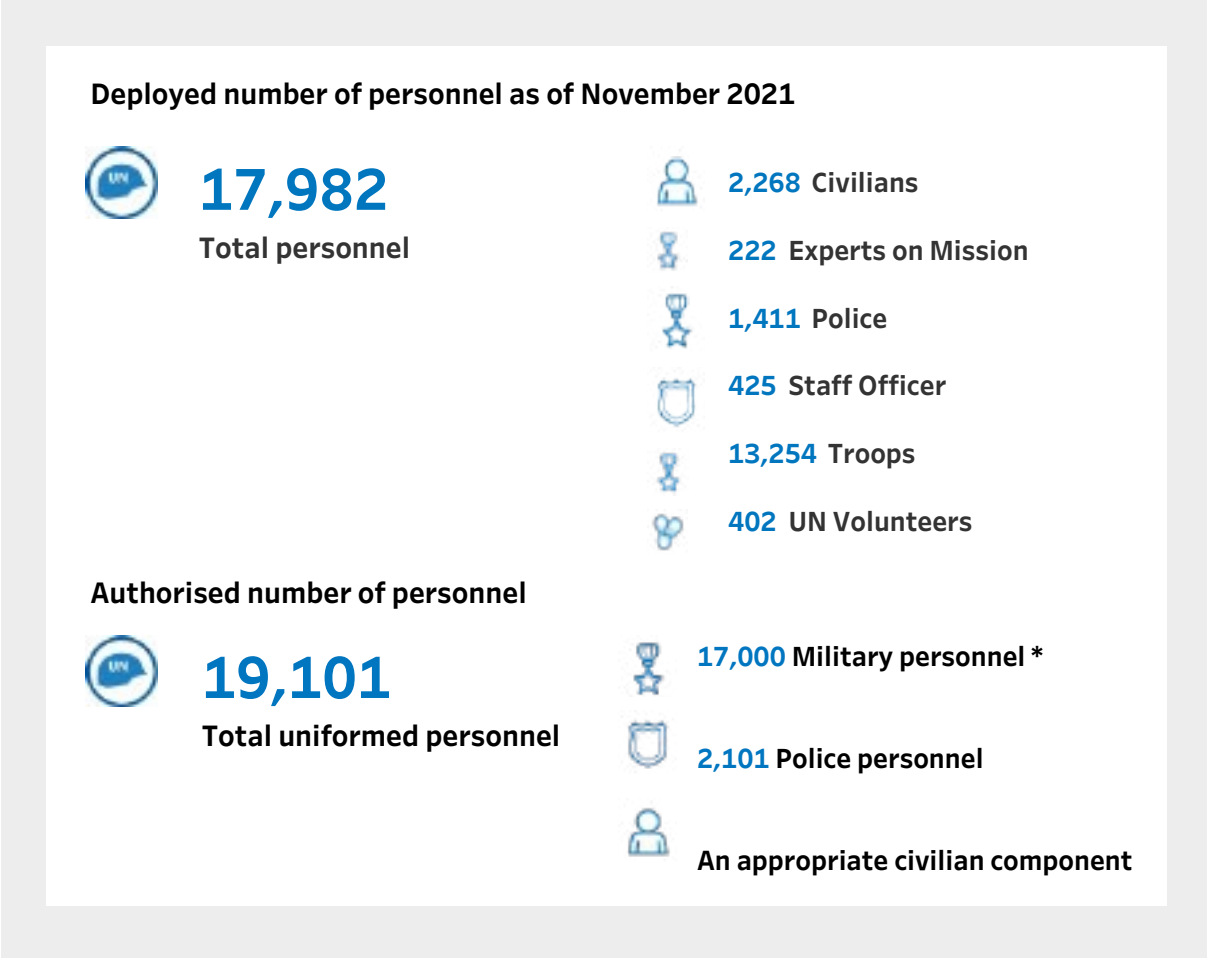
d. Monitoring, investigating, and reporting on violations of IHL, as well as abuses of human rights.[658]

Protection is a cross-cutting element of the Mission's mandate that touches upon several different mission tasks and, in addition to PoC, the mandate includes specific language on the prevention and response to CRSV, child protection, and human rights. The protection mandates are a central part of UNMISS' mandate to support the consolidation of peace and security in South Sudan and a vital priority for the Mission leadership. However, the Government of South Sudan has the primary responsibility to provide security and protection for its civilian population. The role of UNMISS is to advise and assist the government to fulfil this responsibility and to act independently and impartially

656 UNSC (2011) UNSCR 1996.
657 UNSC (2022) UNSCR 2625.
658 Ibid.

to protect civilians when the need arises. Notably, the Council maintained the authorised number of 17 000 troops, and a police ceiling of 2 101 personnel, including 88 corrections officers,[659] to allow the Mission flexibility in case the security situation deteriorates in the run-up to the elections planned for 2023.[660] It should be noted that the words 'imminent danger' have been removed from the mandate since 2014.[661] As per the UN PoC Handbook, this change in language clarifies 'that a mission can and should take proactive and preventive action to protect civilians under threat and that these actions can include all necessary means (including the use of deadly force).'[662]

Figure 5.2: UNMISS composition[663]



659 Ibid.

660 Ibid. Elections in South Sudan were initially set to take place in 2022, but government officials announced a postponement in early 2022. For more information, see: https://www.securitycouncilreport.org/whatsinblue/2021/12/south-sudan-briefing-and-consultations-16.php

661 Early mandate language on POC required the protection of civilians under 'imminent threat of physical violence.' In most multidimensional missions, the word 'imminent' has since been removed and the mandate now requires the protection of civilians under 'threat of physical violence.' This language change clarified that a mission can and should take proactive and preventive action to protect civilians under threat and that these actions can include all necessary means (including the use of deadly force).

662 UNDPO (2020) 'Handbook: The Protection of Civilians in UN Peacekeeping', https://peacekeeping.un.org/sites/default/files/dpo_poc_handbook_final_as_printed.pdf.

663 UN (2021) 'UNMISS Fact Sheet', https://peacekeeping.un.org/en/mission/unmiss

Mandate Implementation: (The Lack of) Resources and Strategic Direction

The lack of adequate resources versus UNMISS' broad mandate has been a structural issue for the Mission, as highlighted by most interviewees and former UNMISS SRSG Hilde Frafjord Johnson. She notes, 'Both prior to the crisis and during the civil war, the mismatch between the UNMISS' mandate and its resources were glaring, making it close to impossible for the mission to deliver on its mandate to provide physical protection to civilians under threat.'[664] In addition to this, others have noted that the Mission could have done more with its existing capabilities, if its leadership would have provided better strategic guidance, especially on the implementation of its protection mandates.[665]

Compared to other UN peacekeeping operations, UNMISS has found itself in a unique position over the past years. In response to high levels of violence, the Mission provided physical protection at rapidly conceived and set-up PoC sites to more than 200 000 people, most of whom were women and children.[666] Despite the sites being very resource intensive, the Mission managed to largely maintain law and order, however, it also encountered challenges, including addressing criminality and individuals in conflict with each other.[667] As the PoC sites were a significant drain on the Mission's resources and not intended to be a long-term solution, the Mission announced in 2019 that PoC sites would be re-designated as sites for IDPs under the authority of the government.[668] This decision was driven by the Mission's assessment that the threat which had necessitated the PoC sites had diminished. After the Secretary-General's report on Future Planning for the Protection of Civilian Sites, an extensive consultation process followed. Lessons learnt from earlier re-designations for application emerged throughout the process.[669] As of September 2021, four out of five POC sites (Bentiu, Bor, Juba, and Wau) have been re-designated, and planning for an eventual redesignation of the Malakal PoC site is ongoing.[670] From a UN perspective, part of the rationale for the re-designation of the PoC sites was based on protecting more South Sudanese civilians, as re-designating the sites would free up a significant number of UNMISS troops, UNPOL as well as civilian personnel from camp

664 De Coning, C. and Peter, M. (2018) 'United Nations Peace Operations in a Changing Global Order', https://link.springer.com/chapter/10.1007/978-3-319-99106-1_7

665 Interviews, UNMISS (Sept 2021 – April 2022).

666 Day, A. (2019). 'Impact of UN Mission in South Sudan Complicated by dilemmas of protection', Global Observatory, https://theglobalobservatory.org/2019/12/impact-un-mission-south-sudan-complicated-by-dilemmas-of-protection

667 Harragin, S. (2020) 'Back on their feet: The role of PoCs in South Sudan and the potential for returning "home"', Conflict Sensitivity Research Facility, https://reliefweb.int/sites/reliefweb.int/fileUNSCRources/CSRF-Analysis-Back-on-their-feet-the-Role-of-PoCs-in-South-Sudan-and-the-potential-for-returning-home.Final_October-2020.pdf; Interviews, UNMISS (Sept 2021 – April 2022).

668 Spink, L. and Levine-Spound, D. (2021) 'Civilian perspectives on the future of UNMISS', Civilians in Conflict, https://civiliansinconflict.org/blog/civilian-perspectives-on-the-future-of-unmiss

669 UNSC (2019) S/2019/741.

670 UNSC (2021) S/2021/1015.

protection activities. This enabled the Mission to dedicate these resources to preventive and responsive protection activities elsewhere, including more extensive, active patrolling.[671]

> Both prior to the crisis and during the civil war, the mismatch between the UNMISS' mandate and its resources were glaring, making it close to impossible for the mission to deliver on its mandate to provide physical protection to civilians under threat.

Adapting to the new configuration and aiming to provide protection to the South Sudanese population in various regions, the Mission developed an approach to rapidly deploy troops to hotspot areas to resolve conflicts and create conditions for safe provision of humanitarian assistance. As part of this approach, the Mission undertakes short- and long-range patrols, and established several Temporary Operating Bases (TOB) and Permanent Operating Bases (POB), including in Tambura and Bentiu. In 2021, 1 300 ground patrols, 242 air patrols, and 86 riverine patrols were carried out. By 30 November 2021, 24 TOBs were operative.[672] Whereas this has increased the reach of the Mission in terms of protection in various regions, it should be noted that even without the PoC sites, UNMISS still faces numerous challenges and does not have adequate resources to provide security to all of rural South Sudan.[673] Adding further complications to an already challenging operational environment is the impact of climate change; leading to more and more flooding, in some areas the Mission needs nearly all its resources 'to literally keep its head above water.'[674]

Protection through Dialogue and Engagement

Protection through dialogue and engagement (PoC Tier I) relates to support provided for the political processes, including peace negotiations and agreements, support for developing governance institutions, and the extension of State authority. It seeks to establish a safe and secure environment where human rights are respected. The R-ARCSS remains the only viable roadmap to ensuring sustainable peace in South Sudan.[675] UNMISS is in a unique place to foster inclusive governance processes, and it can contribute to building more systematic links between national and local political initiatives. The UNCT, including UNMISS, has focused on capacity-building to prepare for the elections scheduled for 2023, marking the culmination of the transitional period. Interviewees, however, stated that without clear language in the mandate

671 Interviews, UNMISS (Sept 2021 – April 2022).

672 UNSC (2021) S/2021/1015.

673 Harragin (2020) 'Back on their feet: The role of PoCs in South Sudan and the potential for returning "home"'.

674 Interviews, UNMISS (Sept 2021 – April 2022).

675 IPI (2021) 'Prioritisation and Sequencing of Security Council Mandates – The case of UNMISS', https://www.ipinst.org/wp-content/uploads/2021/02/2102_UNMISS-2021.pdf

and accompanying resources, UNMISS will not have sufficient capacity to prepare a conducive environment for elections, which may impact the protection situation in the country.[676]

The long-term governance trajectory for the country is not clear. The unpredictable nature of the political and security situation was reiterated in many interviews, with comments such as: 'things can be good today in here and tomorrow it is just terrible.'[677] Tensions over governance issues and significant unequal distribution of power and resources exacerbate inter-communal violence. The UNCT has, over the past year, focused on addressing inter-communal violence through the Multi-Partner Fund for Reconciliation, Stabilisation and Resilience (RSRTF), which is a joint UN initiative working with a range of implementing partners.[678] The recent success of the Mission has been underpinned by the 'One UN' approach, which features a strong working relationship with UNCT members to address the triple peace-humanitarian-development nexus. The RSRTF provides strategic funding to integrate programmes that address the root causes of the conflict and develop more resilient communities.[679] A fundamental principle that underpins the Fund's work is building a partnership – focusing mainly on strengthening coherence, complementarity, cooperation, and coordination. Through the establishment of peace committees, the impact is being shown to reduce forced marriages and domestic violence, for example, in Koch County. The presence of UNMISS has enabled access to programme sites that supported the improvement of safety, security, and community confidence. This has also led to an increase in the return of formerly displaced persons back to Koch County.[680]

Provision of Physical Protection

A critical element of UNMISS' mandate is the UNSC's authorisation of peacekeepers 'to use all necessary means, up to and including deadly force to protect civilians under threat of physical violence.'[681] Within UNMISS, physical protection (PoC Tier II) entails protecting civilians through a proactive presence and robust posture. This would include uniformed components to deter or pre-empt and respond to threats to civilians. Still, regardless of language in the mandate, physical protection requires resources and military capabilities that are fit for purpose. Such capabilities are not necessarily present to a sufficient extent in the Mission, which hampers the implementation of its protection mandates.[682] The Mission's civilian component assists the work on physical protection through regular and direct engagement with civilian populations at risk, pointing to the importance of a whole-of-mission approach. As stated in one of the interviews:

676 Interviews, UNMISS (Sept 2021 – Jan 2022).

677 Ibid.

678 IPI (2021) 'Prioritisation and Sequencing of Security Council Mandates – The case of UNMISS'.

679 UNDP (2022) 'Factsheet', South Sudan Multi-Partner Trust Fund, https://mptf.undp.org/factsheet/fund/SSR00

680 UN (2020) 'Annual Narrative and Financial Report', South Sudan Multi-Partner Trust Fund.

681 UNDPO (2020) 'Handbook: The Protection of Civilians in UN Peacekeeping'.

682 Interviews, UNMISS (Sept 2021 – April 2022).

> We have a host of challenges, is the Force the only means to provide protection? Certainly not. However, the Force is responsible for providing a security umbrella over which the whole mission gets together, acts in time, prevents, pre-empts, and provides a response.[683]

Striving to take a whole-of-mission approach to physical protection, the Mission aims to respond to conflict hotpots in a prioritised manner – aiming to meet protection needs where they are greatest. This approach, however, has been greatly facilitated by the re-designation of PoC sites, which freed up significant resources to expand the Mission's protection posture through the deployment of TOBs, while utilising an approach to protection, focusing on physical and political protection and building a protective environment. As one interviewee pointed out, this strategy is a practical approach to the three tiers of the UN PoC policy, aiming to increase coordination among mission components across the PoC tiers.[684] For example, the TOB in Tonj reflects a pre-emptive deployment to a potential hotspot, based on systematic EW/RR by various mission components, which thus provides a protective environment to minimise subsequent violence. In Tambura, the deployment of the UNMISS Force was a critical enabler for much-needed political engagement and conflict resolution activities, and it facilitated security conditions for the return of humanitarian assistance – all of which expanded the protection umbrella for civilians. These engagements are still in the initial phases, but the early results demonstrate the effectiveness of the rapid-response approach, which is tailored to each context.[685]

Establishment of a Protective Environment

Due to the catastrophic impacts of the conflict in South Sudan, according to interviewees, UNMISS has arrived at a phase where three concurrent approaches are necessary, in which the linkages between peace, humanitarian, and development efforts need to be better coordinated to reduce violence and save lives.[686] Ensuring protection from physical violence within the limited resources and capabilities of UNMISS entails that all three components focus on strengthening the rule of law and providing training on PoC to South Sudanese uniformed personnel, aiming to better equip national counterparts to address physical violence. Building the capacity of national security personnel is aimed to ensure that protection is provided for most civilians in the country. However, for this to be effective, the established 'Triple Nexus Approach' – the linkages between peace, humanitarian, and development efforts – needs to be better coordinated to reduce violence and save lives.[687]

683 Ibid.

684 Ibid.

685 UNMISS (2021) 'Statement by the Special Representative of the Secretary General Mr. Nicholas Haysom to the United Nations Security Council'.

686 Ibid.

687 Interviews, UNMISS (Sept 2021 – April 2022).

UNMISS currently supports the facilitation of humanitarian access to civilians through the establishment of a protective environment (Tier III of PoC action). This includes the safety and protection of humanitarian workers.[688] However, due to the narrowing space for humanitarian actors in South Sudan, UNMISS is struggling to protect local humanitarian actors and coordination with the humanitarian coordination system is challenging. Interviewees highlighted that such coordination challenges in combination with limited resources do hamper UNMISS' ability to deliver on the protective environment aspects of its mandate, and that it remains challenging to effectively work on the protection of humanitarian actors.[689]

D. Implementation of Protection Mandates: Interlinkages, Good Practices, and Gaps

Building on interviews conducted with UNMISS and UNHQ representatives between September 2021 and April 2022, this section outlines some of UNMISS' efforts to implement its protection mandates. It highlights how the Mission attempts to utilise interlinkages, while identifying good practices as well as challenges that have adversely impacted the implementation of the protection mandates.

> UNMISS is one of the large-scale UN peace operations 'deployed in unfinished civil wars with deep historical roots, and fuelled by complex political economies, where PoC has become a core mission mandate.'

As outlined by its' SRSG from 2016-2021, David Shearer, UNMISS is one of the large-scale UN peace operations 'deployed in unfinished civil wars with deep historical roots, and fuelled by complex political economies, where PoC has become a core mission mandate.'[690] The current UNMISS SRSG Nicolas Haysom echoes this assessment and noted in December 2021 that 'civilians still bear the brunt of conflict in South Sudan', highlighting a 'reduced momentum in implementation of the peace agreement.'[691] Whereas the Mission was initially deployed with a mandate focusing on state-building, the 2013 civil war saw UNMISS' mandate contracting

688 Conflict Sensitivity Resource Facility (2021) 'Conflict Sensitivity Analysis: UMISS PoC site transition: Bentiu, Unity State and Malakal, Upper Nile State', https://reliefweb.int/report/south-sudan/conflict-sensitivity-analysis-united-nations-mission-south-sudan-unmiss

689 Interviews, UNMISS (Sept 2021- Jan 2022).

690 Berdal, M. and Shearer, D. (2021) 'Hard Lessons from South Sudan', *Survival*, 63(5): 69-96.

691 UNMISS (2021) 'Statement by the Special Representative of the Secretary General Mr. Nicholas Haysom to the United Nations Security Council'.

towards four pillars: protecting civilians, the monitoring and verification of HRVs, facilitating the delivery of humanitarian aid, and supporting the implementation of the peace agreement.[692]

As illustrated in the previous section, PoC has remained a key priority for UNMISS and its mandate streamlines and prioritises various protection tasks. While the overall responsibility for the implementation of the protection mandates rests with the SRSG, Mission leadership stressed during interviews that protection work requires holistic thinking and the engagement of a broad range of partners to maximise impact. This includes coordinated approaches between the Mission's civilian, military, and police components.[693] Since 2021 UNMISS has continued its strategic pivot to a more integrated, flexible, and robust approach to protection: one that increasingly emphasises the primacy of politics, in a longer-term vision of peacebuilding that goes beyond stabilisation. The Mission's efforts are oriented around a three-year strategic vision, as mandated by the Security Council.[694] As mentioned by one interviewee, the UNMISS' internal PoC strategic direction emphasises coherent engagement across civilian, police, and military components, and builds on all three tiers of the UN PoC policy. However, others mentioned that this strategic direction is not necessarily felt by or transferred to the UNMISS field offices, and some even went as far to ask what the strategic direction was.[695]

> With the recent arrival of new leadership for all three Mission components, a window of opportunity is created for UNMISS to develop a strategy which can assist its personnel to effectively implement the protection mandates in a coordinated manner.

Further to this, interviewees also stressed that coordinated implementation efforts are hampered by the absence of an up-to-date, mission-wide PoC strategy.[696] The most recent mission-wide UNMISS PoC strategy to assist the implementation of its PoC mandate is dated 2014. It contains substantial detail regarding objectives, activities, and indicators, as well as a detailed description of the PoC coordination architecture and the divisions of responsibilities between PoC actors. Such mission-specific strategies have been identified as good practice by Mission personnel, yet in the case of UNMISS it was highlighted by Mission and UNHQ staff that the 2014 UNMISS PoC strategy requires urgent updating, as both the situation in country as well as the Mission have significantly evolved since 2014.[697] As such, an area for improvement identified by interviewees is to ensure that all UNMISS activities are part of a strong and up-to-date mission-wide protection strategy, and led by the SRSG. According to interviewees,

692 IPI (2021) 'Prioritisation and Sequencing of Security Council Mandates: The case of UNMISS'.
693 Interviews, UNMISS (Sept 2021 – April 2022).
694 UNSC (2021) UNSCR 2567.
695 Interviews, UNMISS (Sept 2021 – April 2022).
696 Ibid.
697 Ibid.

one of the key reasons why a strong mission-wide protection strategy is required is that 'without a strategic framework and without a mission-wide comprehensive protection strategy, there is no way that the Mission will be able to leverage all [its] different strengths.'[698] With the recent arrival of new leadership for all three Mission components, a window of opportunity is created for UNMISS to develop a strategy which can assist its personnel to effectively implement the protection mandates in a coordinated manner.

Physical Protection Activities

Over the past years, UNMISS' protection activities have, among other things, focused on maximising information flow, providing good offices, and urging the government to deploy additional security forces for the physical protection of civilians. Responding to protection concerns, the Mission has deployed its troops to physically protect and/or help evacuate civilians under threat. Most of its police capacities were deployed, providing security to PoC sites, and continue to be deployed to provide safety to re-designated IDP camps. Furthermore, interviewees highlighted the Mission's use of a broad range of conflict resolution agents intervening in local communities to resolve tensions and conflict.[699]

As highlighted by UNMISS interviewees, the Mission leadership recently decided to experiment with a 'geographical instead of a thematic approach to respond to protection concerns in hotspots of inter-communal violence.'[700] This approach aims to foster better coordination and integrated efforts across the Mission and its components when working on protection issues in a certain region, rather than isolated efforts undertaken by individual sections. An example of this approach is the Mission's response to cattle or land disputes, providing a consolidated effort with UNCT members more broadly, rather than a siloed response by, for instance, the CAS.[701] According to interviewees, the approach was successfully piloted in some areas in 2020 and will be expanded to other regions such as Jonglei State.[702] One instrument developed to support implementation of the geographical approach is the RSRTF mentioned above. As described by UNMISS representatives, when a joint response with various actors is undertaken, instead of several protection actors working on their own interventions, everyone contributes to a joint, comprehensive plan that includes political engagement at all levels, humanitarian support, physical security, and long-term livelihood establishment.[703]

698 Ibid.

699 Ibid.

700 Ibid.

701 Day, A., Yaw Tchie, A.E. and Kumalo, L. (2022) 'UNMISS 2022 Mandate Renewal: Risks and Opportunities in an Uncertain Peace Process', NUPI.

702 Interviews, UNMISS (Sept 2021 – April 2022).

703 Ibid.

The case of Tambura, for example, demonstrates the effectiveness of this new approach in terms of protection responses. In July 2021, more than 30,000 persons (primarily women, children, and the elderly) fled their villages to seek shelter in schools, churches, and the UNMISS TOB in Tambura.[704] Humanitarian partners, in coordination with UNMISS, provided food assistance to displaced persons and alleviated the scale of suffering. More than that, UNMISS provided security to humanitarian workers and engaged with communities to establish policing modalities that provide security for women and children. An interviewee explained that further coordinated follow up is required in terms of long-term protection, as 'Tambura is a more political conflict that requires more political and visible engagement.'[705] This highlights the need for the Mission to continuously focus on all three tiers of PoC, in coordination with partners. To assist UNMISS in successfully doing so, an updated UNMISS PoC strategy would be beneficial for all Mission components.

Dedicated Protection Advisors

To support the Mission on its protection work, several dedicated protection advisors are deployed within UNMISS' civilian, military, and police components. These specific capacities are tasked with fostering the implementation and integration of the different protection mandates, as well as coordination between the civilian, military, and police components. These positions include (Senior) PoC Advisors, (Senior) WPAs, (Senior) CPAs, Force Gender and Protection Advisors and Focal Points, UNPOL Gender Advisors and SGBV Focal Points, and an UN Police (UNPOL) Specialized Police Team (SPT) on SGBV.

Still, interviewees highlighted that the shortage of dedicated advisors working on the protection mandates, especially at the Field Office or Sector level, presents a range of challenges when it comes to the implementation of these mandates. For example, whereas the CP Section has had their staff deployed at the Mission headquarters as well as in all Field Offices, for the last several years, there has been only one PoC post at the Mission HQ, and three in field offices. WPAs are generally only deployed at the Mission headquarter level and hold no field positions.[706] Aiming to bridge the subsequent capacity gap in the field, CRSV focal points are appointed within the HRD in the Field Offices, where Human Rights Officers take on some of the responsibilities that WPAs would normally perform.[707] A similar approach is taken by UNPOL and the Force, nominating protection focal points at sub-national levels.

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704 UNMISS (2021) 'Partners continue to provide protection and support to displaced people in Tambura', Relief Web, https://reliefweb.int/report/south-sudan/unmiss-partners-continue-provide-protection-and-support-displaced-people-tambura

705 Interviews, UNMISS (Sept 2021 – April 2022).

706 Ibid.

707 This became common practice after the consolidation of the WPA role into HRD in 2016.

Whereas these initiatives are good practice in theory and demonstrate the understanding that protection is a shared responsibility, interviewees noted that focal points at field level often feel overburdened by the responsibilities that are added to their existing portfolios.[708] Simultaneously, interviews highlighted that these focal points were not specialists in these areas and often did not receive adequate (in-mission) training on the protection mandates that they were expected to cover, usually due to stretched resources across the Mission. Many of the focal points also did not have the skills or resources available that are required to follow up on protection issues, including CRSV cases. As a result, the activities of these focal points were often limited to reporting on protection concerns and incidents, rather than engaging in a potentially broad range of protection activities. According to interviewees this impacts the Mission's ability to implement the full extent of its protection mandates and highlights the importance of ensuring adequate staffing of dedicated protection advisors across Mission headquarters and field levels.[709]

While the Mission's protection advisors hold an important advisory role, Mission leadership emphasised the importance of interpreting the protection mandates as a shared, whole-of-mission responsibility. As such, UNMISS' components are expected to work together on addressing issues related to PoC, child protection, CRSV, and human rights. Interviews with UNMISS personnel highlighted that in practice this works well on some occasions, yet the Mission still faces challenges in terms of information sharing and coordination.

Information Sharing

Whereas information sharing within UNMISS generally seems to be the norm, several interviewees pointed to restrictions and 'one-way traffic', particularly concerning exchanges with the HRD. Although it is widely understood that the HRD cannot share sensitive data in relation to victims, survivors, and witnesses due to protection concerns, only limited efforts are made by the HRD to share sanitised data that could benefit the Mission's protection efforts. As one interviewee described, this lack of information sharing has had a significant detrimental impact on the implementation of the protection mandates as it prevented timely and coordinated interventions from taking place. While the lack of information sharing by HRD was brought forward by several interviewees, another interviewee disagreed with this observation, stating that HRD 'exchanges information on civilian casualties on a monthly basis with Civil Affairs and other components to deconflict reporting figures' and contributes to SAGE. The same interviewee mentioned that HRD contributes to EW and data sharing in the Mission through daily, weekly, analytical, ad-hoc and public reports, in addition to code cables and other thematic notes, to bring information about protection concerns to the attention of the Mission leadership for further follow up and the initiation of protection responses. Whereas this suggests that standard reporting formats and vertical reporting lines are being followed by HRD to inform Mission

708 Interviews, UNMISS (Sept 2021 – April 2022).
709 Ibid.

leadership, other interviewees did point to a breakdown of horizontal sharing of information at the working level and little efforts to move beyond regular reporting structures.[710]

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Another challenge highlighted by interviewees, is the lack of institutionalisation of information sharing procedures. Despite there being formal information sharing mechanisms and data-based platforms, many information sharing procedures tend to be personality driven, with information being shared informally within personal networks. Simultaneously, information does not always trickle down from Mission headquarters to the Field Offices and Sector level. As a result, some interviewees expressed they did not receive sufficient guidance from their respective leadership, which left them unclear about the overall vision and strategy to address protection concerns. As stressed by several interviewees, this issue goes beyond information sharing and has become a critical strategic as well as operational issue which impacts the Mission's performance.[711]

Meanwhile, UNMISS leadership highlighted that the challenge was not the amount of information being collected, but rather what the Mission was doing with that information. During the launch of the EPON report on the UNMISS 2022 Mandate Renewal, SRSG Haysom stated that the Mission needed to 'look at early action instead of early warning' to act on the information received.[712] This was also something that was emphasised in the UNMISS mandate renewal. The renewal stressed that information gathering should be linked to an early-response strategy. However, according to some interviewees, information sharing is still siloed or overly sanitised, impacting the Mission's ability to effectively deliver on its protection mandates.[713]

Other interviewees highlighted the impression that virtual tools improved the process of information sharing within the Mission, including sharing of patrolling reports. Sharing of information with external counterparts proves more challenging and UNMISS interviewees pointed to communication difficulties with their humanitarian counterparts, and vice versa. Although this has improved significantly over the years, issues still arise. As described by a member of the humanitarian community, UNMISS for instance failed to share information related to the closing of PoC sites in a timely manner during 2020, only communicating the relocation of its

710 Interviews, UNMISS (Sept 2021 – April 2022).

711 Ibid.

712 Day et al. (2022) 'UNMISS 2022 Mandate Renewal: Risks and Opportunities in an Uncertain Peace Process'.

713 Interviews, UNMISS (Sept 2021 – April 2022).

troops after the operation had been completed. This added tension and mistrust to the delicate relationship between UNMISS and humanitarian actors.[714]

> UNMISS leadership highlighted that the challenge was not the amount of information being collected, but rather what the Mission was doing with that information.

To prevent future incidents like this, UNMISS' leadership insisted on regular joint briefings during 2021, not only within the Mission, but also with external counterparts such as the UN Country Team. Owing to this, humanitarian actors expressed increased confidence in the current Mission leadership, especially regarding transparency and information sharing. According to the interviewees, this meant that humanitarian actors could confide in the Mission and ask for assistance from UNMISS when humanitarian interventions faced challenges, for instance in the form of military escorts for humanitarian convoys.[715]

Also, it was highlighted that various sections within UNMISS' civilian components, including Civil Affairs and HRD, have established local CANs that provide information to the Mission. As many of these networks rely on personal relationships, which can be lost with rotations and subsequently impact the information the Mission receives about protection issues; it was suggested by interviewees that the Mission works on strengthening these networks and enhances their continuity by institutionalising these connections. Still, it should also be noted that the risk that comes with these networks falls on civilians, with UNMISS staff highlighting that in some cases local interlocutors had been harassed and targeted by violent reprisals and did not receive adequate protection from the Mission. Interlocutors not feeling safe in sharing information could hamper Mission EW systems, and thus hamper providing protection against possible threats to civilians.[716]

UNMISS colleagues confirmed that within the Mission, HRD has the mandate to conduct interviews with victims and survivors of human rights violations, including sexual violence. If there is a need for assistance, the survivor or victim should be referred to service providers through the referral pathways. However, interviewees pointed to several challenges in the implementation of this guidance. Mission representatives, as well as survivors of violence, spoke about several cases in which survivors had been approached on various occasions by different UNMISS personnel or sections and had been asked the same questions repeatedly. In some cases, survivors of (sexual) violence said they experienced re-traumatisation because of these interactions as they were asked to repeat what had happened to them multiple times, without

714 Ibid.
715 Ibid.
716 Ibid.

receiving any assistance.[717] To minimise (re)traumatisation and follow the 'do no harm' principle, the Mission should enhance awareness of official guidance on CRSV – including the CRSV policy and handbook – and ensure clarity across Mission components on when and where victims and survivors will be interviewed, by who, and if and how that information will be shared with others.

Coordination of Protection Activities

These types of examples not only illustrate a lack of information sharing and limited awareness of protection guidelines among UNMISS personnel, but they also point to challenges in terms of internal coordination within the Mission, as well as possible limitations in approaching the matter in a pragmatic and systematic manner. This was further illustrated during interviews, highlighting that coordination in working together systematically is often lacking. An explicit criticism brought forward by interviewees is that Mission personnel still work in silos, although protection mandates tend to overlap. In some cases, this leads to a mismatch of protection efforts, incoherence, duplications, and sometimes even oppositional protection interventions where one is undermining the other.[718]

Moreover, the strategic vision – 'the big picture,' as one UNMISS official phrased it – gets lost. As one UNMISS official noted, 'We have to leverage our comparative advantage on any particular issue, using different approaches to any particular case.'[719] Further, working in silos causes frustration on part of local partners as they are confronted with the same requests (for information) from different parts of the Mission, as mentioned earlier.

Many interviewees pointed out that – as in information sharing – coordination and collaboration are often personality driven and depend on personal relationships between personnel from different components and sections. For example, interviews highlighted that UNMISS staff frequently tap into their personal networks to achieve their goals, including those built during previous deployments in other missions. These networks can indeed benefit coordination of protection efforts and lead to successful joint responses to protection concerns, as illustrated by one interviewee: 'Whenever we have ongoing clashes, we come together very rapidly to assess the situation, assess the needed response, and the individual role of the components. We keep track of the situation and monitor the situation on a daily/weekly basis.'[720] Still, many of these valuable networks get lost with the rotation of staff, impacting the continuity of UNMISS' protection efforts.

717 Ibid.

718 Interviews, UNMISS (Sept 2021 – April 2022).

719 Ibid.

720 Ibid.

Adding to this, several interviewees stated that limited human resources tend to have a detrimental impact on coordination within the Mission, as some UNMISS staff focus exclusively on their own thematic agenda due to a lack of time and capacity to look beyond their 'silo.' As one official noted, 'Thinking, coordination, communication – I can't fit this into my calendar.' Simultaneously, it was also indicated by interviewees that there is a lack of PoC coordination mechanisms and that field colleagues have asked UNHQ to assist them in establishing these.[721]

Trying to overcome some of these challenges, UNMISS leadership has established ad hoc protection coordination mechanisms and task forces since early 2021 to respond to various situations and crises, with participation of all relevant components from the Mission HQ and Field Offices as well as other UNCT members. These mechanisms were highlighted as good practices during interviews, as they have created platforms to better coordinate responses to urgent issues and have been critical in providing overall guidance, including during the response to protection concerns in Tambura, Jonglei, and other hotspots.[722] It is recommended that these coordination mechanisms become systematic and institutionalised, which would enable them to be proactive and preventive, rather than simply reactive.

External Challenges

The examples described above illustrate a range of internal challenges that impact UNMISS' ability to successfully implement its protection mandates and point to several areas that require improvement. Whereas improved information sharing, enhanced coordination and an increase of civilian, military, and police protection advisors will likely assist the Mission to implement its protection mandates more effectively, it is important to note that UNMISS' protection efforts are further challenged by external factors as well.

This includes the unwillingness and inability of the Government of South Sudan to protect its population. Adding to this, as highlighted by Berdal and Shearer, UNMISS' access to areas of concern has been obstructed by the government on multiple occasions.[723] Although this has improved drastically with the establishment of the High-Level coordination mechanism between the Government of South Sudan and UNMISS, and fewer cases of restriction of movement have been reported,[724] UNMISS is still required to submit patrol plans two weeks prior to execution.[725] This significantly hampers the Mission's ability to move freely and crucially prevents rapid response given the timelines imposed upon them.

721 Ibid.

722 Ibid.

723 Berdal and Shearer (2021) 'Hard Lessons from South Sudan'.

724 UNSC (2021) S/2021/1015.

725 Interviews, UNMISS (Sept 2021 – April 2022).

Whereas UNMISS is mandated to support the government on protecting civilians, it is important to note that while the South Sudanese government and security forces have the principal responsibility for ensuring the PoC, they also continue to be one of the most common threats that civilians face.[726] To address this, the SSPDF and the SSNPS require professional transformation. The December 2020 Report on the Independent Strategic Review of UNMISS highlights that 'the absence of coherent strategies and processes for security sector reform and disarmament, demobilisation and reintegration in South Sudan are a significant driver of insecurity.' The report highlights that efforts to establish a unified and professional military structure were 'largely unsuccessful' because the parties to the conflict lack agreement and a common vision. The reviewers also find that a 'lack of technical expertise and general professionalism of the police have prevented the police service from embracing a democratic approach to policing.'[727]

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Within this complex setting, UNMISS has taken various steps to support the government on protection matters. For example, the Mission advocated with the government to address the issue of civilian disarmament in the context of an overall strategy for promoting peace and reconciliation, particularly in areas of ethnic or communal tension, in which voluntary civilian disarmament comes after tensions have been reduced. Within its mandate and capabilities, it has also taken steps to mitigate the risks for unarmed civilians, particularly in areas where only one community has been disarmed.

In support of the implementation of the Comprehensive Plan, UNMISS also conducts child protection capacity-building training for members of the military justice system in South Sudan, which was highlighted as a good practice by interviewees. Further, the Mission delivers child protection awareness-raising, mainstreaming, and training sessions, from which 6 728 people benefitted in the period from December 2020 to February 2021, and more than 600 people in the period from February to May 2021, including government and opposition forces.[728] From January to December 2021, the Mission also delivered CRSV training and awareness-raising

726 UNSC (2021) S/2021/172, S/2021/566, S/2021/784, S/2021/1015; UNMISS Human Rights Division (2022) 'Annual Brief on Violence Affecting Civilians'; Interviews, UNMISS (Sept 2021 – April 2022).

727 Ibid.

728 UNSC (2021) S/2021/566.

sessions to 222 members of the SSPDF and 399 members of the SSNPS. In addition to this, the UNMISS Gender Affairs Unit focuses on enhancing the skills of women government representatives to frame powerful advocacy messages.[729] The UNMISS military and police gender advisors conduct training with national security forces on the importance of gender mainstreaming and recruiting more women personnel for their security services. Besides that, UNPOL is co-located with national police counterparts and Special Protection Unit investigators.

A good practice highlighted by interviewees is the continued support of UNMISS HRD to a team of human rights trainers drawn from the SSPDF to carry out additional capacity-building on international human rights law and humanitarian law for senior and low-ranking officials from Military Police and Intelligence, Presidential Republican Guards (Tiger Battalion), NSS and the SSNPS. From January to December 2021, the HRD provided technical support to the SSPDF team of facilitators, which carried out eight workshops in Juba, Wau, and Torit. The workshops benefitted at least 1 519 members of the SSPDF, including 259 women, 1 495 members of the SSNPS, including 535 women, and 2 809 government officials, including 850 women.

Further, to strengthen and protect civic space and democratic dialogue, the HRD has facilitated six capacity-building and sensitisation activities since March 2021, for a total of 214 individuals, including 64 women. Participants included members of the Armed Forces, State officials, the national media authority, the union of journalists, human rights defenders, and civil society, among others. In June 2021, a two-day roundtable discussion on combatting hate speech and incitement to violence was held in Rumbek, with the participation of youth groups and Human Rights Commissioners of Lakes State.[730] Initiatives like these are good practice and could be replicated in other locations as efforts to prevent violence.

Strategic Communications

The UN handbook on PoC states that: 'Strategic communications and influence, both internally and externally are key to effective PoC.'[731] The renewed mandate mentions strategic communication to support the Mission's protection, information gathering, and situational awareness activities.[732] Still, research is indicating that many Mission leaders do not yet treat strategic communications as a planning and decision-making tool, let alone as a protection tool.[733]

729 UNMISS (2021) 'Women's representatives improve advocacy skills through UNMISS facilitated training', https://unmiss.unmissions.org/women's-representatives-improve-advocacy-skills-through-unmiss-facilitated-training

730 OHCHR (2020) 'UN Human Rights in the Field', https://www2.ohchr.org/english/OHCHRreport2020/documents/UN-Human-Rights-in-the-field.pdf

731 UNDPO (2020) 'Handbook: The Protection of Civilians in UN Peacekeeping'.

732 UNSC (2021) UNSCR 2567.

733 Sherman, J. and Trihart, A. (2021) 'Strategic communications in UN Peace Operations: From an Afterthought to an Operational Necessity', IPI, https://www.ipinst.org/wp-content/uploads/2021/08/IPI-RPT-Strategic-Communications.pdf

In South Sudan, rumours, misinformation, and incitement to violence is the norm.[734] Word of mouth is the most common source of information, creating an environment of misinformation that is difficult to counterbalance once disseminated widely. For example, in January 2020, an incident of inter-communal violence in Abyei was shared online in South Sudan and almost incited retaliatory attacks.[735] This indicates that the spread of disinformation and misinformation can hamper the Mission's ability to provide protection, as it creates an environment of distrust and may contribute to the spread of violence. Given these dynamics as well as unrealistic expectations of the local community regarding protection provided by UNMISS, strategic communications should be emphasised more strongly.

Impact of the COVID-19 Pandemic

The COVID-19 pandemic has had a significant negative impact on UNMISS' efforts and ability to deliver on the protection mandates, including its engagement with national counterparts. UNMISS officials stressed during interviews that the pandemic posed challenges to their work, particularly during 2020. Protection activities, including field missions and interactions with local communities, were hampered by safety measures put in place to contain the spread of COVID-19. Due to movement restrictions, UNMISS personnel were not able to execute planned protection activities, leading to a stalling of critical trust among communities that had been built over the years. The restrictions also affected the monitoring of HRV/As, as contact with victims was only possible by phone. Despite measures put in place to mitigate their impact, including through remote monitoring, the restrictions resulted in a lack of visibility of HRV/As taking place as well as underreporting.

Most on-site trainings had to be cancelled at the start of the pandemic, which prevented the organisation of many internal and external capacity-building efforts. The restrictions especially led to training disruptions in the first few months, after which the Mission adapted to the new context and started conducting online trainings. Although these online initiatives only reached those with internet access, following these new procedures and guidelines were seen as important measures to protect UNMISS staff and the South Sudanese population.[736]

Most interviewees said that they barely met any other staff members or external counterparts due to COVID-19 lockdown restrictions, especially between March 2020 and March 2021. This not only impacted the relationship with external counterparts. It also complicated coordination among Mission personnel and hampered the inclusion of new personnel that arrived between March 2020 and March 2021, weakening networks within the Mission. The restrictions added to the hardship faced by UNMISS staff, with some colleagues not being able to

734 UNDP (2021) 'Tackling information for a hate free South Sudan', https://www.ss.undp.org/content/south_sudan/en/home/presscenter/stories/tackling-misinformation-for-a--hatefreesouthsudan-during-covid-1.html

735 Ibid.

736 Interviews, UNMISS (Sept 2021 – April 2022).

leave the Mission area for more than nine months while others did not return to the Mission area for months on end.[737]

As in other contexts, the pandemic also fuelled tensions in country and hostility against the Mission. For example, members of the local population felt that UNMISS personnel brought the virus to South Sudan and were the cause of the increase in cases.[738] Especially at the beginning of the pandemic, the Mission and its personnel were viewed as a threat, rather than a protection actor. Several interviewees shared that, since the first publicly acknowledged person contracting COVID-19 in South Sudan was an UNMISS staff member, UNMISS staff experienced stigma and negative stereotyping as well as hate speech and campaigns against the Mission, including on social media. In some cases, UNMISS personnel also faced physical threats during community engagement activities.

To subdue these tensions, UNMISS tried to raise awareness about COVID-19 prevention, distributing 80 000 informational pamphlets and posters across the country. And, as COVID-19 vaccination campaigns picked up in 2021, UNMISS protection activities were slowly expanded by mid-2021, allowing UNMISS personnel to re-engage with local counterparts. Now, two years into the pandemic, some interviewees highlighted that the measures that had to be taken during the COVID-19 pandemic led to positive developments as well. They identified creative ways to adapt to the challenges and discovered useful coordination tools which can also be used in post-pandemic settings, including conducting virtual training sessions on protection matters.[739]

E. Conclusion

The implementation of the protection mandates by UNMISS has been characterised by up and downs over the past years. Whereas the dedication of its field offices and field-driven initiatives have had a significant impact on addressing protection concerns within South Sudan, challenges are faced as UNMISS staff experience a lack of strategic approach by the Mission leadership to tie these efforts together. In the absence of a mission-wide PoC strategy and limited coordination by the Mission's headquarters on protection efforts, good practices tend to get lost and duplications of efforts are reported across the Mission. The recent arrival of new Mission leadership for the civilian, military, and police components offers an opportunity to address this through the development of a mission-wide strategy on PoC, which should be closely linked to the complementary protection mandates on CRSV, CP, and HR.

737 Ibid.
738 Ibid.
739 Ibid.

The lack of or limited presence of dedicated advisors on protection mandates in field offices, means that the Mission struggles to develop local protection responses that are driven by specific types of expertise, for example on CRSV. The absence of dedicated staff in the field offices further hampers coordination and information sharing on protection issues, which in turn impacts the effectiveness of the Mission in implementing its protection mandates.

> UNMISS's operating environment is increasingly being impacted by seasonal and climate change issues, which will continue to pose significant challenges to the Mission looking forward.

In addition to the internal challenges highlighted in this chapter, UNMISS's operating environment is increasingly being impacted by seasonal and climate change issues, which will continue to pose significant challenges to the Mission looking forward. As these dynamics change rapidly and arrive unannounced, it is important that the Mission is given flexibility to adapt its protection work as required through a pragmatic mandate. Further to that, it is crucial that the Mission has access to the assets that enable it to continue to be operational when faced with challenging climatological conditions that change drastically with the seasons.

Adding to these challenges is the inability and unwillingness of the government to protect civilians and the continuation of severe inter-communal violence, with groups being armed by various actors linked to the government. Simultaneously, faced with the spread of disinformation and misinformation, an environment of distrust has been created around UNMISS that may contribute to the spread of violence. In this context, improved strategic communication by the Mission is crucial, aiming to, among other things, manage the expectations of local communities regarding the protection provided by UNMISS.

While many of the factors influencing the climatological environment and conflict dynamics are beyond the direct influence of the Mission, there are key opportunities that can be further exploited to ensure that UNMISS is better able to position itself in support of civilian populations. There are critical choices that the Mission, UNHQ, and the UNSC will be obliged to take in the months and years ahead, and the directions taken will have a key influence on peace and security in the region, and the protection of South Sudanese civilians.

Chapter 6: Conclusion and Recommendations

As highlighted throughout this study, today's UN peacekeeping operations are facing increasingly complex challenges. They are deployed in fast changing, unpredictable, and highly demanding environments, in which protection threats against local populations are persistent, and asymmetric threats against the missions are no longer the exception. Within these volatile contexts, peacekeepers are mandated to protect civilians, a task which, as seen throughout this study, requires strong communication, coordination, and cooperation between mission components as well as with external counterparts. In addition to that, to bring effect to the protection language included in their mandates, Missions need to be resourced and equipped accordingly – a significant gap that is faced by all the Missions included in this study.

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Despite the remarkable dedication observed among peacekeepers and numerous examples of (oftentimes personality-driven) initiatives that foster protection as a core principle, each of the Missions covered in this study still face significant structural challenges regarding the implementation of their protection mandates. Although the performance of the missions is undeniably being impacted by the complexities in which they are deployed as well as their limited resources, many of the challenges identified in this study are internal and process related. These

challenges were found to be linked to the prioritisation of protection mandates, leadership preferences, timely information sharing and EW/RR, siloed approaches, and duplication of work, and varying levels in the will to act.

In a world where political hierarchies across several fragile and conflict affected states are turning to external actors to provide support to their national militaries, a crossroads for UN peacekeeping operations is emerging. As these actors, including PMCs, are hired to support the achievement of military objectives and move into areas where peacekeeping missions are deployed, threats increase for local populations, and to the Rule of Law and long-term stability, as is being observed in CAR and Mali. A new dynamic is presenting itself, where the goal of peace is traded for the effectiveness of brutality. Should this trade off prove more appealing for governments in places such as CAR and Mali, the world order as we know it may shift. Efforts towards achieving the Rule of Law with human rights at its core, risk being replaced by brutality and a new norm of 'guns for hire.'

Given the increasingly divided world in which the UN operates, peacekeeping operations cannot afford to be portrayed as ineffective mechanisms for peace and security, and must take steps to enhance their effectiveness in terms of protecting civilians from violence. Recognising the importance of the primacy of politics and engagement with political hierarchies of the host country, the UN and Member States must do more to improve the internal functioning of UN peacekeeping missions, striving for better sharing of information, coordination, and cooperation across components as well as enhanced operational readiness. Aiming to support this process and drawing from recommendations that were gathered during the interviews conducted for this study, this chapter offers concrete and specific recommendations for Mission leaderships, UNHQ, and Member States to assist enhancing the effectiveness of MINUSCA, MINUSMA, MONUSCO and UNMISS in the implementation of their protection mandates.

A. Recommendations for UN Peacekeeping Operations

Expectation Management, Advocacy, and Strategic Communication

Given the complexities of the environments to which UN peacekeeping operations are deployed, combined with a glaring mismatch between the breadth of the (protection) mandates and the resources provided, it is crucial for each of the four studied missions to better manage expectations about what they can and cannot achieve in terms of protection. Enhanced strategic communication by the Missions is crucial, and Mission leadership, together with the Integrated Operational Teams (IOT) at UNHQ, should actively manage expectations at UNSC level, with Member States, and the wider international community, as well as with local populations. In doing so, the Missions are recommended to improve strategic communication on protection by

using established channels such as radio, but also technologies including social media to reach new audiences and enhance connections with engaged populations.

> Given the increasingly divided world in which the UN operates, peacekeeping operations cannot afford to be portrayed as ineffective mechanisms for peace and security, and must take steps to enhance their effectiveness in terms of protecting civilians from violence.

Central to enhanced and more effective communications are the CLAs and language assistants. The value and effect of these assets should not be underestimated, especially for Missions reaching transition, such as MONUSCO. More work should be done to ensure that their utility within the Missions is understood and effectively leveraged. Efforts to increase the numbers of females working in these roles should be increased, as should understanding barriers to their deployment. Through a strong CLA network, CANs can be improved and their potential for increased communication and EW/RR maximised. Additionally, these tools can be used to further engage CSOs and other community organisations to focus strategic communication appropriately.

When engaging with UNHQ and Member States, advocacy messages for adequate resources (personnel, budget and equipment tailored to each context) need to be strengthened by the missions, making clear linkages to enhancing the effectiveness of UN peacekeeping operations in the implementation of their protection mandates.

Prioritisation of Protection Mandates and Leadership Support

Mission leadership needs to ensure that initiatives undertaken at the working level to enhance performance on protection are recognised, streamlined, and implemented. For example, the PoC workshop that was held in in MINUSMA in August 2021 identified numerous challenges and recommendations that would contribute to enhancing the implementation of MINUSMA's protection mandates and the Mission's performance in this field. Follow-up on this is required by Mission leadership so that the recommendations of the PoC workshop can be implemented through joint efforts involving all Mission components. These efforts should be documented and disseminated so their value will not be lost. To improve coordination and collaboration on the implementation of protection mandates, it is recommended that the protection-oriented teams and sections (PoC, HRD, WPA and CP) in each Mission work to exchange information about such initiatives for cross-pollination and support each other through a coordinated platform. Recognising the enormous workload of these sections, structural inter-mission sharing of

information about challenges and good practices has the potential to highlight opportunities and prevent a duplication of efforts and the loss of proven, effective methods.

> Mission leadership needs to ensure that initiatives undertaken at the working level to enhance performance on protection are recognised, streamlined, and implemented.

In addition to this, it is a leadership responsibility to address the structural personality and cultural problems that are observed in each of the missions as they have the potential to significantly impact mandate implementation. Interviewees from each of the missions reported an unwillingness, or lack of sharing information by some sections, and this subsequently leading to delays in providing protection to people in need. Impacting mission performance, these issues need to be urgently addressed and resolved under the leadership of the SRSG. To assist in this, PoC advisors, as well as Senior CPAs and WPAs, could be tasked to carry out mission-wide reviews of, for example, information sharing on protection issues and responses. This may highlight key obstacles and opportunities to enhance communication, coordination and cooperation across mission sections and components.

In-Mission Training and Awareness-Raising

Mission components should place a stronger emphasis on awareness-raising and training on the various protection mandates and their interlinkages, focusing on enhancing implementation through coordination between components and sections. This should include joint and innovative efforts by dedicated protection advisors and focal points[740] within the civilian, military, and police components to enhance the general understanding of specific roles and responsibilities. To assist this, integrated table-top exercises would be useful scenario-based training tools while covering the interlinkages between protection mandates. Such integrated scenario training should include representation and involvement across all relevant components and be used to enable participants to work through situations in a training environment. This has the further effect of creating and improving relationships and networks across the civilian, military, and police components.

Regular training activities should be scheduled to address the frequent rotation of uniformed mission personnel. These should be monitored, and feedback on the content and delivery should be sought. This training should focus on data management, and the use of existing databases and coordination platforms. This would improve operational output, reduce time spent in data-inputting and ensure all personnel understand what information is required; ultimately feeding

740 Including PoC advisors, CPAs, and WPAs.

more timely and accurate information into coordination platforms such as the SMGP-P and PWG, as well as the MARA and MRM. Further integrated training should be delivered on the distinction between CRSV and SEA. This training should also include how to report, respond, and prevent, from a Force and UNPOL perspective.

When initiating in-mission training, technological constraints, such as access to computers and WIFI limitations, must be considered and worked around, for instance by developing different training tools like the CRSV visual aids used by MINUSCA. Further to this, mission components should work together with the IMTC to conduct and implement evaluations and impact assessments to ensure in-mission training is useful and understood. Several interviewees questioned the impact of training, especially referring to induction training.

In addition to this, 'on-the-job' mentoring should be considered as an effective way to train personnel and should ideally be employed during handover periods and at the start of deployments. Force and UNPOL staff could be 'seconded' to other units for a small amount of time to learn on the job and enhance relationships. For example, the MGPA could shadow the CPA and WPA for several days to learn about the mission's work on CP and CRSV. Vice versa, the same could be done as well so that civilian colleagues grow a better understanding of how the Force and UNPOL operate within the protection field. This approach would not only contribute to awareness-raising and growing of knowledge and expertise, but would also foster relationship building, information sharing, coordination, and cooperation across components.

In-Force Assets

Using strategic guidance, the Missions should look to create a Force directive on the use and deployment of ETs/EPs,[741] ensuring adequate training is delivered, including cross-mission integration and awareness-raising regarding the utility of the teams. M&E of the ET/EP's impact should also be considered, as MONUSCO did through the development of the Practice Note on the use of FETs.[742] Sector and Battalion Commanders need to understand the value of ETs/EPs and deploy them strategically to best effect. Information collection should be targeted, and the results analysed, and widely disseminated.

At Force HQ level, the 'five' hats given to the MGPAs (Gender, CRSV, CP, PoC, and SEA) in UN peacekeeping operations is too many, each requiring a deep level of liaison and understanding.[743]

741 OMA is due to publish policy on Engagement Platoons (EPs) in the second half of 2022 to offer standardised guidance on the use and deployment of these assets. Over the past years, missions have used (Female) Engagement Team terminology. Hence the use of ETs/EPs in this paper.

742 MONUSCO (2021) 'MONUSCO's engagement teams: Promoting the women, peace and security mandate' MONUSCO Practice Note February, http://dag.un.org/bitstream/handle/11176/401105/MONUSCO_Practice_Note_February%202021.pdf?sequence=1&isAllowed=y

743 It should be noted that these five hats, including PoC, are not given to MGPAs by official guidance and that OMA is in the process of codifying this in current guidance.

Noting the critical nature of each mandate, and the need for an entry point for each within the Force, it needs to be ensured that roles are allocated for protection specifically within the Force.[744] It is recommended that SEA be removed from the MGPA or other protection roles and that it is kept with the Conduct and Discipline officer within the Force. Findings from interviews across the four Missions suggested that the MGPAs and their support staff spend a vast amount of time dealing with risk assessments, and other training and follow-up work on SEA issues. This in turn could address the confusion within the Force over the differences between CRSV and SEA. It would also release capacity to focus on the implementation of the protection mandates.

Presence of Other Security Personnel, Including Private Military Contractors (PMCs)

As described in the MINUSCA and MINUSMA chapters, the presence of other security personnel, including PMCs, hampers the implementation of protection mandates by UN peacekeeping operations. To address this, these Missions must continue to insist on receiving guidance from UNHQ on the legal status of, and how to interact with, PMCs such as the Wagner Group. This needs to be done not only in light of protecting civilians, but also in light of protecting peacekeeping personnel. Once received, the Missions need to ensure that this guidance is understood across the Mission and integrated into RoE, and safety and security training. This could contribute to building in-mission confidence to interact and respond to these other actors, something that is not currently happening and, therefore, stalling the PoC. In addition to that, the distinction between Mission personnel and these other actors is not always clear, and mis- and disinformation is being actively shared to cause reputational damage to the missions. A discreet information campaign would be beneficial to ensure this distinction is made and mis- and disinformation are countered.

Improvised Explosive Devices (IEDs)

MINUSMA, MINUSCA and MONUSCO increasingly face threats and incidents related to IEDs in their areas of operations. Training across the Missions must be conducted to increase awareness and raise internal capacity to identify and respond to IED threats. The recent launching of the Specialized Training Materials for UN Military Explosive Ordnance Disposal (EOD) Units by DPO[745] is a welcome development in this regard and further initiatives in this field should be undertaken for and by the Missions. An inter-mission working group may assist furthering this work, as, for instance, lessons can be drawn from MINUSMA for MINUSCA and MONUSCO. In line with current work ongoing by the HCTs, particularly UNMAS and Mine

744 OMA's forthcoming guidance suggests separate advisers for gender and protection.

745 UN Peacekeeping Resource Hub (2022) 'Specialized Training Materials for United Nations Military Explosive Ordnance Disposal Units', https://research.un.org/en/peacekeeping-community/training/STM/EOD

Action Protection Sub-Cluster partners, awareness campaigns should be launched or enhanced, tailored to the threats and those vulnerable to them, to educate populations likely to encounter IEDs. In CAR, it is understood that the armed groups responsible for the use of IEDs have not yet been formally identified. Work should be done to do this, enabling dialogue between the Mission and armed groups to advocate for the removal of such weapons.

More equipment to counter IED threats is required. This includes vehicles designed to operate in the emerging threat environment and in-country expertise to build capacity within the Force (and others) to assess, clear and prove routes to enable protection activities. This requires troops that deploy with the technical capacity and mindset to work in these environments.

B. Recommendations for UNHQ, UNSC, and the Fifth Committee

Mandates and Resources

The existing gap between the mandated tasks of MINUSCA, MINUSMA, MONUSCO and UNMISS versus their allocated resources is preventing the missions from fully implementing their protection mandates. It needs to be closed. This means that, as mandate renewals come up, the UNSC and the Fifth Committee (responsible for budget allocations) need to ensure that the Missions are equipped with adequate resources that match the language and tasks included in their mandates. Strengthening the capacity of these missions to fulfil their protection mandates is not just a matter of increasing troop and police numbers. The UNSC should approve the UNSG's request for higher troop and police contingent ceilings on three priority conditions: the right type of capabilities, better integrated action, and maintaining civilian capacities.[746]

> In closing the mandate-resource gap, it is necessary to ensure that the Missions are fit for purpose, have the required capabilities to operate all year-round and can cope with the impacts of climate-change.

Given the changing circumstances in mission areas and in line with current requests from the missions, analytical capabilities need to be improved and assets provided that enable operations in challenging climatological conditions. In closing the mandate-resource gap, it is necessary to ensure that the Missions are fit for purpose, have the required capabilities to operate all

746 CIVIC (2020) 'What Does MINUSCA's November 2020 Renewed Mandate Mean for the Protection of Civilians in the Central African Republic?'

year-round and can cope with the impacts of climate-change. Vehicles capable of moving in flooded environments and withstanding extreme heat are particularly important in this regard.

In addition, the Fifth Committee and donors (Member States) need to ensure that adequate and specific civilian capacities are deployed to the missions to implement their protection mandates. This includes the deployment of PoC advisors, CPAs and WPAs, with a budget to undertake activities such as field missions. Each of the four missions currently has a severe shortage of these advisors, with little or no presence in field offices. As a result, the missions often do not have dedicated expertise at field-level that can guide local protection responses. Moreover, the limited presence of dedicated advisors negatively impacts coordination and communication on protection issues. Collectively, this underrepresentation hampers the ability of the missions to implement their protection mandates and directly impacts on their effectiveness and performance. As recruitment and human resource procedures are often lengthy, external peacekeeping protection specialists should be hired for short-term consultancies, or be deployed through secondments when the necessary capabilities within the mission are lacking, to temporarily fill these gaps until the dedicated advisors join the mission. This can, for example, be done through standby partner resources, such as NORCAP.]

> Missions need to be given flexibility to respond and adapt to the rapidly changing circumstances in each context and use resources accordingly, making use of in-mission expertise for decision making on this.

Further to that, all four missions need to be given flexibility to respond and adapt to the rapidly changing circumstances in each context and use resources accordingly, making use of in-mission expertise for decision making on this. This flexibility needs to be provided by the Security Council through adaptive and pragmatic mandates. Overt UNHQ based steering of missions may limit their ability to enhance effectiveness of protection mandate implementation.

Policy and Guidance

As highlighted in the introduction to this study, there exists a lack of clarity across the UN system with regards to doctrinal understandings of key protection aspects. Interviews indicated fundamental differences in understanding and expectations, and that this confusion spans across the different protection mandates outlined in this paper. These areas lacking clarity regarding the protection mandates risk hampering protection efforts in mission. Therefore, these gaps in common understanding need to be addressed by UNHQ through the provision of comprehensive guidance on interlinkages and complementarity between the protection mandates. This guidance should complement the policies and handbooks which have been

produced on the various specific protection mandates over the past years, which have been useful tools for the missions.

> There exists a lack of clarity across the UN system with regards to doctrinal understandings of key protection aspects.

In addition to this, UNHQ should ensure the ET/EP policy and training materials are finalised as soon as possible, and ensure appropriate dissemination and direction is given to TCCs. Deployments of ET/EPs should then be standardised and used across the four Missions to enable effective impact evaluation and best-practice sharing. The guidance should ensure that roles and responsibilities are clear, including command and control (C2) structures. It is recommended to coordinate EP/ET pre-deployment training to build upon the proven benefits of teams already deployed, formed, and trained.

> Gaps in common understanding need to be addressed by UNHQ through the provision of comprehensive guidance on interlinkages and complementarity between the protection mandates.

Legal guidance is required with regards to the status and interaction with national and foreign PMCs, including the Wagner Group. The prevalence of PMCs and other security actors is growing across the African continent and is likely to become a new dynamic affecting other peacekeeping Missions as well.[747] This presents an opportunity for the UN to engage with these actors at the highest strategic levels and advocate on protection issues. The missions require legal documentation to determine how to interact with PMCs, including detailed RoE. Guidance needs to be provided, especially as there have been cases where other security actor elements including PMCs have been offered shelter from attack by armed groups in UN bases. This paper also echoes recommendations made elsewhere to encourage UN stakeholders to specifically name PMCs in future reporting.[748]

747 In September 2021, Mali entered into talks with Russia regarding the deployment of the PMC Wagner Group to train forces and provide security. See, for example, McKinnon, A. (2021) 'Who Blessed the Vlads Down in Africa?' *Foreign Policy*, 24 September, https://foreignpolicy.com/2021/09/24/russia-wagner-group-mali-africa-putin-libya; Al Jazeera (2021) 'Mali approached Russian military company for help: Lavrov', 25 September, https://www.aljazeera.com/news/2021/9/25/mali-approached-russian-private-companies-moscow-not-involved; Akinwotu, E. (2021) 'UK joins calls on Mali to end alleged deal with Russian mercenaries', *The Guardian*, 30 September, https://www.theguardian.com/world/2021/sep/30/uk-joins-calls-on-mali-to-end-alleged-deal-with-russian-mercenaries

748 IPI, Stimson Centre, and UNSC (2021) 'Prioritization and Sequencing of Security Council Mandates: The Case of MINUSCA', https://www.ipinst.org/wp-content/uploads/2021/11/2111_The-Case-of-MINUSCA2021-PDF.pdf

Training on Protection Mandates

To be able to prepare for the complex protection contexts that civilian, military, and police peacekeepers deploy to, UNHQ needs to ensure that they have access to up to date, protection-oriented training materials that contribute to improving expertise on the protection mandates. Currently, most of the existing UN peacekeeping training materials on protection have been developed by the DPO Integrated Training Service. Some of these training materials are hosted online on the UN Peacekeeping Resource Hub, which has been identified as a good practice as it makes them widely accessible, including to the public. This includes Specialized Training Materials on CRSV and for CP staff.[749] In addition to these, the military and police versions of the Comprehensive PoC Training Materials are available via the DAG Repository.[750]

Unfortunately, not all peacekeeping training materials on protection are available online, and, as those that are online are spread across different websites (that are in some cases inaccessible for the public), it is recommended that UNDPO establishes a systematic approach to consolidate. One training database should be developed and used by UNHQ, including all peacekeeping training materials on protection and other topics. Such a database should be accessible to all Member States and future and currently serving peacekeepers. This will assist Member States, as well as colleagues at UNHQ and in the Missions, in better preparing peacekeepers to work on the protection mandates. UNHQ needs to ensure that these protection training materials are updated regularly. It is also recommended for UNHQ to develop stand-alone scenario-based, mission-specific training modules on the various protection mandates, which can be added to the Core Pre-deployment Training Materials, Specialized Training Materials, and Integrated Training Materials on the various protection mandates, or be used by TCCs and PCCs as required.

C. Recommendations for Member States

Pre-Deployment Training

Following on from the previous recommendations for UNHQ, Member States play an equally significant role in ensuring that their peacekeepers are trained to work on the protection mandates of the Mission to which they deploy. Having a good understanding of the context in which the Mission is deployed, as well as the specific protection concerns and threats in the

749 UN Peacekeeping Resource Hub (2022) 'Specialized Training Materials', https://research.un.org/en/peacekeeping-community/training/STM/Introduction

750 UN (2017) 'United Nations Comprehensive Protection of Civilians Training Materials for United Nations Peacekeeping Operations – Military Version, http://dag.un.org/bitstream/handle/11176/400703/RTP_CPOC_Military_-_Instructional_Material.pdf?sequence=10&isAllowed=y; UN (2020) 'United Nations Comprehensive Protection of Civilians Training Materials for United Nations Peacekeeping Operations – Police Version', http://dag.un.org/handle/11176/401054

Mission area, is crucial for success. To enhance the effectiveness of the Missions with regards to the implementation of their protection mandates, TCCs and PCCs should, therefore, provide context-specific pre-deployment training on protection, including PoC, CRSV, HR and CP. In addition, Member States need to ensure that (seconded) civilian staff receive training on the protection mandates. These training initiatives should move beyond the teaching of concepts, by increasing the use of scenario-based exercises and do more follow-up to monitor the impact of the trainings. Ideally, Member States, TCCs, and PCCs should systematically engage personnel returning from peacekeeping deployments during training initiatives for new rotations, so that knowledge and experience is shared and documented. Such an approach will give new peacekeepers a significant advantage, as they are expected to hit the ground running when they arrive in the Mission area.

> TCCs and PCCs should strengthen efforts to increase the deployment of female military and police personnel, particularly at tactical levels, to create more diverse uniformed components that can respond to a variety of protection concerns.

TCC and PCC Deployments

Further to adequate training, to enable timely and effective responses on protection issues, TCCs and PCCs should be deployed with equipment that is suitable to the operational environment. This includes assets that enable swift and flexible Force deployments and equipment that enables night operations, etc. Given the increasing IED threat in mission areas, TCCs should deploy with equipment that meets the threats faced and with adequately trained personnel to use and maintain equipment to counter these threats.

To assist the missions in the implementation of their protection mandate, TCCs and PCCs should strengthen efforts to increase the deployment of female military and police personnel, particularly at tactical levels, to create more diverse uniformed components that can respond to a variety of protection concerns. Lessons should be sought from existing research to understand and address barriers faced by military- and policewomen deploying to UN peacekeeping operations.[751] Further, to overcome language barriers in the mission area, TCCs and PCCs should also ensure that their units deploy with interpreters who speak the local language(s).

751 See, for example, Vermeij, L. (2020) 'Woman First, Soldier Second: Taboos and Stigmas Facing Military Women in UN Peace Operations', IPI, 19 October, https://www.ipinst.org/2020/10/taboos-and-stigmas-facing-military-women-in-un-peace-operations

In addition, TCCs – specifically NATO members and allies – need to ensure that their contingents are prepared for the unique structure of UN peacekeeping operations that give civilians not just overall command but also significant input into operational decision-making. A shift in mindset is required for the successful, cross-component implementation of protection mandates, which needs increased attention during pre-deployment phases as well as in-mission.

Civilian Dedicated Protection Advisors

As highlighted throughout this study, the roles of dedicated protection advisors (PoC, CPAs and WPAs) are still under resourced and understaffed within the civilian component. To aid the implementation of the protection mandates in UN peacekeeping operations, Member States are urged to assist the Missions by dedicating the required resources to match the protection language that has been included in the mandates of UN peacekeeping operations. This may, among other things, be done through the provision of seconded experts, which is a good practice in terms of providing the Missions with additional capacity. Seconded experts on protection are currently provided to UN peacekeeping operations by several Member States and organisations, including Germany, Norway, Sweden, and the Netherlands.

D. Looking Ahead

As illustrated throughout this report, UN peacekeeping operations find themselves at a complex crossroads. The areas in which they operate are contested and congested, and serious efforts need to be made for the Missions to stay relevant. With the intent of contributing to this, the research team has aimed to highlight good practices and gaps on the implementation of protection mandates, providing recommendations with the goal of supporting efforts that enhance the effectiveness of protection work by UN peacekeeping operations. Still, this work cannot be improved or completed without the inclusion of the voices of the people UN peacekeepers serve. It is, therefore, recommended that a follow-up study be conducted with a specific focus on the populations UN peacekeeping operations are mandated to protect. Complementing this report, it is recommended for such a follow-up study to engage across communities and other external actors to better understand protection needs and external perceptions of how UN peacekeeping operations could improve the implementation of their protection mandates. Furthermore, such a study should look at how local populations can become more involved in assessments, decisions, early warning, and actions aimed at improving their protection. It is in this joint spirit that the UN is uniquely placed to work towards lasting peace and security.

Annex 1: The Effectiveness of Peace Operations Network (EPON) Project Summary

Peace operations are among the most important international mechanisms for contemporary conflict management. However, their effectiveness remains the subject of confusion and debate in both the policy and academic communities. Various international organizations conducting peace operations, including the United Nations (UN), the African Union (AU), and the European Union (EU), have come under increasing pressure to justify their effectiveness and impact. Although various initiatives are underway to improve the ability to assess the performance of peace operations, there remains a distinct lack of independent, research-based information about the effectiveness of such operations.

To address this gap, the Norwegian Institute of International Affairs (NUPI), together with over 40 partners from across the globe, have established an international network to jointly under- take research into the effectiveness of peace operations. This network has developed a shared methodology to enable the members to undertake research on this topic. This will ensure coher- ence across cases and facilitate comparative research. The network produce a series of reports that are shared with stakeholders including the UN, AU, and EU, interested national government representatives, researchers, and the general public. All the EPON reports are available via https://effectivepeaceops.net. The network is coordinated by NUPI. Many of the partners fund their own participation. NUPI has also received funding from the Norwegian Research Council and the Norwegian Ministry of Foreign Affairs to support the Network and its research, including via the UN Peace Operations project (UNPOP) and the Training for Peace (TfP) programme.

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The Protection of Civilians remains a critical feature of United Nations (UN) peacekeeping operations, offering unique support to populations at risk in fragile and failing states, with a focus on long-term stability and peace. Hosting nations are, however, increasingly engaging the support of bilaterally deployed forces and private military contractors to achieve military and security objectives, often at the expense of existing peace and diplomatic processes and human rights. Adapting and responding to these changing environments is essential for UN missions in terms of retaining their relevance and realising their mandated protection objectives. This requires improved support and resource allocation and improved utilisation of existing resources.

Drawing on in-depth interviews and conversations with representatives of UN peacekeeping operations and UN Headquarters, this report explores challenges and opportunities in the implementation of protection mandates of four multi-dimensional peacekeeping operations, namely, MINUSCA, MINUSMA, MONUSCO, and UNMISS. It offers insights into contextual challenges arising from the volatility of the environments in which they work and internal challenges related to the complex nature of jointly implementing civilian, military, and police protection activities.

Given the crossroads UN peacekeeping operations find themselves at, the report provides forward-looking recommendations and encourages reflection and flexibility to support enhanced engagement on key protection issues that are integral to international peace and security.

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