

Reconciling Security Sector Reform and the Protection of Civilians in Peacekeeping Contexts

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United Nations peacekeeping operations are frequently mandated both to protect civilians and to support security sector reform. These mandates implicitly assume that the protection of civilians and security sector reform are complementary and mutually reinforcing. But neither academics nor policymakers have examined how exactly they are related, and past experiences of peacekeeping operations show that there can be friction when the two are pursued simultaneously. A better understanding of both the convergences and the tensions between the two agendas will help peacekeeping operations reduce this friction and improve the security of populations under threat.

This Issue Brief is the product of a collaboration between the Stimson Center and the Geneva Center for the Democratic Control of Armed Forces (DCAF). It combines DCAF's expertise on security sector reform with Stimson's expertise on the protection of

civilians, throwing new light on the previously unexamined relationship between the two agendas. It is the third and final Issue Brief produced as part of Stimson's Engaging Community Voices in Protection Strategies initiative. The other Issue Briefs in this

series, *Community Perceptions as a Priority in Protection and Peacekeeping* and *Community Self-Protection Strategies: How Peacekeepers Can Help or Harm*, are available at www.stimson.org/engaging-communities.

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Introduction

The war in the Democratic Republic of Congo (DRC) directly resulted in the deaths of 860,000 people, mostly civilians, over the period 2007–2010.¹ The vast majority of these deaths, to say nothing of grave human rights abuses, occurred at the hands of rebels, demobilized combatants or state security forces.² It was therefore entirely appropriate that in 2009 the United Nations Security Council made the protection of civilians (POC) and supporting security sector reform (SSR) two of the top priorities for its mission in the DRC.³ A report of the UN Secretary-General from the time argued that “professional national armed forces and police are prerequisites for the protection of civilians to ensure that security forces will not commit serious human rights violations and that they have the capacity to prevent and respond to them.”⁴

Making the security sector both effective and accountable is the goal of SSR, and it is by this reasoning that international support to SSR and POC have been systematically linked, not only in the DRC but in many UN peacekeeping and stabilization missions. While the linkages may appear intuitively obvious, realizing the goals of POC while supporting national efforts at SSR reveals complex challenges in concept, policy and practice. The idea that SSR always, everywhere and necessarily contributes to the immediate goals of POC is a widespread misunderstanding of both POC and SSR, which allows potential risks and unintended consequences to go unnoticed.

This Issue Brief proposes a new definitional approach to linking POC and SSR and offers prospects for connecting the two more cohesively in policy and implementation. It begins by defining POC and SSR in the context of UN peacekeeping.⁵ It then examines the relationships between POC and SSR in concept, policy and implementation. It argues that while there are some important convergences between POC and SSR conceptually and operationally, there are also important tensions that might cause international support to SSR and international responsibilities for POC to undermine each other.

Because policymakers and practitioners, including UN peacekeeping operations, tend to assume that POC and international support to SSR are inherently compatible, they have thus far failed to acknowledge these tensions. This misunderstanding leads to poor policy and practice in both POC and SSR support, creating risks to civilians and to the credibility and legitimacy of peacekeeping operations. It also leads to missed opportunities in both POC and SSR because recognizing and resolving tensions also creates opportunities to maximize the benefits from aligning these two related but separate agendas.

This Issue Brief accordingly recommends ways for UN peacekeeping operations to reinforce the convergences between the two agendas and to mitigate the tensions that arise in protecting civilians while supporting SSR.

The idea that SSR always, everywhere and necessarily contributes to the immediate goals of POC is a widespread misunderstanding of both POC and SSR.

1 *Human Security Report 2009/2010: The Causes of Peace and the Shrinking Costs of War* (New York: Oxford University Press, 2011).

2 Thirty-First Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, 30 March 2010, S/2010/164.

3 UN Security Council Resolution 1906, 23 December 2009, S/RES/1906.

4 Thirty-First Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, 30 March 2010, S/2010/164.

5 For the purposes of this paper, “peacekeeping operations” refer to any UN mission directed by the Department of Peacekeeping Operations.

What exactly these vague linkages mean in concept and context depends on the dominant definitions of the policies in force.

Defining POC and SSR

POC and SSR are concepts that have only recently been translated into the context of UN peacekeeping. When the Security Council authorized the United Nations Mission in Sierra Leone in 1999, it became the first UN peacekeeping operation mandated to protect civilians from physical violence. Only five years later, in 2004, the UN peacekeeping operation in the DRC received the first mandate to assist national authorities in the reform of their security forces.⁶ The operational interpretations of POC and SSR in a UN context were ad hoc at best at the time these first mandates were drafted. Yet since these first mandates were issued, many UN peacekeeping operations have been tasked with both POC and SSR.⁷ As a result, increasingly detailed definitions, policies, and strategic and operational guidance have been developed to support their implementation.

As POC and support to SSR have emerged as core priorities in more and more UN peacekeeping missions, mandates, general guidance and mission strategies have increasingly asserted a positive and mutually conducive relationship between POC and SSR. For example, a 2012 toolkit on POC coordination notes support to SSR as among those mission components whose “added value should be considered in the context of POC strategy,”⁸ while the UN guidance on supporting SSR advises UN actors to draw “impetus and support” from POC operational concepts in upholding basic principles of human rights and accountability.⁹ While such references to the link between POC and SSR in peacekeeping missions are becoming more common, there has been no explanation of how these two agendas relate to each other. What exactly these vague linkages mean in concept and context depends on the dominant definitions of the policies in force. This section briefly introduces current understandings of POC and SSR in order to clarify the discussion about their relationship in concept, policy and implementation.

Defining the protection of civilians

Protection of civilians mandates are very common among modern-day UN peacekeeping operations; currently, more than 97 percent of peacekeeping personnel serve in missions mandated to protect civilians.¹⁰ POC mandates generally require peacekeepers — including military, police and civilian personnel within the mission — to protect civilians from “imminent physical violence.” In POC-mandated missions authorized under Chapter VII of the UN Charter, such as the current peacekeeping operations in the Democratic Republic of Congo, South Sudan and Mali, peacekeepers are authorized to use force in order to protect civilians.¹¹

The current definition of POC in the context of UN peacekeeping operations was laid out by the UN Departments of Peacekeeping Operations (DPKO) and Field Support (DFS) in a Draft Operational Concept in 2010. (It is important to keep in mind that the

6 Heiner Hänggi and Vincenza Scherrer (eds.), *Security Sector Reform and UN Integrated Missions: Experience from Burundi, the Democratic Republic of Congo, Haiti and Kosovo* (Geneva: Geneva Center for the Democratic Control of Armed Forces, 2008), 9.

7 For a list of all current UN peacekeeping operations whose mandates include both POC- and SSR-related language, please see the Annex on page 24.

8 *Protection of Civilians: Coordination Mechanisms in UN Peacekeeping Missions* (New York: UN Department of Peacekeeping Operations and Department of Field Support, 2012), 56.

9 *Security Sector Reform Integrated Technical Guidance Notes* (New York: UN Security Sector Reform Task Force, 2012), 74.

10 This figure is derived from the data provided at “Peacekeeping Fact Sheet,” United Nations, 31 October 2014, <http://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>.

11 The full list of UN peacekeeping operations operating under Chapter VII with a mandate to protect civilians comprises: MINUSCA (Central African Republic), MINUSMA (Mali), MINUSTAH (Haiti), MONUSCO (Democratic Republic of Congo), UNAMID (Darfur), UNISFA (Abyei), UNMIL (Liberia), UNMISS (South Sudan) and UNOCI (Côte d'Ivoire).

After the Rwanda and Srebrenica atrocities, the Security Council recognized that UN peacekeepers needed to take proactive measures to protect civilians.

DPKO/DFS definition of POC, which applies to UN peacekeepers, may be very different from the definitions used by other actors, such as humanitarian nongovernmental organizations and even UN agencies.) This Draft Operational Concept defined POC as consisting of three tiers:¹²

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

This DPKO/DFS draft definition has not been formally adopted, but is the first clear statement from the UN of how POC by peacekeepers should be understood. After massive peacekeeping failures in the 1990s, notably the Rwanda and Srebrenica atrocities, the Security Council recognized that UN peacekeepers needed to take proactive measures to protect civilians in their areas of deployment, both to respond to a moral imperative as well as to preserve the credibility and legitimacy of peacekeeping. It began issuing POC mandates to peacekeeping operations without having defined what it meant by them. The lack of guidance about how to understand POC created confusion on the ground, as peacekeepers were uncertain what was required of them and what actions were permitted under a POC mandate. Peacekeeping operations developed ad hoc and disjointed approaches to POC, often in reaction to specific crises.¹³

The DPKO/DFS Draft Operational Concept helped to clear up some of this confusion, but its definition is so broad that it has raised many additional questions. Traditionally, POC has been understood to mean activities undertaken by peacekeepers to protect civilians directly by preventing, interrupting or mitigating violence against civilians. These activities constitute only the first and second tiers of protection under the DPKO/DFS definition (protection through political process and protection from physical violence, respectively). In the context of UN peacekeeping, this could include a number of activities undertaken by military, police or civilian components of a mission, such as: patrolling and conducting other deterrent activities (often in conjunction or cooperation with host state forces); physically intervening between perpetrators and civilians (again, often in conjunction or cooperation with host state forces); implementing early warning systems and conducting conflict analyses to identify potential hotspots; supporting local or national reconciliation efforts; mediating peace negotiations; and monitoring and reporting on human rights abuses.

The third tier broadens the POC definition further to include activities undertaken by peacekeepers to promote legal protection, to facilitate humanitarian assistance and advocacy, or to support national institutions, all with the aim of establishing a protective environment.¹⁴ In other words, instead of limiting itself to tasks that peacekeepers undertake to protect civilians directly, the third tier expands POC to include tasks that facilitate the protection of civilians by other actors (such as the host state government). This tier mirrors more rights-based approaches to protection influenced by doctrines of international humanitarian law and the distinct but related principle of the responsibility to protect, but

¹² *Draft Operational Concept on the Protection of Civilians* (New York: UN Department of Peacekeeping Operations and Department of Field Support, 2010).

¹³ Victoria Holt, Glyn Taylor and Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations* (New York: UN Department of Peacekeeping Operations and Office for the Coordination of Humanitarian Affairs, 2009), 8, 80.

¹⁴ *Draft Operational Concept on the Protection of Civilians* (New York: UN Department of Peacekeeping Operations and Department of Field Support, 2010). Although the Operational Concept describes these activities as falling under Tier 3 of POC, peacekeeping operation mandates generally list them as separate activities and not under the banner of POC.

SSR can only be a national process to which international actors may lend support.

it is so wide-ranging that in theory nearly all peacekeeping tasks, including support to SSR, could be said in some way to constitute POC.¹⁵ As we will explore below, this very broad definition encourages the conflation of POC and SSR support, creating confusion for practitioners and risks for peacekeeping operations.

Defining security sector reform

Security sector reform is a specific policy agenda by which states apply the principles of good governance to their security sectors in the interests of improving both state and human security. SSR is thus a technical and political process that aims to make state security sectors more effective and more accountable, within a framework of civilian democratic governance, rule of law and respect for human rights. SSR includes changes to legal and policy frameworks for security sector governance at the national level as well as the internal control and external oversight mechanisms that affect how security providers fulfill their missions. SSR thus reflects a holistic understanding of state and human security that includes all actors involved in security provision, management and oversight.

The central innovation in the idea of SSR is that all the parts of the state security apparatus, whether responsible for security provision, management or oversight, should be held to the same standards of good governance and service delivery as any other part of the public sector. Reform aims to ensure that the security sector conforms to the principles of good governance, which are accountability, transparency, rule of law, participation, responsiveness, effectiveness and efficiency. As a result of the sovereign nature of security affairs, SSR can only be a national process to which international actors may lend support in the form of experience, advice, good offices and financial and human resources. In the context of peacekeeping missions, international actors can support SSR, but only national actors can actually implement reforms.

The UN Security Council has been tasking both peacekeeping and political missions with explicit mandates to support national efforts at SSR since 2004, but its involvement in tasks that constitute SSR support is in fact much older than this, including, for example, support to democratic policing, civil affairs and human rights protections. However, these efforts were typically disconnected from each other, often failing to recognize the relationships that link security provision, management and oversight across the broad field of internal and external, state and non-state security actors. From the perspective of SSR, these early interventions lacked a holistic view of the security sector and thus a comprehensive approach to reform: for these reasons, they were also never able to effect sustainable improvements in the standards of sector-wide state security provision. This began to change in the late 1990s as the idea of SSR rose to prominence. Implicit references to SSR became increasingly common in UN peacekeeping mandates until the first official use of the term “SSR” appeared in the 2004 DRC mission mandate.¹⁶

However, as with POC, the use of the SSR concept outpaced the development of a UN approach to supporting SSR. Support to SSR began to be regularly included in UN mandates before there was any clear guidance about how to implement the agenda in the

¹⁵ Justin MacDermott and Måns Hanssen, *Protection of Civilians: Delivering on the Mandate through Civil-Military Coordination* (Stockholm: Swedish Defence Research Agency [FOI], 2010), 28-29. See also Alex J. Bellamy and Paul D. Williams, “The New Politics of Protection? Côte d’Ivoire, Libya and the Responsibility to Protect,” *International Affairs* 87 (2011): 825-850.

¹⁶ For a survey of SSR in UN missions, see further Heiner Hänggi and Vincenza Scherrer (eds.), *Security Sector Reform and UN Integrated Missions: Experience from Burundi, the Democratic Republic of Congo, Haiti and Kosovo* (Geneva: Geneva Center for the Democratic Control of Armed Forces, 2008).

context of UN missions.¹⁷ Demand for better implementation created momentum to develop a UN approach to supporting SSR that could guide actors in the field and at headquarters. Work toward this goal began in 2007, when the UN Security Council held its first open debate on SSR and the Secretary-General convened the Inter-Agency Security Sector Reform Task Force (SSR Task Force)¹⁸ for the purpose of developing a coherent UN approach to SSR.

Since 2008, an SSR Unit within the Office of Rule of Law and Security Institutions in the UN Department of Peacekeeping Operations and the SSR Task Force have offered tailored support to peacekeeping missions, conducted training for UN personnel and associated staff, and established an expert SSR roster to support implementation. In 2012, the SSR Task Force released a set of Integrated Technical Guidance Notes (ITGNs) for field and headquarters staff supporting SSR. A second report of the Secretary-General on SSR followed in 2013, and, in 2014, a Security Council resolution completed the UN framework for SSR and cemented SSR support as a central pillar of UN approaches to post-conflict peacebuilding. The two reports of the Secretary-General, the ITGNs and the UNSC resolution together constitute a policy framework for a UN approach to SSR that supports national authorities to reform their own security sectors in line with the principles of good governance and democracy.

Relationship in concept

At the conceptual level, POC and SSR converge in several clear ways. But these points of convergence mask differences in when and how POC and SSR are supposed to contribute to post-conflict peacebuilding. These differences go some way to explaining why two such apparently compatible agendas can result in contradictory policies and implementation. This section offers a brief summary of how POC and SSR relate at the conceptual level.

The most obvious point of conceptual convergence between POC and SSR is that both aim to make people in vulnerable situations feel safer. In this shared goal, both POC and SSR aspire to improve physical security with the ultimate goal of improving human security. This focus on physical security aspects of human security aligns perfectly with the larger liberal peacebuilding agenda that prioritizes “freedom from fear” over “freedom from want.” This shared focus on physical security reflects the origins of POC and SSR as part of a larger agenda of liberal peacebuilding, but whereas POC was conceived as an international prerogative in response to conflict and its immediate aftermath, SSR emerged as part of a state- and institution-building agenda intended to foster sustainable and long-term conflict prevention. Thus, while POC seeks to make vulnerable people feel safe by preventing immediate physical violence to civilians in conflict and recent conflict situations, SSR seeks to achieve the same goal by supporting the long-term development of a national security sector that is both effective and accountable at providing security and protection for all individuals and their communities.

¹⁷ On the early development of SSR in UN peacekeeping missions, see further Vincenza Scherrer, “Challenges of Integration: Cooperation on SSR within the UN System and Beyond” in David Law (ed.), *Intergovernmental Organizations and Security Sector Reform: DCAF Yearbook* (Geneva: Geneva Center for the Democratic Control of Armed Forces, 2007).

¹⁸ At establishment, the SSR Task Force was co-chaired by DPKO and UNDP and included five other United Nations entities: The Department of Political Affairs, the Office of High Commissioner for Human Rights, the Peacebuilding Support Office, the Development Fund for Women (now part of UN Women) and the United Nations Office on Drugs and Crime. Membership later doubled to include: the United Nations Office for Disarmament Affairs; the United Nations Office for Project Services, the Office of the Special Advisor on Africa, the Office of the Special Representative on Sexual Violence in Conflict, the United Nations Children’s Fund, the United Nations Institute for Training and Research; and the United Nations Population Fund.

Both POC and SSR aspire to improve physical security with the ultimate goal of improving human security.

POC is a short-term agenda, whereas support to SSR is a long-term agenda.

Besides a commitment to human security, POC and SSR also share a strong normative consensus on the importance of human rights. In SSR, the aim is to ensure that security provision, management and oversight is respectful of human rights. Since ineffectiveness within the security sector is instrumental in permitting impunity for human rights abuses, whether by the state, by security personnel or by members of the wider community, a key aim of SSR is to create accountability that will prevent such abuses. POC shares the ambition to prevent human rights abuses, but its scope is limited to those human rights abuses related to physical violence.

In their shared commitment to human security and human rights, POC and SSR also share an analysis of the state as a major potential or actual threat to the physical safety of the population. SSR developed from the recognition that improving the effectiveness of security forces without also improving their accountability made the security sector more dangerous to the population. Similarly, POC was an agenda that developed from the recognition that international actors deployed in peacekeeping operations in highly volatile environments held a responsibility to protect civilians from violence, including violence perpetrated by the host state.

As well as situating the state as a major potential threat to human security, both POC and SSR emphasize the sovereign responsibility of the state to protect the population through legitimate security provision. In SSR, this imperative is operationalized through the idea of good governance of the security sector, which means effective and accountable security provision, management and oversight set within a framework of democratic civilian control. POC logically requires the security sector to meet the standards inherent to the SSR concept in order to complement POC by peacekeepers as well as to prevent physical harm perpetrated by the security sector.

There are two important points of divergence between POC and SSR at the conceptual level. First, the two concepts allocate responsibility for providing security differently. Although the POC and SSR agendas in peacekeeping operations clearly acknowledge the primary responsibility of the state to protect its own population and to provide for security, the POC agenda focuses on the role of peacekeepers as agents of protection, whereas SSR is by its nature an activity that only host states can perform. POC is something external actors in peacekeeping contexts can “do”; SSR is something external actors in peacekeeping contexts can only support. Thus, while both agendas acknowledge the sovereign prerogative and responsibility of the host state in national and human security provision, POC aims for peacekeepers to protect civilians until the host state can fulfill its responsibility, while support to SSR is an agenda aimed entirely at enabling the host state to eventually reach such a point.

Second, POC is a short-term agenda, whereas support to SSR is a long-term agenda. POC is intended to be a stop-gap measure for peacekeepers to provide protection until the host government is willing and able to protect its own population. Support to SSR has a much longer timeframe — partly because effecting major institutional changes to the security sector can take decades to accomplish and partly because SSR as a process has no defined end-point but instead is a constant process of refining and improving security sector governance. From this perspective, UN support to SSR in the context of a peacekeeping mission is always incomplete because such support can at best contribute only to the first steps in a longer term process of future SSR, which might occur as the capacity of the host state improves and long after the mission has ended.

These key conceptual differences are the source of many of the tensions that arise in policy and implementation, which the next sections lay out in more detail.

The UN has never spelled out how POC and SSR are related in policy.

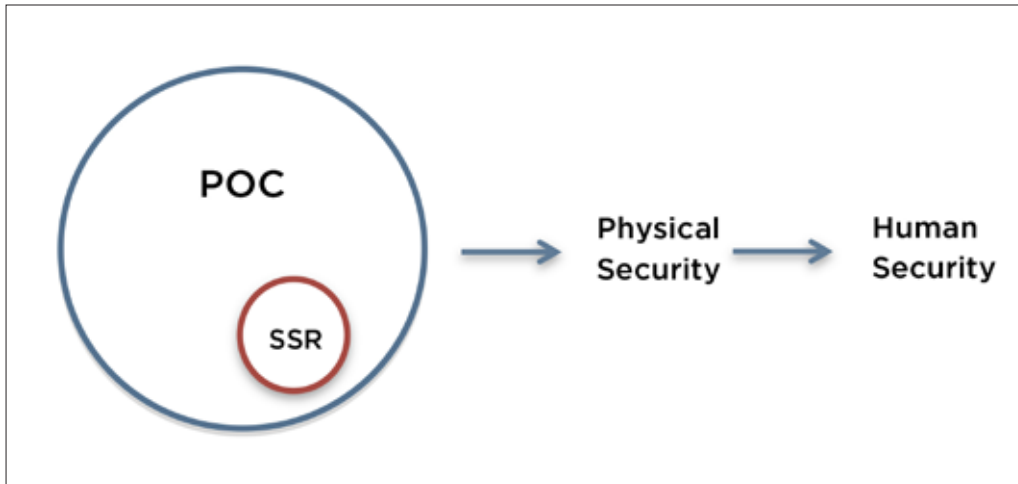


Fig. 1: SSR as a component of POC. POC contributes to physical security, which in turn contributes to the ultimate goal of human security.

Relationship in policy

The connection with POC has always been fundamental to the UN's conception of the relevance of SSR in post-conflict contexts: even the very first reference to SSR in a 2005 UN Security Council discussion made reference to the fact that reform of the security sector and the protection of civilians (among other agendas) should be priorities in post-conflict environments.¹⁹ Similarly, only two months after making this point for the first time, the Council stated, “security sector reform is an essential element of any stabilization process in post-conflict environments ... it is inextricably linked with promotion of the rule of law, transitional justice, DDR and the protection of civilians, among others, and acknowledges the need for more adequate preparation, including mobilization of necessary planning resources, and more coherent approaches by the United Nations and the international community in addressing these issues.”²⁰

Yet despite the many convergences between POC and SSR in concept, and the long history of their association in political statements, the UN has never spelled out how POC and SSR are related in policy. In Resolution 2151 on SSR, released almost a decade after the connection between SSR and POC was first raised, the Security Council recognized rather vaguely “the interlinkages between security sector reform and other important factors of stabilization and reconstruction, such as ... protection of civilians.”²¹ In some peacekeeping operation mandates, the two agendas are grouped together — such as in the 2004 mandate establishing the UN peacekeeping operation in Haiti, where POC and SSR both fall under the heading, “Secure and Stable Environment”²² — whereas in other mandates they are listed entirely separately. In the 2010 mandate that authorized the current UN peacekeeping operation in the DRC, known as MONUSCO, the train-and-equip aspects of reforming the army and police are listed under the heading, “Stabiliza-

19 “The Security Council underlines that priorities in the post-conflict environment should include, where appropriate: protection of civilians; disarmament, demobilization, repatriation, reintegration and rehabilitation of former combatants; security sector and economic and social reform; the end of impunity; establishment and re-establishment of the institutions of Government, the rule of law and transitional justice, respect for human rights; and economic revitalisation.” Statement by the President of the Security Council, 26 May 2005, S/PRST/2005/20.

20 Statement by the President of the Security Council, 12 July 2005, S/PRST/2005/30.

21 UN Security Council Resolution 2151, 28 April 2014, S/RES/2151.

22 UN Security Council Resolution 1542, 30 April 2004, S/RES/1542.

Viewing SSR as a component of POC gives little guidance to practitioners about how to implement policy.

tion and Peace Consolidation,” while activities related to preventing abuses by security forces are listed under the heading, “Protection of Civilians.”²³

This lack of clarity is concerning because the relationship between POC and SSR in policy is not obvious and can vary significantly depending on how the terms are understood. If POC is defined as it is in the DPKO/DFS Draft Operational Concept — that is, as including any measures that contribute to the establishment of a protective environment — then all SSR activities by a peacekeeping operation are necessarily also POC activities, since SSR aims to create a protective environment by strengthening the effectiveness and accountability of the security sector (See Fig. 1).

If, however, POC is defined more narrowly to include only direct interventions by peacekeepers to protect civilians, then not all SSR activities are POC activities (See Fig. 2). By this definition, the overlap between POC and SSR is restricted to:

1. activities carried out by UN peacekeepers that reduce the level of violence perpetrated by security forces (e.g., training on human rights and international humanitarian law, training on how to minimize civilian casualties during operations, vetting of security forces, political negotiations and advocacy to remove abusive elements from security forces, support on upholding high standards of discipline, oversight and accountability of security forces), or
2. activities carried out by UN peacekeepers that improve security forces’ capabilities to complement peacekeepers’ efforts to protect civilians from physical violence in the immediate context (e.g., training and equipping state security forces with the specific purpose of making them more effective in combined operations with peacekeeping forces in order to boost peacekeepers’ capacity to protect civilians from physical violence).

The first formulation, which views SSR as a component of POC, gives little guidance to practitioners about how to implement policy. For example, it makes it unclear what the Security Council means when it issues a mandate that instructs a peacekeeping operation to prioritize POC while also giving it a mandate to support SSR (as it has for the current peacekeeping operation in the Democratic Republic of Congo, for example). How should personnel, assets and resources be allocated? Which specific tasks should be undertaken first? As Giffen observes, the DPKO/DFS Draft Operational Concept “asserts that the three tiers are mutually reinforcing, but does not discuss the dilemmas and trade-offs that are likely to arise during planning and implementation of the three tiers,” noting in particular the potential problems missions face when working closely with host state governments that are also engaged in abuses against civilians.²⁴

In light of this problem, the second formulation, limiting POC to activities performed by peacekeepers in the first two tiers and thereby making it distinct from many SSR activities, provides practitioners with more helpful guidance on implementing POC and SSR simultaneously. It highlights specific areas of overlap, where POC and SSR components of a peacekeeping operation could coordinate more closely or jointly implement activities. It also accommodates the fact that POC and SSR mission components may have different short-term objectives that could steer their activities in different directions.

²³ UN Security Council Resolution 1925, 28 May 2010, S/RES/1925.

²⁴ Alison Giffen, *Enhancing the Protection of Civilians: From Policy to Practice* (Queanbeyan, Australia: Asia Pacific Civil-Military Center of Excellence, 2011), 7.

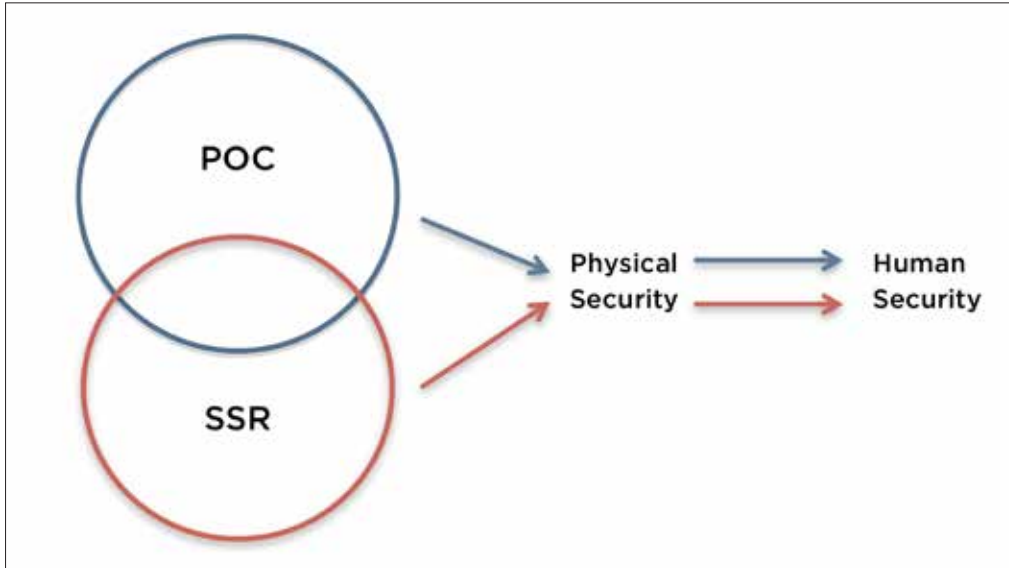


Fig. 2: POC and SSR as separate but overlapping agendas, both of which contribute to physical security, which in turn contributes to the ultimate goal of human security.

Such a definition is also realistic about the fact that support to SSR is often implemented with the close cooperation of other bilateral and regional actors. Where a UN mission has the scope, responsibility and moral obligation to implement a comprehensive POC strategy across its own mission operations, the reality on the ground is the UN is only a supporting actor in a larger national SSR strategy that will usually include support from other bilateral and national partners. The variety of actors supporting national SSR agendas and the typical lack of coordination between them mean that the mission may have little or no direct influence over how support to SSR affects its own POC strategy.

Drawing a distinction between POC and SSR in policy should not be taken to mean that protecting people is not central to the SSR agenda. Conflict sensitivity and a “do no harm” approach are fundamental principles of SSR, inherited from its origins as a development-driven agenda.²⁵ Since “do no harm” assessments “help understand the impact that an assistance program could have on the relationships between actors in a fragile state environment,” making POC concerns more explicit within these existing SSR assessment methodologies offers a promising entry-point for ensuring the potential contradictions in the protection of civilians and post-conflict SSR are avoided.²⁶

Distinguishing between POC and SSR agendas in this way also lays bare the critical assumption that improving the effectiveness of the state security sector can alone provide for sustainable civilian protection over the long term. This intuition underlies the sup-

²⁵ On the origins of SSR as a development-driven agenda, see further Albrecht Schnabel and Vanessa Farr (eds.), *Back to the Roots: Security Sector Reform and Development* (Geneva: Geneva Center for the Democratic Control of Armed Forces, 2012).

²⁶ “ISSAT Glossary: Do No Harm Analysis,” Geneva Center for the Democratic Control of Armed Forces, <http://issat.dcaf.ch/sqi/Home/Community-of-Practice/Resource-Library/SSR-Glossary/Do-No-Harm-Analysis>. See further *Security Sector Reform Integrated Technical Guidance Notes* (New York: UN Security Sector Reform Task Force, 2012), 64; Alan Bryden and Rory Keane, *Security Sector Reform: What Have We Learned?* (Paris: Organization for Economic Cooperation and Development, 2010); *Security Sector Reform Assessment Framework* (Stockholm: Folke Bernadotte Academy, 2012); OECD DAC *Handbook on Security System Reform* (Paris: Organization for Economic Cooperation and Development - Development Assistance Committee, 2007), 52.

posed link between SSR and POC activities based largely on improved training, equipment and operational capacity. However, such activities, while important aspects of any SSR strategy, cannot alone effect long-term sustainable change in how the security sector handles civilian protection. Experience from SSR shows that such activities only contribute to transformational change in security sector governance when anchored firmly within a holistic approach to reform that also sets the use of force by the host state within a framework of democratic, civilian control, rule of law and respect for human rights. In the absence of such a strategy, these types of POC activities may actually run the risk of making the security sector more dangerous in the long term, because improved capacity can as easily be turned to abuse as to protection. Distinguishing between POC and SSR thus shows that strategies to systematically improve the accountability of the security sector must be given as much emphasis as aspects of security sector effectiveness, not only because this is the goal of SSR but also because this is necessary to ensure civilian protection in the long term.

A policy approach that clearly distinguishes between the two agendas would help practitioners to identify and avoid these tensions.

Relationship in implementation

The most serious tensions between international responsibilities in POC and support to SSR arise in implementation. These tensions underscore the need to distinguish clearly between POC and SSR in policy and implementation instead of conflating the two agendas.

Competing short- and long-term objectives

The simultaneous implementation of POC and SSR support exposes friction related to timing. POC is intended to be a short-term measure to ensure the immediate security of civilians from physical violence during the period of a peacekeeping mission, whereas SSR is a long-term agenda for institutional change on the part of the host government. In theory, this does not pose a problem for implementation. The two could be seen to occupy different roles in different phases of violence. During widespread and active conflict, POC will likely be a peacekeeping operation's highest priority, and SSR will be impossible. As the country begins to experience more stability and levels of violence decrease, peacekeeping operations may attempt to implement POC and SSR simultaneously. In the long term, as violence drops to much lower levels that can be dealt with by the host state, POC becomes less important — the host state provides physical security, and international actors are no longer required to do so — though SSR may still be required to ensure that host state institutions are effective and accountable long after UN peacekeepers have withdrawn.

However, during a period when a peacekeeping operation attempts to implement POC and support SSR simultaneously, the differences between the short-term focus of POC and the long-term focus of SSR can create tensions and missed opportunities. For example, a POC mandate contributes to the existing tendency of international actors to support short-term SSR activities, which focus on developing the capacity and the integrity of members of state security forces without developing or reforming the governance institutions that make them credible security providers. While this tendency comes from wider flaws in international approaches to SSR, including a general neglect of governance concerns and excessive optimism about how much can be done and how

quickly, interpreting SSR through the short-term lens of POC contributes to dangerous misinterpretations about what constitutes sustainable reform in national security sectors.

For example, POC guidance identifies training on humanitarian law and POC norms for local security forces as a way of preventing harm to civilians, but training alone does little to protect civilians if a police officer or a soldier observes behavior she knows to endanger human rights but has no reporting procedure, no communications or transport support and, crucially, no support from the command hierarchy in providing accountability for abuse that is reported. While training is certainly an indispensable component of a comprehensive SSR strategy, it is necessary to dig deeper into the operational and institutional context of state security provision in order to develop an effective interface between POC and support to SSR. Proposing training alone as a POC strategy fundamentally underestimates the human, material and, above all, institutional resources necessary to create a situation where security forces can be prevented or deterred from abusing civilians.

The failure to grasp the import of such intersections goes some way in helping to explain why isolated short-term interventions, like training for security sector actors, have not translated into an accountable and non-abusive security sector in peacekeeping contexts over a longer timeframe in places such as the DRC. While these shortcomings are linked to more deeply rooted problems in peacekeeping, better articulating the relationship between POC and support to SSR can mitigate the effects of the contradiction between the means and the ends of statebuilding.

In particular, the short-term nature of POC interventions may encourage missions to prioritize train-and-equip activities by framing SSR as an exit strategy for the mission. POC-focused missions may prioritize developing state security forces that are good enough to take over the task of protecting civilians, thus allowing the peacekeeping operation to withdraw from the country. Some peacekeeping operation mandates explicitly link POC and SSR in this way. For example, UN Security Council Resolution 2098, which authorized the Force Intervention Brigade — an unprecedented military unit within the UN peacekeeping operation in the Democratic Republic of Congo, with a special mandate to protect civilians proactively by “neutralizing” armed groups — also specified that the Brigade would be required to fulfill this protection function only until a Rapid Reaction Force had been developed within the Congolese army with the capacity to take over its duties. Resolution 2147 further instructed the mission to prioritize the establishment of this Rapid Reaction Force “as a first step” in its efforts toward army reform.²⁷ The short-term imperative of a POC approach may thus further emphasize train-and-equip style reform, making it difficult to support the longer-term aspects of SSR, which focus on creating institutional change and developing accountability and effectiveness through good governance.

Conflating security provision and security reform

The simultaneous implementation of POC and SSR support mandates also exposes friction related to relationships with the host state government. In theory, both POC and SSR recognize that state security forces may abuse a population, and both agendas try to prevent such abuses. However, in practice, the strong ties to the state security sector that SSR activities require can in certain circumstances undermine a peacekeeping opera-

The short-term nature of POC may encourage missions to frame SSR as an exit strategy.

²⁷ UN Security Council Resolution 2147, 28 March 2014, S/RES/2147, paragraph 5(f).

Strong ties to the state security sector can undermine a peacekeeping operation's ability to protect civilians.

tion's ability to protect civilians. For example, in the context of political violence between the government of South Sudan and an opposition movement that included widespread abuses against civilians by both sides, the Security Council recognized that the UN peacekeeping operation's impartiality — and thus its ability to protect civilians — would be compromised if it continued to work with or build the capacity of the state security sector. It therefore issued a new mandate that temporarily removed the statebuilding and SSR mandates of the peacekeeping operation in South Sudan and prioritized POC.²⁸ This revised mandate highlighted the difficulties that a close relationship with an abusive host state government can pose for the protection of civilians.

There may also be tensions related to how peacekeepers involve state security forces in their operations. The SSR agenda is premised on national responsibility (with international support), whereas POC makes international actors directly responsible for protection. This creates tensions between a POC focus, which would encourage peacekeepers to take action themselves, and an SSR agenda, which might prioritize encouraging and facilitating national security forces to respond to the situation themselves. This type of conflict can arise in operational contexts when the multiple responsibilities of UN security personnel become blurred, and especially when the crucial distinction between security provision and security reform is lost. The presence of a military component to assure security on a day-to-day basis in a peacekeeping context is fundamentally different from the task of advising or mentoring national security forces, and in practice UN military components only rarely do both. However, in situations where troops do provide security but also training and advice, it may be a slippery slope from agent of civilian protection to unwitting or unwilling accessory to civilian abuse.

The danger of conflicting responsibilities between SSR and POC is perhaps greatest, and most often underestimated, in the case of UN police (UNPOL), because UNPOL personnel are often deployed to do both security provision and security reform tasks at once. For example, in situations where the UN does not have executive police authority (which is frequently the case), UNPOL personnel provide law enforcement in cooperation with host nation police forces, with a dual goal of simultaneously providing support, advice and mentoring to build national police capacity. In benign environments, security provision and reform can be mutually conducive and progress simultaneously. But this arrangement is more complicated when national policing is abusive of civilians either by intention or neglect, and the POC imperative would require UNPOL personnel to act immediately to stop such abuse. Dysfunctional police capacity practically always causes abuse of one kind or another — indeed, this is the very rationale for reform. While in theory POC allows for some kind of threshold for intervention based on “imminent threat of physical violence,” in practice neither POC nor SSR support policies provide adequate guidance or preparation for such situations, which leads to chaotic operationalization of both agendas. This leaves UNPOL personnel to operationalize their dual missions in security provision and reform without adequate instructions or accurate or timely information, based on their own estimates of national police capacity.

This dilemma helps to explain how a police force such as the Liberian National Police, which, under close mentoring of UNPOL personnel, including monitoring and co-deployments, has grown into a force that threatens the population with high levels of petty corruption and abuse.²⁹ In peacebuilding contexts, POC and support to SSR both re-

28 28 See UN Security Council Resolution 2147, 28 March 2014, S/RES/2147.

29 *No Money, No Justice: Police Corruption and Abuse in Liberia* (New York: Human Rights Watch, 2013).

quire engagement, and often close working relationships, with state security institutions. POC activities involve international security forces patrolling with state security providers as a deterrent to threats against civilians and responding together with state security providers to threats against civilians. Support to SSR in practice also often involves international security specialists working in support of state security delivery on a day-to-day basis in activities ranging from training, to mentoring, to advice, and increasingly to co-deployment. While the immediate objectives of this engagement differ, both SSR and POC activities require international and state actors to come to agreement about appropriate behavior in the operational provision of security. When to intervene, and how to do so, are questions that are central to implementation of both POC and SSR; whether POC and SSR undermine or reinforce each other in practice depends on the extent to which the answers to these questions align or conflict.

Reinforcing convergences in implementation

In the previous sections, we proposed an approach to defining POC and SSR that treats them as separate but overlapping agendas. These limited but clearly defined areas of overlap provide opportunities to implement the two parallel agendas in complementary ways. In this section, we identify tasks that constitute both POC and support to SSR according to our formulation and that could be undertaken jointly or with coordination by the POC and SSR components of peacekeeping operations such that they reinforce both agendas.

Vetting security forces

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

A few missions, like the UN peacekeeping operation in Haiti, known as MINUSTAH, are authorized to directly vet the state security sector (in the case of Haiti, to vet the Haitian National Police specifically).³⁰ Some missions are not explicitly authorized to conduct vetting but have interpreted their mandates to include vetting. For example, the UN peacekeeping operation in Liberia, known as UNMIL, is mandated to “assist the transitional government of Liberia in monitoring and restructuring the police force of Liberia, consistent with democratic policing, to develop a civilian police training programme, and to otherwise assist in the training of civilian police”³¹ and has on that basis conducted vetting programs within the Liberian National Police.³²

In some cases, actors such as private contractors, individual states, the European Union or NATO might be better placed to conduct vetting than a UN peacekeeping operation. However, peacekeeping operations may still play a useful indirect role in the vetting process. For example, the UN peacekeeping operations in DRC and Côte d’Ivoire are mandated to support their respective host state governments in developing vetting

30 UN Security Council Resolution 1542, 30 April 2004, S/RES/1542.

31 UN Security Council Resolution 1509, 19 September 2003, S/RES/1509, paragraph 3(n).

32 Charles T. Hunt, *UN Peace Operations and International Policing* (Abingdon, United Kingdom: Routledge, 2013).

mechanisms for the security sector,³³ and the UN peacekeeping operation in the Central African Republic is mandated to support vetting “through the provision of strategic policy advice and coordination of technical assistance and training.”³⁴

From an SSR perspective, this type of support is only likely to contribute to POC if the vetted forces are also equipped with sufficient institutional support to resist the pressures toward corruption and human rights abuses that might otherwise result. A clean record can quickly be compromised in the absence of internal controls, disciplinary mechanisms, codes of conduct and external oversight. POC provides an added incentive to emphasize these often neglected aspects of reform in UN support to SSR.

Training security forces on human rights and international humanitarian law

While training alone at the expense of more governance-focused reforms tends to be overemphasized in SSR and SSR support, it is nevertheless an important aspect of most attempts at SSR. Insofar as training is essential to comprehensive and people-centered approaches to security provision and reform, the goals of both POC and SSR can be better served by adapting training in the context of SSR to address POC issues directly by improving awareness of human rights protection and international humanitarian law.

Many peacekeeping operations do conduct training for host state security sector personnel in international humanitarian law and human rights law (or on specialized subsets of these laws, such as training on rights protection for vulnerable populations), but this is often done in an ad hoc manner. As with vetting, other actors, such as individual countries or the European Union, may sometimes have a comparative advantage in providing this kind of training, but a peacekeeping operation nevertheless could have an important role to play in coordinating or otherwise assisting with training.

In cases where a peacekeeping mission supports SSR by other actors, the mission’s POC priorities may help to emphasize and reinforce the centrality of a people-centered approach to security provision in an aspect of reform that often tends to be dominated by technical elements of security training. For example, when funding ran short in a US-sponsored basic training for the first class of recruits to the new armed forces of Liberia, it was the international humanitarian law and civics lessons that were cut from the curriculum to make up the shortfall. Barely six years later, this force was accused of abuse of the civilian population the very first time it deployed on active duty.³⁵ This example does not of course prove that the absence of civics lessons caused the abuse that followed years later (the immediate catalyst was more likely a break in supply lines); instead, it shows that an institution that did not prioritize the protection of civilians failed to foster the development of a force inclined to provide it. A greater emphasis on the importance of SSR for POC might have led to a different approach to reform.

33 UN Security Council Resolution 2147, 28 March 2014, S/RES/2147, paragraph 5(e), authorizes MONUSCO to “[p]rovide good offices, advice and support to the Government of the DRC to enable the development and finalisation of a clear and comprehensive SSR implementation roadmap including benchmarks and timelines to establish effective and accountable security institutions, including vetting mechanisms.” UN Security Council Resolution 2162, 25 June 2014, S/RES/2162, paragraph 19(e), authorizes UNOCI to “offer support to the development of a sustainable vetting mechanism for personnel that will be absorbed into security sector institutions.”

34 UN Security Council Resolution 2149, 10 April 2014, S/RES/2149, paragraph 31(a). (N.B.: This activity is not one of the initial priorities identified for MINUSCA; the mandate authorizes it “as conditions permit and requests the Secretariat to begin planning for these tasks.”)

35 *Liberia: Uneven Progress in Security Sector Reform* (Brussels: International Crisis Group, 2009).

Clear language within a mission's mandate may encourage training to be implemented in a more systematic way.

If a peacekeeping operation is the right actor to provide this kind of training, clear language within the mission's mandate may encourage the training to be implemented in a more systematic way and at a more institutional level. For example, the original mandate of the UN mission in South Sudan (UNMISS) alluded rather indirectly to the provision of human rights and humanitarian law training by authorizing “[a]dvising and assisting the Government of the Republic of South Sudan, including military and police at national and local levels as appropriate, in fulfilling its responsibility to protect civilians, in compliance with international humanitarian, human rights, and refugee law.”³⁶ In the reporting period of July 2012 to June 2013, UNMISS reported conducting 71 training sessions on human rights and protection for 2,090 participants from “the SPLA, the South Sudan Police Service and other security organs of the Government, including at the state level.”³⁷ This is a considerable effort and reached a large number of participants but effectively provided only brief instruction on these concepts for the individuals who attended the sessions. The impact of training was also potentially limited by the fact that it was not contextualized within a comprehensive and consistent approach to SSR.

By contrast, the United Nations peacekeeping operation in Côte d’Ivoire (UNOCI) is mandated more strongly to “advise the Government, as appropriate, on SSR and the organization of the future national army, to facilitate the provision of training ... in human rights, child protection and protection from sexual and gender-based violence to the security and law enforcement institutions.”³⁸ Its activities toward this goal reported in the same period of July 2012 to June 2013 included not only individual training sessions like the ones provided by UNMISS (such as “25 human rights training sessions ... held across the country reaching out to at least 800 Ivorian military”³⁹) but also regular daily activities, such as the “[p]rovision of advice daily to the police and gendarmerie academies, including modules on gender and protection of minors.”⁴⁰ Moreover, UNOCI also made efforts to address human rights training in a more sustainable way by carrying out “several training-of-trainers sessions, including on gender issues and the protection of minors”⁴¹ including a “[t]raining-of-trainers session in the field of human rights for 31 police and gendarmerie personnel.”⁴²

In environments with more hostile host state governments, peacekeepers may encounter barriers to providing human rights training due to government resistance or interference. The African Union-United Nations hybrid peacekeeping operation in Darfur (UNAMID), whose mandate authorizes it to “support capacity-building of the Government of the Sudan police in Darfur, in accordance with international standards of human rights and accountability,” reported in the July 2012 to June 2013 period that various planned human rights training workshops for the Sudanese police were not implemented because of a “delay in the signing of a memorandum of understanding between the Government of the Sudan police and UNAMID.”⁴³ Referring to the 76 planned training courses for the police on various topics including human rights, UNAMID reported that fewer than half had been

36 UN Security Council Resolution 1996, 8 July 2011, S/RES/1996, paragraph 3(b)(iv).

37 Budget performance of the United Nations Mission in South Sudan for the Period from 1 July 2012 to 30 June 2013, 21 November 2013, A/68/616, 23.

38 UN Security Council Resolution 2162, 25 June 2014, S/RES/2162, paragraph 19(e).

39 Budget performance of the United Nations Operation in Côte d’Ivoire for the Period from 1 July 2010 to 30 June 2011, 16 December 2011, A/66/616, 18.

40 Ibid, 33.

41 Ibid.

42 Ibid, 34.

43 Budget performance of the African Union-United Nations Hybrid Operation in Darfur for the period from 1 July 2010 to 30 June 2011, 9 December 2011, A/66/596, 37.

The HRDDP is one of the only policy guidance frameworks that addresses the dilemmas of conducting POC while supporting SSR.

conducted because of “the suspension of training sessions, while changes were made in the training curriculum as per a request of the Government of the Sudan police.”⁴⁴

Monitoring and reporting on abuses by security forces

Monitoring security forces for human rights violations can be an important role for UN peacekeeping operations in preventing and deterring abuses. The UN Human Rights Due Diligence Policy (HRDDP) is intended to ensure that the UN is closely monitoring at least those parts of the security sector to which it is providing support. The HRDDP “sets out measures that all United Nations entities must take in order to ensure that any support that they may provide to non-United Nations forces is consistent with the purposes and principles as set out in the Charter of the United Nations and with its responsibility to respect, promote and encourage respect for international humanitarian, human rights and refugee law.”⁴⁵ It requires UN entities to perform a risk assessment prior to providing support to a security force, whether directly or indirectly, and prohibits the UN entity from providing support where there are grounds to believe that the security force is likely to commit grave violations of international humanitarian, human rights or refugee law. In cases where the security force is already committing these grave violations, the HRDDP requires UN entities first to work with relevant authorities to stop the abuses and, if this fails, to suspend its support. As such, the HRDDP is one of the only policy guidance frameworks that explicitly addresses the inherent dilemmas of conducting POC while supporting SSR.

The HRDDP framework was deliberately designed to be flexible, so that it could be adapted as appropriate to different contexts. UN peacekeeping operations in different countries have implemented the HRDDP in different ways and to different extents. UNMISS, in South Sudan, has made little progress on implementing the HRDDP; its system is very reactive and its information on perpetrators is sparse.⁴⁶ By contrast, MONUSCO maintains and proactively populates robust databases of grave violations of human rights committed by all in-country actors, including members of the security sector. During the July 2012–June 2013 reporting period, it reported that it had created “1,062 profiles of high-ranking individuals serving in Democratic Republic of the Congo security services” and recorded information about “3,079 alleged perpetrators of human rights violations” in order to implement its policy of conditionality.⁴⁷

While flexibility may help to make the HRDDP more relevant in a greater variety of contexts, there is some trade-off. For example, although the HRDDP explicitly states that the guidance on SSR developed by the SSR Task Force must be consistent with the HRDDP, guidance remains to be developed on how this is to be achieved. Moreover, the aspects of SSR that are defined in the HRDDP are limited to technical, programmatic and financial capacity-building directed at security forces. Activities most intimately related to fostering good governance of the security sector, such as training and

44 Ibid.

45 Human Rights Due Diligence Policy on United Nations Support to Non-United Nations Security Forces, 5 March 2013, A/67/775-S/2013/110.

46 See Alison Giffen, Aditi Gorur, Jok Madut Jok and Augustino Ting Mayai, ‘Will They Protect Us for the Next 10 Years?’ *Challenges Faced by the UN Peacekeeping Mission in South Sudan* (Washington, DC: Stimson Center, 2014), 25. Since the revised UNMISS mandate of May 2014, issued in response to the outbreak of civil war in December 2013, UNMISS is no longer able to support South Sudanese security forces except for limited engagement with the police to safely relocate displaced persons away from UNMISS bases. This engagement must be done in compliance with the HRDDP. UNMISS’s recent efforts with regard to the HRDDP are, therefore, focused on investigating the background of those police officers with whom they are beginning to re-engage.

47 Budget performance of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo for the Period from 1 July 2012 to 30 June 2013, 23 December 2013, A/68/686, 25.

sensitization, standard-setting and compliance with human rights and international law norms and standards, are therefore excluded from the risk assessment part of the policy. While it may appear far-fetched that training on IHL or human rights law may cause harm to civilians, the problem is the assumption that interventions in the interest of good governance pose no potential risks. On the contrary, the risk of such interventions succeeding as well as failing ought to be accounted for in HRDDP risk assessments because both could have potentially egregious effects for human rights and POC. For example, attempts to change lines of control within security institutions through new norms and rules have often triggered violent reprisals, while encouraging security sector personnel to report abuses in the absence of a system that can guarantee minimum accountability and protection for the individuals involved endangers both those individuals and the larger agenda for reform. In addition, the HRDDP's exclusion of accountability and good governance aspects of SSR reinforces the misconception that the effectiveness and accountability dimensions of security sector performance can be separated. From an SSR perspective, the technical support aspects of security provision outlined in the HRDDP should not take place without safeguards to ensure that new capacities for protection do not become new capacities for abuse.

In addition to the monitoring and internal reporting that occurs pursuant to the HRDDP, peacekeeping operations may also monitor and report on human rights violations by security forces more broadly — not only the individuals or units to whom the mission is providing support — when the occasion warrants it. This kind of public reporting can be a very sensitive matter, and peacekeeping officials have sometimes been expelled for publicly reporting on government violations of human rights. For this reason, some peacekeeping operations employ this option selectively and strategically, while others employ it more regularly, depending on the environment and the mission's relationship with the host state government. For example, the Human Rights Section of the UN mission in Haiti (MINUSTAH) has put out biannual reports on the human rights situation in the country as well as specific reports condemning human rights abuses by the Haitian National Police (for example, reports on alleged torture and killings by the police).⁴⁸

Mitigating friction in implementation

We have argued that treating POC and SSR as separate but overlapping agendas helps to identify ways to reinforce their convergences. It also helps to identify potential points of friction that stem from their different approaches to providing physical security. In this section, we offer entry-points to mitigating these points of friction.

Community responsiveness

Potential friction between POC and SSR support activities can be reduced by ensuring that both sets of activities respond to the needs, perceptions and priorities of communities. This kind of community responsiveness is fundamental both to POC and to SSR. Protection strategies that do not incorporate this kind of information from communities under threat are less likely to succeed — both because communities often have critical information about how to combat threats and because communities' perceptions affect

⁴⁸ "MINUSTAH Human Rights Section Reports," Office of the High Commissioner for Human Rights, <http://www.ohchr.org/EN/Countries/LACRegion/Pages/HTRReports.aspx>.

Peacekeeping operations can improve community responsiveness by incorporating community perceptions into the monitoring and evaluation of POC and SSR interventions.

how they react to attempted protection interventions.⁴⁹ The UN Secretariat formally recognized this in 2010 when it issued guidance requiring that all peacekeeping operations with a mandate to protect civilians engage communities in the development, implementation and assessment of their protection strategies.

Community responsiveness is also central to SSR methodologies. This means promoting a culture of service within the security institutions under reform but also supporting reform that is based on real community needs and responsive to the concerns and threat perceptions that communities harbor. In practice, this has meant that UN SSR missions have supported broad-based and inclusive consultation of SSR strategies and visions for national security, that community perceptions have become integral indicators in SSR evaluation, and that service-focused reform strategies have been developed (for example, supporting access to justice, community policing or public complaints mechanisms among others).

Community responsiveness not only improves the success of POC and SSR interventions individually, it also helps to align the two operationally. For example, if a particular community is extremely distrustful of the police because of its history of abusing the population, and if the peacekeeping operation is seen to be working closely with the police for SSR purposes, the community may grow to distrust the peacekeeping operation. Without the community's trust, the peacekeeping operation would have a very difficult time trying to protect civilians — the community would be unlikely to give the peacekeepers important information about threats and would be unlikely to cooperate with a protection plan proposed by the peacekeepers.

If the peacekeeping operation instead conducts its POC and SSR activities to respond to the community's perceptions and priorities, this tension could be mitigated. For example, peacekeepers could respond to the community's distrust of the police by working on reforming other branches of the security sector that are better trusted and conducting human rights monitoring of the police. They could engage the community to understand why the police are distrusted and focus their SSR activities on resolving those problems, allowing the community to maintain trust in the peacekeepers. They could hold community security meetings to get feedback from community representatives and to ensure that their efforts to reform the police are perceived as constructive rather than as bolstering an abusive or illegitimate actor.

However, this strategy is not without risks, and the risks further underline the importance of a deeper understanding of the interaction between SSR and POC. Encouraging a closer relationship between local communities and UN security actors, such as military and police components who are working directly with national security actors, runs the risk that communities may place improper trust in national security providers because of their association with external security providers. In contexts where local actors may not fully understand the role and powers of the UN mission, there is also a risk of substitution, whereby local communities trust only external actors or overestimate the role that UN personnel are able to play in providing security protection. Navigating the subtleties of such a situation is the daily challenge of military and police components in post-conflict contexts and is especially important for those with a dual role in security provision but also reform.

One important way for peacekeeping operations to improve community responsiveness is to incorporate community perceptions of peacekeepers and of the state security sector

49 Alison Giffen, *Community Perceptions as a Priority in Protection and Peacekeeping* (Washington, DC: Stimson Center, 2013).

into the monitoring and evaluation of POC and SSR interventions. These perceptions do not necessarily have to be gathered through an expensive or time-consuming process (such as a large, statistically representative survey) if this is not feasible — they could instead be gathered through interviews or focus groups with a diverse sample of a community.⁵⁰ This would allow peacekeeping operations to see whether their POC and SSR efforts are responding well to the priorities and desires of the community or whether, instead, their efforts are perceived as ineffective or even negative.

Impartiality

Impartiality is one of the fundamental principles of peacekeeping⁵¹ and is critical to the success and the legitimacy of a mission. It can also offer an entry-point to mitigating friction between POC and SSR support activities by clarifying the relationship between the peacekeeping operation and the host state government.

In the context of a mission mandated to protect civilians, adherence to the principle of impartiality (and the perception of impartiality by the general population) is particularly important: it requires the mission to protect civilians from physical violence regardless of the identity, characteristics or affiliations of those civilians and regardless of the source of that violence. If peacekeepers were perceived as only protecting people of a particular ethnicity, or only protecting abuses committed by one side of a conflict, it would be extremely difficult to secure the trust needed to protect effectively, and it would turn the protection of civilians into a political tool rather than a moral imperative.

Like the rest of a peacekeeping operation, the SSR support component is also required to be impartial. However, impartiality can be difficult to uphold in practice when dealing with a security sector that is itself discriminatory. Because SSR principles emphasize national ownership of the reform process, peacekeepers are put in a difficult position when asked to judge at what point a line has been crossed when it comes to discriminatory behavior by the host state government and the mission needs to disengage. While grave abuses distinguish themselves by their scale and seriousness, and obviously call for a proportionately serious response, more minor issues of abuse of force and authority also threaten civilians and are likely to be a reality of poor security sector service provision. In practice, the distinction between supporting SSR and becoming complicit in dysfunctional security provision may be slight.

Maintaining a strong and clearly defined adherence to the principle of impartiality can help to ensure that peacekeepers are not confused about their responsibilities when it comes to protecting civilians against violence perpetrated by the state security sector. Peacekeepers should understand that, even if they are mandated to work together with state security forces, the principle of impartiality requires them to protect civilians against violence perpetrated by the security just as much as if that violence had been perpetrated by a non-state actor. This means, for example, that UNPOL officers providing technical assistance to a national police force should not see themselves solely as mentors or trainers but also as watchdogs on the lookout for violence against civilians perpetrated by the police.

50 See Aditi Gorur and Alison Giffen, *Engaging Community Voices in Protection Strategies: Annexes on Lessons Learned* (Washington, DC: Stimson Center, 2013).

51 *United Nations Peacekeeping Operations: Principles and Guidelines* (New York: UN Department of Peacekeeping Operations and Department of Field Support, 2008), 31. For more information on the meaning of the term “impartiality” in the context of UN peacekeeping, which has changed significantly over time, see Dominick Donald, “Neutral Is Not Impartial: The Confusing Legacy of Traditional Peace Operations Thinking,” *Armed Forces and Society* 29, no. 3 (2003): 415-448.

Peacekeepers providing technical assistance to a national police force should see themselves as watchdogs on the lookout for violence against civilians perpetrated by the police.

As the DPKO/DFS Policy on UN Police in Peacekeeping Operations and Special Political Missions states, “[p]romotion, protection and respect for human rights must be incorporated into every aspect of the work of United Nations police,” and UNPOL officers must “be prepared to raise issues of human rights if confronted with violations.”⁵² However, in practice, it can be difficult for UNPOL officers who have been working closely with particular units to speak out directly against abuses they witness. They should receive training on how to recognize human rights abuses, how to respond in the moment to violence perpetrated by police officers, how to report incidents of violence (for example, to the mission’s human rights division), and how to follow up with the relevant police officers afterward to ensure that these abuses do not happen again. This should also apply to UN peacekeeping personnel working with any other part of the security sector. The apparent dilemma in this type of situation emphasizes the importance for SSR of establishing reliable mechanisms to ensure the accountability of security organizations through internal control and independent external oversight. Reporting of human rights abuses by external actors does not fulfill a responsibility for the protection of civilians unless action is also taken to halt abuse.

Clarity about the principle of impartiality can also help to ensure that any support a peacekeeping operation does provide to the security sector in the context of violence perpetrated by state security forces does not undermine the population’s trust in peacekeepers as protection actors. The current conflict in South Sudan illustrates the critical role that impartiality can play in this respect. The UN Mission in South Sudan (UNMISS) originally had both POC and SSR support mandates. After a political conflict turned violent on December 15, 2013, and led to widespread attacks on civilians, the Security Council emphasized the importance of UNMISS remaining impartial and, in May 2014, revised UNMISS’s mandate to strongly prioritize POC and remove the state-building and SSR support mandates, allowing only a limited engagement with the South Sudanese police for specific purposes.

In the extremely volatile environment of South Sudan, where violence is often occurring along ethnic lines, the belief that UNMISS may not be protecting civilians impartially carries huge risks – risks that the mission becomes a target for revenge attacks as well as risks that the mission will not be able to protect certain parts of the population effectively having lost its trust. Although UNMISS working with and even building the capacity of the police does not violate the principle of impartiality, it does risk creating the perception that UNMISS will not protect populations politically or ethnically affiliated with the opposition as assiduously as populations politically or ethnically affiliated with the government. As the mission ramps up its support to the police, it is therefore vital that it increases its public outreach to inform communities across the country that it will aim to fulfill its mandate to protect civilians on the basis of objective criteria of need, regardless of the identities of the people under threat and regardless of whether the perpetrators belong to the government or the opposition. It is also vital that the mission’s actions reflect that messaging and that violence perpetrated by the police (not only the individuals whom UNMISS is directly supporting, as required by the HRDDP, but all police officers) is closely monitored and publicly condemned.

⁵² *Policy on UN Police in Peacekeeping Operations and Special Political Missions* (New York: UN Department of Peacekeeping Operations and Department of Field Support, 2014), 7.

Conclusion

UN peacekeeping operations struggle for many reasons to implement mandates to protect civilians and to support security sector reform. When peacekeeping operations are tasked with implementing both mandates simultaneously, those challenges can be exacerbated, as undefined overlaps and unacknowledged tensions between the two agendas create confusion for peacekeepers.

We have argued that these difficulties can be addressed to some extent by adopting a policy approach that treats POC and SSR as two separate agendas that overlap in clearly delineated ways. This approach serves to draw out the ways in which POC and SSR can reinforce one another as well as to identify the sources of tensions between them. The United Nations, and the Department of Peacekeeping Operations in particular, could take the following steps to encourage a mutually reinforcing relationship between POC and SSR:

- **Revise the definition of POC:** Revise the DPKO/DFS Draft Operational Concept on POC so that it includes only tasks that peacekeepers undertake themselves to protect civilians and excludes tasks that peacekeepers undertake to enable the host state government to protect. This would allow SSR to be treated as a separate agenda, with different aims and approaches, instead of a component of POC.
- **Assess the POC impact of SSR activities:** Ensure that SSR components of peacekeeping operations account for the potential effects of their activities on the protection of civilians. This could mean, for example, including POC dimensions explicitly in do-no-harm analyses and mapping studies by SSR components, or accompanying potential changes in the allocation of power within the security sector with adequate measures to ensure POC in response to both intended and unintended consequences.
- **Clarify and strengthen peacekeeper responses to security sector abuses:** Provide clearer guidance about how peacekeepers should respond in the moment and after the fact when they witness or learn about abuses by the security sector. Ensure that Standard Operating Procedures developed to implement the Human Rights Due Diligence Policy address this issue clearly and that peacekeepers receive training on it. Regularly assess the mission's overall posture to ensure that its relationship with the government does not compromise the perception of its impartiality with regard to protecting civilians against security sector abuses.
- **Emphasize a community responsive approach:** Ensure that both the POC and SSR components of peacekeeping operations are receiving regular information about the perceptions and expectations of the population with regard to their security. This information should be the joint starting point for developing POC strategies and for supporting SSR. Reference to community perceptions should guide POC and SSR needs assessments, program design and implementation, and monitoring and evaluation.
- **Emphasize governance-focused SSR:** The contradictions between POC and support to SSR are greatest when SSR and POC focus on train-and-equip elements while neglecting measures to improve accountability. POC interventions that over-emphasize technical capacity tend to pit short-term security against sustainable security in the long term if SSR does not provide for the necessary internal controls and independent external oversight mechanisms that make POC and SSR compatible.

Annex: Current UN peacekeeping operations with POC and SSR mandates

| PEACEKEEPING OPERATION | POC LANGUAGE | SSR LANGUAGE |
|---|---|--|
| MINUSCA (Central African Republic, S/RES/2149 (2014)) | “To protect, without prejudice to the primary responsibility of the Central African Republic authorities, the civilian population from threat of physical violence, within its capabilities and areas of deployment, including through active patrolling” | “Support to security sector reform and vetting processes, including through the provision of strategic policy advice and coordination of technical assistance and training” |
| MINUSMA (Mali, S/RES/2164 (2014)) | “To protect, without prejudice to the responsibility of the Malian authorities, civilians under imminent threat of physical violence” | “To support national, and to coordinate international, efforts towards rebuilding the Malian security sector, especially the police and gendarmerie through technical assistance, capacity-building, co-location and mentoring programmes, as well as the rule of law and justice sectors, within its capacities and in close collaboration with other bilateral partners, donors and international organizations, including the EU, engaged in these fields, including through enhancing information sharing and joint strategic planning among all actors” |
| UNISFA (Abyei, S/RES/1990 (2011)) | “Without prejudice to the responsibilities of the relevant authorities, to protect civilians in the Abyei Area under imminent threat of physical violence” | “Strengthen the capacity of the Abyei Police Service by providing support, including the training of personnel, and coordinate with the Abyei Police Service on matters of law and order” |

| | | |
|--|--|---|
| <p>MONUSCO (Democratic Republic of Congo, S/RES/2147 (2014))</p> | <p>“Ensure, within its area of operations, effective protection of civilians under threat of physical violence, including through active patrolling, paying particular attention to civilians gathered in displaced and refugee camps, humanitarian personnel and human rights defenders, in the context of violence emerging from any of the parties engaged in the conflict, and mitigate the risk to civilians before, during and after any military operation”</p> | <p>“Encourage and accelerate ownership of SSR by the DRC authorities, including through the urgent finalisation and implementation of a national strategy for the establishment of effective, inclusive and accountable security and justice institutions by the DRC and play a leading role in coordinating the support for SSR provided by international and bilateral partners and the UN system”</p> |
| <p>UNAMID (Darfur, S/2007/307/Rev. 1)</p> | <p>“To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan”</p> | <p>“To support, in coordination with the parties, as outlined in the Darfur Peace Agreement, the establishment and training of community police in camps for internally displaced persons, to support capacity-building of the Government of the Sudan police in Darfur, in accordance with international standards of human rights and accountability, and to support the institutional development of the police of the movements”</p> |
| <p>MINUSTAH (Haiti, S/RES/1542 (2004))</p> | <p>“To protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, without prejudice to the responsibilities of the Transitional Government and of police authorities”</p> | <p>“To ensure a secure and stable environment within which the constitutional and political process in Haiti can take place; to assist the Transitional Government in monitoring, restructuring and reforming the Haitian National Police, consistent with democratic policing standards, including through the vetting and certification of its personnel, advising on its reorganization and training, including gender training, as well as monitoring/mentoring members of the Haitian National Police”</p> |

| | | |
|---|---|---|
| <p>UNOCI (Côte d'Ivoire, S/RES/2162 (2014))</p> | <p>“To protect, without prejudice to the primary responsibility of the Ivorian authorities, the civilian population from threat of physical violence, within its capabilities and areas of deployment and encourages UNOCI to move to a more preventive and pre-emptive posture in pursuit of its priorities and in active defence of its mandate, building on positive steps taken so far, without prejudice to the agreed basic principles of peacekeeping”</p> | <p>“To advise the Government, as appropriate, on SSR and the organization of the future national army, to facilitate the provision of training ... in human rights, child protection and protection from sexual and gender-based violence to the security and law enforcement institutions, as well as capacity-building support by providing technical assistance, co-location and mentoring programmes for the police and gendarmerie and to contribute to restoring their presence throughout Côte d'Ivoire and to promote trust and confidence within and between the security and law enforcement agencies and to offer support to the development of a sustainable vetting mechanism for personnel that will be absorbed into security sector institutions”</p> |
| <p>UNMIL (Liberia, S/RES/1509 (2003))</p> | <p>“Without prejudice to the efforts of the government, to protect civilians under imminent threat of physical violence, within its capabilities”</p> | <p>“To assist the transitional government of Liberia in monitoring and restructuring the police force of Liberia, consistent with democratic policing, to develop a civilian police training programme, and to otherwise assist in the training of civilian police, in cooperation with ECOWAS, international organizations, and interested States ... to assist the transitional government in the formation of a new and restructured Liberian military in cooperation with ECOWAS, international organizations and interested States”</p> |

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