

ADDRESSING THE DOCTRINAL DEFICIT



DEVELOPING GUIDANCE TO PREVENT AND RESPOND TO
WIDESPREAD OR SYSTEMATIC ATTACKS AGAINST CIVILIANS

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**DEVELOPING GUIDANCE TO PREVENT AND RESPOND
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AGAINST CIVILIANS**

A Workshop Report
BY ALISON GIFFEN

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*An E-copy of the full report and simulation materials can also be found online at
www.stimson.org/fopo/civilianprotection*

FOREWORD

For over five years, the Stimson Center's Future of Peace Operations program has contributed independent research and analysis to efforts to improve international responses to widespread and systematic violence against civilians. In particular, the Center has looked at the role of the military, to understand its prospects and limitations as a tool to protect civilians under threat.

Stimson's initial research identified various deficits in the authority, political will, capacity, knowledge and strategy of military operations tasked with protection, flaws that undermined the operations' effectiveness. Along this spectrum of gaps, Stimson's research demonstrated that former leaders of these operations identified the lack of adequate guidance and training in protection issues as a major obstacle to success.

This new report builds upon previous Stimson research by proposing initial steps to bridge the guidance gap. This publication synthesizes the findings of an experts workshop held by Stimson at the UK Defence Academy in Shrivenham in September 2009. It captures lessons and best practices from former military and civilian leaders of operations that dealt with the challenge of protecting civilians. This report seeks to catalyze the development of doctrine and training related to the protection of civilians within key governments and institutions around the world.

I hope that you will find this new Stimson publication a useful contribution to address the enduring challenge of vulnerable populations in conflict and post-conflict environments.

Sincerely,

A handwritten signature in black ink, reading "Ellen Laipson". The signature is fluid and cursive, with the first name "Ellen" and last name "Laipson" clearly distinguishable.

Ellen Laipson

LIST OF ACRONYMS

COA	Course of Action
DDR	Disarmament, Demobilization, and Reintegration
ECOWAS	Economic Community of West African States
EU	European Union
ICRC	International Committee of the Red Cross
IDP	Internally Displaced Person
IOC	Initial Operating Capability
JPTs	Joint Protection Teams
MARO	Mass Atrocity Response Operations
MONUC	United Nations Mission in the Democratic Republic of the Congo
NATO	North Atlantic Treaty Organization
PKSOI	US Army Peacekeeping and Stability Operations Institute
QRF	Quick Reaction Force
UN	United Nations
UNAMSIL	United Nations Assistance Mission in Sierra Leone
UNHQ	United Nations Headquarters
UNAMID	African Union/United Nations Hybrid Operation in Darfur
UNMIS	United Nations Mission in Sudan
UNSC	United Nations Security Council

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The Stimson Center's Future of Peace Operations team extends its gratitude to the many partners and experts we engaged with during this initiative, and their contributions to funding, planning, and implementation.

We are deeply grateful to the advisory team that assisted in the design, implementation, and facilitation of the workshop, including: Dr. Babu Rahman of the United Kingdom Foreign and Commonwealth Office; Major General Patrick Cammaert; and representatives of the Mass Atrocities Response Operations (MARO) project, Sarah Sewall, Sally Chin and Graham Ball of the Carr Center for Human Rights Policy at Harvard University and Colonel Bill Flavin and Colonel Dwight Raymond of the US Army Peacekeeping and Stability Operations Institute (PKSOI). Prior to the workshop, the advisory team contributed individual and institutional expertise to develop the workshop concept, agenda, and simulation materials. Members of the advisory team also gave opening remarks and presentations at the workshop, facilitated panels and working groups, and participated in meetings throughout the workshop to adjust the simulation and proceedings. Throughout this process, input and feedback from partners including MARO, has been invaluable. We have incorporated a number of concepts developed by individual practitioners. The time, expertise, and effort contributed by members of the team are sincerely appreciated.

In addition to the advisory team, we would like to express our deep appreciation to the experts and practitioners based around the world that, despite hectic work and travel schedules, attended the workshop and volunteered numerous hours over the subsequent months to review drafts of the workshop report and draft principles. We owe particular gratitude to Colonel Richard Iron for providing the model of doctrine, rules of taxonomy, and additional hours of counsel to the drafting of the principles; Major Philip Van Der Linden for providing insights from his recent experience as an operational planner for the UN; Dr. Christopher Schnaubelt for his valuable reviews and advice and Lieutenant Colonel Mike Snook for sharing his own work on operationalizing the protection of civilians.

We would like to express our gratitude to the Stimson staff that designed and implemented this initiative, including the workshop, the resulting community of practice, and subsequent research products. Max Kelly, former Research Assistant and current Research Consultant, helped lead the conception, design, and implementation of the workshop and simulation exercise and served as the lead author on the corresponding draft doctrinal principles. Guy Hammond, Research Assistant, also contributed to the workshop design and background documents and served as the lead author on the forthcoming case studies. Nicole Dieker served as the project manager to the overall initiative, including the online website for the community of practice. We would also like to thank Nicole Dieker for managing the event planning and logistics of the workshop.

We would like to thank Haidi Willmot (independent volunteer) and Guy Hammond for rapporteuring throughout the workshop; Nicholas Newell, Gary Cass, and Paul Stanley of SCS Consulting Services for assisting in the simulation design and moderation; and the conference planning staff of the UK Defence Academy.

Finally, this initiative would not have been possible without the financial support and continued dedication of the following entities to identify strategies to prevent and respond to mass atrocities: Humanity United, the UK Foreign and Commonwealth Office, the John D. and Catherine T. MacArthur Foundation, and the Mass Atrocity Response Operations project at the Carr Center for Human Rights Policy.

The workshop was conducted on a not-for-attribution basis to enable free discussion. This report and the annexes draw heavily on the ideas and experiences of workshop participants, who deserve credit for the issues explored. However, neither the report nor the annexes represent consensus documents. The authors are solely responsible for their content, conclusions, recommendations, errors, misrepresentations, and omissions.

EXECUTIVE SUMMARY

CONTEXT

In the late 20th century, military operations and the governments and institutions that authorized them proved unable or unwilling to stop atrocities that unfolded around them in Rwanda and the Former Yugoslavia. Following these failures, world leaders undertook efforts to develop international capacity and to reform laws and institutions to prevent and respond to such crises. Over the last decade the world has witnessed a growing number of military operations tasked with protecting civilians from systematic and widespread atrocities. Yet these more recent efforts have also struggled to provide the protection that is expected of them. After more than ten years of experience, why are military operations still struggling to effectively protect civilians?

THE CHALLENGE

The role of the military is only one strand of many government and multinational efforts that must be woven together to effectively prevent and halt systematic and widespread violence. Nevertheless, the military could be a more effective tool if policymakers and practitioners better understood the prospects and limitations of the application of military capabilities in these crises. The Stimson Center's Future of Peace Operations program has uncovered a number of gaps in the authority, willingness, capacity, knowledge, and strategy of national and multinational peace and security institutions—gaps that undermine military operations' ability to effectively protect civilians. The lack of adequate guidance and doctrine for the protection of civilians has surfaced as a critical liability.

Doctrine is an essential component of guidance for militaries. It lays out the fundamental principles that inform how military institutions assess situations and plan and implement operations. Doctrine also influences how military institutions approach organization, training, materiel, leadership and education, personnel, and facilities—areas where recent studies have shown that inadequacies are undermining operations mandated to protect civilians.

Recent doctrine¹ has fallen short in providing guidance on *how* to go about *protecting civilians*, leaving it to those planning and implementing such operations to develop the conceptual approaches required to turn ambition into reality as they go. Such an ad hoc approach has resulted in operations without the strategies, preparation, resources, and assets to cope with protection crises.

THE WORKSHOP

The Stimson Center launched this project to address the doctrinal deficit in 2009. In September, Stimson convened a workshop at the UK Defence Academy in Shrivenham. Workshop participants included current and former military and civilian leaders of operations that faced the challenge of addressing widespread and systematic abuses, accompanied by academics, doctrine writers and military planners from key international and regional institutions and states. The workshop included a two-day simulation exercise portraying a protection crisis. It was designed to capture best practices, lessons learned, and insights that could be distilled into principles to catalyze or influence the development of doctrine, guidance, and training specific to the protection of civilians.

The workshop challenged participants to explore three persistent questions that political leaders, heads of multidimensional peace or stability operations, force commanders, mission planners, and trainers continue to ask when developing and implementing strategies to protect civilians:

- How military components of multidimensional operations can be effectively applied to protect civilians;

1 Some British, NATO, African Union and UN doctrine address the protection of civilians in some manner. However, while these policies acknowledge or even emphasize the importance of protecting civilians, they provide only limited guidance on how to actually go about doing so, leaving it to those planning and implementing such operations to develop the conceptual approaches required to turn ambition into reality.

- How protection should be prioritized in relation to other operational-level objectives; and,
- How to manage the risks and consequences of action and inaction in the protection of civilians?

WORKSHOP FOLLOW-UP

Over subsequent months, Stimson experts used the workshop findings to develop three complementary products – all of which have been shared with workshop participants and/or other protection experts and practitioners for review:

- This workshop report released in May 2010;
- A set of draft doctrinal principles that will be shared with policymakers and practitioners for further validation and revision in June 2010; and,
- Case studies illustrating the applicability of the themes and principles that will be published separately throughout 2010.

THE CONCEPT OF PROTECTION OF CIVILIANS

The concept of protecting civilians is broad and evolving. The term is used by diverse stakeholders to describe efforts to protect civilians from physical violence, secure their rights to access essential services and create a secure environment for civilians over the long-term. A number of actors often contribute to the protection of civilians, including the communities under threat, the host state government, multidimensional peace or stability operations and national and international human rights and humanitarian agencies. Each actor is likely to have a different understanding or definition of the term. This project focuses on one aspect of the concept, the protection of civilians from physical violence in armed conflict, ongoing generalized violence, and post-conflict situations. It examines efforts to prevent and halt physical violence against civilians in situations ranging from low-level violence that has the potential to escalate, to situations of systematic or mass violence.

KEY FINDINGS

The report highlights three overarching themes that emerged over the course of the workshop:

- Protection must be a priority for peacekeeping and stability operations. Whether or not an operation is tasked with protection, in the face of violence against civilians, communities on the ground and around the world expect uniformed personnel to be proactive in protecting the population. Failure to provide such protection undermines the credibility and legitimacy of the operation and can undermine other objectives.
- Planning for, developing, and executing operational-level protection plans to address protection threats systematically is a substantial challenge requiring clearer doctrine and training to provide the necessary framework analysis.
- Military leaders with experience across a vast array of national and multinational operations agreed that there are both pragmatic and moral reasons to protect civilians and it is fundamental to a soldier's creed to not stand by and watch mass atrocities occur.

In addition to the overarching themes, the following findings were drawn from the workshop proceedings and complementary research.

The Application of the Military Component

- Effective protection of civilians hinges on accurate and timely intelligence about the nature of threats to civilians and the vulnerabilities of various populations. Intelligence entails information gathering and analytical capacity, and requires human, signal, and imagery intelligence capabilities in the field.

- A coherent political approach to protection is critical to any success. The military is a necessary but insufficient component of peacekeeping and stabilization operations; it can only contribute to the conditions in which other tools can construct a durable peace.
- In deciding whether to use force, operations must take into account whether the application of force is adequate to meet its objective, whether the use of force could contribute to an escalation versus de-escalation of violence against civilians, and whether the use of force (or failure to use force in the face of atrocities) could undermine the operation's consent and legitimacy.
- Given that protection crises are complex and conditions can change quickly on the ground, guidance and training on the use of intelligence, posture, and use of force is critical in the protection of civilians up and down the chain of command. Troops must be empowered to make decisions regarding the use of force, even at the most junior levels.

Prioritizing Protection at the Operational Level

- Protection should be considered an operational-level objective (not simply a task) as a reflection of its relationship with the credibility and legitimacy of the operation.
- Effective protection of civilians requires a comprehensive, operational-level protection plan (hereinafter referred to as “protection plan”)—which assumes communication and coordination across a multidimensional operation and, where appropriate, with protection actors external to the operation—in order to synchronize action across different lines of effort.
- Further, effective protection requires operational-level military planning in order to seize the initiative from perpetrators of violence and fundamentally change the security dynamics in a conflict. In order to systematically reduce the threat to civilians, an operation must sequence tactical actions as part of an operational campaign plan so that they build upon one another towards the desired end state.

Managing Risks and Consequences: Thresholds of Capability and Consent

- Protection plans, and additional guidance and training should inform the military component of its roles and responsibilities, clarify expectations of decision-making and actions, and empower actors down to junior levels to identify and manage the risks and consequences of action and inaction.
- Operations are not going to be able to protect all civilians under threat of physical violence. Protection plans should include ways to manage expectations at the tactical, operational, and strategic level.
- Moreover, actions to protect civilians may sometimes result in unintended consequences including harm to civilians and civilian assets. Protection plans should direct operations to be the first to own and admit the consequences of their actions and provide guidance on how to work with communities to make amends.

Areas for Further Research

The workshop proceedings also highlighted the following areas that could benefit from further research:

- ***Understanding the problem:*** Although policymakers and practitioners around the world are increasingly aware of the need to protect civilians – in conflict and in scenarios of escalating violence that can lead to mass atrocities and genocide – there are significant gaps in the knowledge needed to craft effective policies. Even where knowledge exists, in many cases it has yet to be transformed into policy-oriented analytical frameworks and guidance.
- ***Measuring success:*** Policymakers and practitioners will not be able to monitor, evaluate, and improve efforts to protect civilians without appropriate metrics and indicators of success. For example, metrics may include direct indicators of civilian (in)security such as the number and scale of attacks on civilians,

as well as indirect ones, such as the size and duration of displacements of civilians.

- ***Understanding legal obligations:*** The international community continues to debate if and when third-party actors have a legal obligation to take proactive action to prevent and respond to the targeting of civilians by parties to the conflict and belligerents.

This workshop report and the corresponding products are a modest first step in addressing the doctrinal deficit. They do not seek to provide definitive answers, but rather to catalyze processes that will lead to improved guidance and training. Conflicts are characterized by state and non-state actors targeting civilians directly as a tactic, strategy, and/or means of subsistence. The legitimacy of governments and multilateral organizations depends in part on their ability to prevent and respond to systematic and mass violence which can no longer escape lenses that capture images of failure for dissemination around the globe. And most importantly, civilians under threat should not be made to wait another decade for more effective international responses.

INTRODUCTION

*The protection of civilians against war is not just an end in itself, it is the starting point for providing populations with anything else.*²

In 1999, the United Nations (UN) Security Council authorized a Chapter VII peacekeeping operation, United Nations Assistance Mission in Sierra Leone (UNAMSIL), to monitor a shaky peace agreement and disarmament. For the first time, the UN Security Council specifically mandated the mission to use force to protect civilians under imminent threat of physical violence. Only a few months later, rebel forces captured hundreds of UNAMSIL troops. Facing the prospect of the mission's collapse, the UN Secretary-General sought assistance from countries with rapid reaction forces. Driven in part by a desire to prevent a bloodbath if the rebels took the capital city, the UK responded. Rapidly deploying a highly capable expeditionary force that reversed the rebels' momentum (thus preventing an escalation of atrocities within Freetown), the UK worked with UNAMSIL and the Sierra Leonean government to eventually reestablish law and order under the control of a democratically elected government.

NATO began a campaign of aerial bombardment to halt war crimes by Serbian forces against Kosovar civilians that same year. Citing an international humanitarian emergency, NATO launched Operation Allied Force without UN Security Council (UNSC) authorization, and over the vocal objections of some of the UNSC's five permanent members. The intensity of the campaign escalated for 78 days until the Federal Republic of Yugoslavia capitulated, agreeing to the withdrawal of its forces and the deployment of a NATO-led peace support operation. The operation was not authorized by the UNSC; it was criticized for collateral damage and its effectiveness remains controversial. Nevertheless, Operation Allied Force is a rare instance of a military operation launched primarily to protect civilians from systematic or mass violence.

The ensuing decade has witnessed a growing number of military operations tasked with protecting civilians. Political and military leaders increasingly identify the protection of civilians from systematic or mass violence as a strategic or operational objective across a wide range of national and multilateral contexts. Since 1999, ten UN multidimensional peacekeeping operations have been mandated to protect civilians, and the vast majority of UN troops deployed in 2009 were serving in missions with such mandates.³ Multinational operations in East Timor, Iraq, and Afghanistan have also been confronted with widespread and systematic abuses, and grappled with the challenges of providing security for the civilian population in their areas of operation. Indeed, recent studies on the future of UN peacekeeping, and US and UK descriptions of the future operating environment have all highlighted the growing importance of civilians on the battlefield—as shields and targets for unscrupulous actors, and as key “terrain.”⁴

Despite the increasing recognition of the importance of civilian security, research by Stimson's Future of Peace Operations program and other institutions suggests that military actors remain uncertain as to how to provide protection on the ground.⁵ Similarly, it is unclear whether civilian leaders understand the prospects and limitations of using military force to protect civilians, or how best to combine military force with

2 Simon Chesterman, “The Use of Force in UN Peace Operations,” UN PBPU External Study, NYU School of Law, 2004.

3 Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*. Independent study jointly commissioned by United Nations DPKO/OCHA, 17/11/2009, available at: <http://www.peacekeepingbestpractices.unlb.org/PBPS/Pages/Public/viewdocument.aspx?id=2&docid=1014>.

4 See United Kingdom Ministry of Defence, *Strategic Trends Programme: Future Character of Conflict* (2010); US Joint Forces Command, *The Joint Operating Environment* (2010); UN Department of Peacekeeping Operations and Department of Field Support, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping* (2009); Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*.

5 Victoria Holt and Tobias C. Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, Washington, DC: Stimson Center, 2006; Thomas Szayna, Derek Eaton, Amy Richardson, *Preparing the Army for Stability Operations: Doctrinal and Interagency Issues*, RAND Corporation, 2007; Genocide Prevention Task Force, *Preventing Genocide: A Blueprint for U.S. Policymakers*, Washington, DC: United States Holocaust Memorial Museum, 2008; Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*.

political and economic tools to effectively protect civilians. After a decade of experience, why are military operations still struggling to effectively protect civilians?

A recent review of UN peacekeeping operations generated a list of gaps in authority, willingness, capacity, knowledge, and strategy that prevent the effective protection of civilians.⁶ Similarly, a 2007 RAND study outlined obstacles to providing civilian security in stability operations.⁷ These efforts reinforce the central importance of one deficit that Stimson research has long highlighted: the lack of adequate guidance on the protection of civilians for military operations. A general who led peacekeeping operations in the midst of extreme violence against civilians explained:

*We need to not just define the problem [of the direct targeting of civilians], but start seeking and operationalizing solutions.... If you have no real good guidance, then commanders are totally at a loss.*⁸

THE DOCTRINAL GAP

Doctrine is an essential component, if not the primary element, of guidance for militaries from the strategic to the operational and tactical level.⁹ Doctrine includes fundamental principles that inform how military institutions assess situations, and plan and implement operations. The principles form the body of knowledge from which tactics, techniques, and procedures (TTPs) flow. Together, the principles and TTPs provide a guide to action that “combines history, an understanding of the operational environment, and assumptions about future conditions to help leaders think about how best to accomplish missions.”¹⁰

Doctrine establishes a common frame of reference and tools that leaders use to solve military problems, promoting mutual understanding, facilitating communication and enhancing effectiveness. It serves as the basis for training, and influences organization, materiel procurement, leadership and education, personnel, and facilities. These are areas where recent studies have shown that inadequacies are undermining operations mandated to protect civilians. As such, doctrine that adequately addresses the protection of civilians could serve as a linchpin for ensuring that militaries are able to effectively prevent and respond to mass or systematic abuses of civilians.

Recent doctrine has begun to address the importance of the protection of civilians from violence, but has fallen short on providing the elements of doctrine from which planning and TTPs flow. For example, the peace support operations doctrine from the British, North Atlantic Treaty Organization (NATO), and African Union (AU) address widespread human rights abuses, ethnic cleansing, and—in the case of the African Union—genocide. Recent doctrine for stability operations and counterinsurgency produced by the United States and some of its NATO allies emphasize the importance of providing security for the civilian population. The 2008 *United Nations Peacekeeping Operations Principles and Guidelines* (known informally and hereinafter as the “Capstone Doctrine”) explicitly lists the protection of civilians as both an important task for most multidimensional peacekeeping missions, and one of the few justifications for the use of force by such missions beyond self-defense. However, while these publications acknowledge or even emphasize the importance of protecting civilians, they provide only limited clues on how to actually go about doing so, leaving it to those planning and implementing such operations to develop the operational plans required to turn ambition into reality.

6 Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*.

7 Thomas S. Szayna, Derek Eaton, Amy Richardson, *Preparing the Army for Stability Operations, Doctrinal and Interagency Issues*.

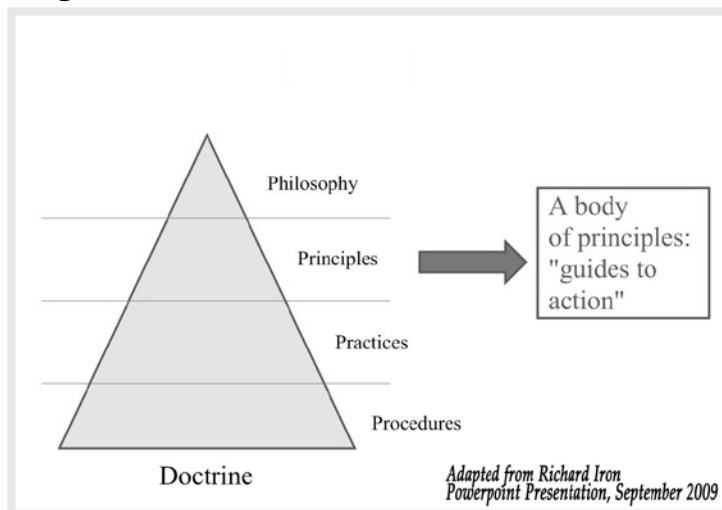
8 Remarks by workshop participants.

9 See “Scope of the Report” for a more detailed explanation of the model of doctrine used in this project, and a description of the strategic, operational and tactical level.

10 Quote and source from FM 3-0, Appendix D ‘The Role of Doctrine and Summary of Changes’ pp. D-1 and D-2.

Figure 1: Model of Doctrine

Individual military institutions and sometimes even the various services of a military adopt distinct models of doctrine. This project used a NATO model of military doctrine. The model includes four layers: philosophy, principles (or guides to action), practices and procedures.



AN INITIAL STEP TO ADDRESS THE DOCTRINAL DEFICIT

Stimson launched this project to address the doctrinal deficit in 2009. In September of the same year, Stimson hosted a workshop at the UK Defence Academy in Shrivenham, which gathered current and former military and civilian experts with experience in operations set in the context of protection crises. The workshop was designed to capture lessons learned and insights that could be distilled into draft doctrinal principles. The project has resulted in three products:

- This workshop report highlighting the project's purpose and methodology, the workshop discussions and findings, issues that guidance and training should address, and areas for further research;
- A set of draft principles that will be shared with policymakers and practitioners for further review and revision over the coming year; and,
- Case studies illustrating the applicability of the themes and principles, which will be published separately.

At the same time, partner and multilateral organizations have also begun to draft concepts and planning frameworks for military operations tasked to protect civilians. Stimson seeks to learn from, complement, and influence these endeavors toward the common goal of improving the effectiveness of military operations in preventing and halting systematic and mass violence.

Efforts to develop military doctrine on the protection of civilians must address three persistent questions, which political leaders, heads of multidimensional peace or stability operations, force commanders, mission planners, and trainers continue to ask:

- How military components of multidimensional operations can be effectively applied to protect civilians;
- How protection should be prioritized in relation to other objectives; and,
- How to manage the risks and consequences of action and inaction in the protection of civilians?

The findings of this project represent a first cut. They should be further analyzed, debated, and tested. To that end, Stimson plans to continue to explore and refine these project's products with policymakers and

practitioners to promote the development of doctrine and training within governments and institutions that authorize, prepare, and deploy such operations.

It must be acknowledged that improving doctrine related to the protection of civilians is no panacea. Fundamental issues of political will and international norms will still have to be resolved at the UN, at regional peace and security organizations, and in national capitals. However, a better understanding of what is involved in using military forces to respond to threats to civilians may help clarify and inform political debates yielding greater consensus.

SCOPE OF THE WORKSHOP REPORT AND THE CONCEPT OF PROTECTION

The concept of protection has evolved over the course of the last decade. Although many actors contributed to the development of the concept, contemporary use of the term began to gain traction following a series of workshops of the International Committee of the Red Cross (ICRC) in the late 1990s. These workshops engaged humanitarian and human rights actors, and produced a broad definition¹¹ that emphasized the protection of civilians in armed conflict and persons affected by violence. Today, the boundaries of the term have been expanded to encompass the protection of individuals and populations in organized armed conflict, ongoing generalized violence, post-conflict situations where violence may periodically erupt, and in natural disasters.¹²

This project focuses on the protection of civilians from physical violence in the first three situations, excluding natural disasters. It examines efforts to prevent and halt physical violence against civilians in situations ranging from low-level violence that has the potential to escalate, to situations of systematic or mass violence. Systematic or mass violence encompasses many different patterns of attacks on civilians. It includes everything from rampant gang violence to terrorist or insurgent attacks on civilians, ethnic cleansing by state or non-state actors, and outright mass killing at the far extreme.¹³

As the concept has evolved, so have the actors that contribute to protection. First and foremost, vulnerable individuals and populations under threat employ diverse strategies to protect themselves. In addition, other state authorities or domestic non-governmental agencies often contribute to efforts to protect. Finally, many international humanitarian, human rights, and development actors, and military, and multidimensional operations are often present in a crisis, and undertake efforts to protect. Each of these actors and agencies may adopt a different definition of protection, undertake different efforts to protect, and adhere to a different set of governing principles. Given the number of diverse actors, the effective protection of civilians requires a comprehensive approach¹⁴ that seeks to coordinate with and/or leverage the contributions of these actors.

This project focused on how the military components of UN peacekeeping operations, multinational coalitions, or even single-nation-led operations (hereafter referred to as “multidimensional operations” or simply “operations”) could be applied to protect civilians from systematic and widespread attacks. This focus is not intended to imply that military forces are the only or primary actor in protection. To the contrary, the project was designed to explore the prospects and limitations of military force within the context of multidimensional operations.

11 The ICRC definition of protection included efforts to: ensure that authorities and other actors respect their obligations and the rights of individuals; prevent or put a stop to actual or potential violations of international humanitarian law and other relevant bodies of law; eradicate the causes of violations and the circumstances that lead to them; and reinforce the security of individuals and reduce threats. See “Enhancing Protection for Civilians in Armed Conflict and other Situations of Violence.” International Committee of the Red Cross (ICRC), September 2008, p. 9-10.

12 Sorcha O’Callaghan and Sara Pantuliano, “Protective Action: Incorporating Civilian Protection into Humanitarian Response,” Overseas Development Institute, 2007.

13 This broad approach to the challenge of civil security acknowledges that in many cases, campaigns of targeted violence may only kill a few civilians in any one incident, but cumulatively may both exact a large toll and sow widespread terror. Such violence may include torture, sexual violence, or mutilation, as well as killing.

14 The term “comprehensive” implies communication and coordination across a multidimensional operation and, where appropriate, with protection actors external to the operation—in order to synchronize action across different lines of effort.

Further, this project focused on identifying operational-level draft doctrinal principles for military forces in protection roles, as distinct from the strategic and tactical levels. For the purposes of this report:

Strategic is the level at which a nation or group of nations determines national or multinational security objectives, and deploys national – including military – resources to achieve them;

Operational is the level at which campaigns and major operations are planned, conducted, and sustained to accomplish strategic objectives within theatres or areas of operations; and

Tactical is the level at which activities, battles, and engagements are planned and executed to accomplish military objectives assigned to tactical formations and units.¹⁵

These levels overlap and interact—what happens at one level has implications for other levels. However, previous research and this workshop found that there is a particular dearth of guidance and training for the operational level.

Issues of law inevitably come into play in discussions of the protection of civilians. Under international humanitarian and human rights law, host state governments hold the primary responsibility for ensuring the security of the civilian population within their borders, requiring states to both refrain from committing violent human rights abuses and to fulfill their positive obligations to secure civilians from other threats. This responsibility is reduced when states lose control over portions of their territory during armed conflicts, but only in proportion to the extent of the loss of control. Governments must provide security to the best of their ability in the territory over which they still exercise authority.¹⁶ Armed actors are also bound by international humanitarian law in situations of armed conflict.

Military personnel involved in peacekeeping and other military operations often have been trained in international humanitarian and human rights law, and are aware that they must refrain from certain proscribed acts that would result in harm to civilians. However, military actors are less clear on whether, when, and how they are legally obliged to take action to prevent and respond to the targeting of civilians when participating in a peacekeeping or other military operation mandated to protect civilians. Stimson's project did not seek to establish whether such a legal obligation exists,¹⁷ but rather addressed the pragmatic questions of how and when military actors authorized to protect civilians can take proactive steps to prevent or halt abuses.

15 North Atlantic Treaty Organization, "NATO Glossary of Terms and Definitions," AAP-6(2010), 22 March 2010, available at: <http://www.nato.int/docu/stanag/aap006/aap6.htm>.

16 See *Ilascu v. Russia*, European Court of Human Rights, 2004, which states in part: "This presumption (that jurisdiction extends to the whole territory) may be limited in exceptional circumstances, particularly where a State is prevented from exercising its authority in part of its territory. That may be as a result of military occupation by the armed forces of another State which effectively controls the territory concerned (acts of war or rebellion, or the acts of a foreign State supporting the installation of a separatist State within the territory of the State concerned." However, "(...) obligations remain even where the exercise of the State's authority is limited in part of its territory, so that it has a duty to take all the appropriate measures, which it is still within its power to take."

17 For a discussion of whether peacekeeping operations have legal obligations to take proactive steps to protect civilians, see Siobhan Wills, *Protecting Civilians: The Obligations of Peacekeepers*. Oxford University Press, 2009.

ADDRESSING GRAY AREAS: FINDINGS DRAWN FROM WORKSHOP PROCEEDINGS

The September 2009 workshop of experts was centered around a two-day simulation exercise portraying a protection crisis in a fictional country.¹⁸ The simulation was designed to encourage workshop participants to examine three issues that have been particularly challenging for military operations mandated to protect:

- When and how to apply the military to protect civilians;
- How to prioritize protection given other operational-level objectives; and,
- How to manage the risks and consequences inherent in the use of force to protect civilians from physical violence?

This report does not seek to provide definitive answers to these difficult questions. Rather, it raises critical issues that operational planners and leaders should take into consideration when developing guidance and training.

ABOUT THE SIMULATION EXERCISE

The two-day simulation exercise portrayed a protection crisis in a fictional country. Participants were divided into two groups: Working Group A was tasked with planning for a UN peacekeeping operation, and Working Group B was tasked with planning for a single-nation/multinational coalition operation.

The working groups were given three scenarios and tasked with identifying courses of action to prevent or respond to threats and attacks. They were also asked to identify the guidance, intelligence, and assets that an operation would need to plan for in order to implement the courses of action. The first scenario, “political uncertainty,” featured low-level violence; the second scenario, “the killing begins,” included rising levels of rape, forced displacement, and killing of civilians; and the third, “mass killing,” included wide-spread ethnic cleansing. Although these phases may not occur sequentially in a real protection crisis, and may unfold in different geographic areas at different speeds, they are attributes of situations of mass atrocities. The escalation of violence in this simulation was designed to explore how participants prioritized and addressed protection when it was one of many operational-level objectives or when it was the primary operational objective of an operation.

For an explanation of the workshop design, methodology and model of doctrine used, please see Annex III. For a detailed summary of the participants’ deliberations and consideration of these issues, please see Annex IV.

THE APPLICATION OF THE MILITARY COMPONENT TO PROTECT CIVILIANS

There is little question that military components of multi-dimensional operations can be used to conduct various tasks that contribute to the protection of civilians. However, questions remain about how and when military components should be applied to a specific situation; in particular, when uniformed personnel should use force. As detailed above, the simulation exercise included three scenarios involving progressively escalating violence. Workshop participants were tasked with developing an operational plan to reduce or eliminate threats, rather than a purely tactical application of resources focused on mitigation. With each

¹⁸ A fictional scenario was chosen to highlight specific challenges and to encourage participants to draw on their diverse experiences, rather than get bogged down in debating the details of a real protection crisis with which they were likely to already be familiar.

scenario, each working group was given greater military troops and assets and tasked with deciding when and how to apply them. Although both groups recognized the contributions of other actors, they were asked to only explore these when they were closely coordinated or performed jointly with military actions.

Intelligence is a Linchpin to the Effective Protection of Civilians

There was broad consensus among both working groups on the important role that military components play in the production of intelligence (information collection and analysis) to inform protection strategies within multidimensional operations, and between such operations and other partners. Participants asserted that intelligence was essential to planning, synchronizing, and implementing effective political, military, and economic courses of action, whether the situation was characterized by low-level violence or wide-spread attacks against civilians. As one participant suggested, “Clear situational understanding is absolutely vital across integrated missions.”¹⁹

Aside from the requirement for a common operational picture in order to coordinate and synchronize efforts, intelligence is critical to developing effective strategies to protect. As another participant asserted, “[An operation] must find out how to raise the political and military costs of the parties’ actions.”²⁰ To do this, an operation must identify the actors responsible for violence against civilians, understand why and how they are perpetrating such attacks, determine which civilians are at risk and why, and assess the potential for escalation of such attacks under various scenarios. Only then can an operation identify proactive approaches at the operational and tactical level to reduce vulnerabilities of civilians to attack on the one hand, and prevent, preempt, or respond to such threats on the other. Without intelligence, operations will be limited to reacting and responding to events, remaining behind the curve of perpetrators’ actions.

The challenge is that there are often multiple perpetrators of violence against civilians at the operational and tactical level and each may require a unique response. Armed actors may target civilians for political, strategic, or ideological purposes. Others may attack civilians as a way of supplying their organization with troops, labor, and assets. Others still may attack civilians for purely economic reasons, acting more like criminals or bandits. The same armed actors may abuse civilians for a combination of the reasons outlined above. Sometimes these perpetrators are affiliated with, or are proxies of, host state governments or main parties to the conflict. In other situations, armed actors have been supported, supplied, and protected by governments, organizations, or armed actors outside the area of operations. The diversity of protection challenges underscores the importance of accurate and timely intelligence to enable operations to prioritize protection challenges, and manage and mitigate risks—themes that will be explored further below.

To acquire such intelligence, military components should be capable of gathering human, signal, and imagery intelligence from the field. Ideally, deployed contingents should have their own organic intelligence ability and structure, led by experienced intelligence officers that guide the process of information collection. Contingents should contain a dedicated human intelligence field collection capability. Furthermore, force headquarters requires competent and experienced information officers to analyze and vet information. Participants discussed the importance of gathering information from a wide variety of actors within the operation (other uniformed personnel and civilian components) and external to the operation (communities under threat, humanitarian agencies, domestic and international non-governmental agencies, parties to the conflict, and host state governments, when appropriate).

Working Group A – tasked with planning for a UN peacekeeping operation – expressed concern that UN peacekeeping operations often deploy without adequate intelligence capabilities. Although UN operations have joint mission analysis cells at the operational level, intelligence collection and analysis capabilities need to be decentralized to the sector and brigade levels. Such decentralization is made more difficult by the fact that some battalions arrive in the field without an organic intelligence cell. Moreover, operations have

¹⁹ Remarks by workshop participants.

²⁰ Remarks by workshop participants.

previously lacked guidance on how to collect, synthesize, and share information to make sure it reaches the right protection stakeholders within the operation. The UN Department of Peacekeeping Operations is developing a policy on information collection, analysis, and sharing to address this issue. Both working groups noted that it is essential for uniformed personnel responsible for intelligence in any operation mandated to protect, to understand how to monitor and analyze protection-related information, and understand how this may differ from intelligence processes they use for other objectives. Participants recommended that guidance be developed and included in both pre-deployment and in-theatre training.²¹

Findings:

- Effective protection of civilians hinges on accurate and timely intelligence about the nature of threats to civilians and the vulnerabilities of various populations. Intelligence entails information gathering and analytical capacity, and requires human, signal, and imagery intelligence capabilities in the field.
- Military operations should develop guidance for collecting and sharing information related to the protection of civilians. This guidance should be developed in consultation with other protection stakeholders, within and external to the military component, and the larger multidimensional operation. This guidance should reflect best practices that protect civilians under threat and/or those providing information and protection services from harm.
- Uniformed personnel involved in the collection and analysis of information should be trained in the priority intelligence requirements and key indicators needed to inform the development and implementation of strategies to provide protection.

FROM THE FIELD: MANAGING RISKS AND CONSEQUENCES INFORMATION COLLECTION, ANALYSIS, AND SHARING

Participants noted the importance of guidance and training on information collection, analysis, and sharing as it relates to protection. If operations are encouraged to gather and share information with sources and protection actors within and external to the operation, it is critical that this is done in a manner that reduces risks. The ICRC and other humanitarian and protection actors are developing protocols to guide the collection of information related to protection activities. An operation's comprehensive protection plan should consider these protocols and other best practices when developing their own.

Guidance should enable independent organizations external to the operation to share information with the operation, in keeping with their distinct mandates and operating principles. For example, one participant offered an example of a system devised in Afghanistan—that largely reflects humanitarian guidance on civil-military coordination*—to allow humanitarian actors to engage in different ways and at different degrees of proximity to the International Security Assistance Force (ISAF). This model included three degrees of proximity to an operation: 1) humanitarian and/or other protection actors may want to engage minimally with the operation, only through liaison and communication, 2) other humanitarian or protection actors may be willing to participate in coordination forums that bring various actors to the table to undertake shared analysis and planning, but these stakeholders operate and provide protection programming and services independent of the operation; or 3) other actors may be willing to collaborate with the operation, partnering not only in analysis and coordination, but also in the implementation of activities.

*See Civil-Military Guidelines and References for Complex Emergencies, United Nations (UN) and the Inter-Agency Standing Committee (IASC), January 2009, section 1 *Civil-Military Relationship in Complex Emergencies—An IASC Reference Paper*, June 24, 2004, Part 3, pp. 13-14.

21 This should include a basic understanding of the requirements for, and civilian roles in, forensic evidence collection.

Defining Roles and Responsibilities

Participants suggested that additional guidance is needed on the spectrum of activities that military components can undertake both as a standalone military component, and in coordination or collaboration with civilian components, and who should take the lead under which circumstances. The application of military components and/or military force should always be nested within a larger political strategy, and in the case of protection, within a comprehensive protection plan.²²

A *comprehensive protection plan* (hereafter referred to as “protection plan”) should be developed at the operational level, and assumes communication and coordination across a multidimensional operation and, where appropriate, with protection actors external to the operation. Such an approach is necessary in the development and implementation of the plan in order to synchronize action across different lines of effort.

Military and civilian roles at the operational and tactical level will depend on a) what actions contribute most to the desired outcome, b) what capabilities the operation possesses, and c) the risks and consequences associated with different types of action. For example, if attacks are primarily being perpetrated by small groups of bandits or individual actors within an IDP camp, individual police and/or formed police units (FPU) may be more appropriate to prevent and respond to such threats. Cordon and search operations, and securing humanitarian corridors or perimeters around vulnerable civilian populations is likely best done by military components. Liaison and mediation may be a role for either civilian or military actors, depending on who they are engaging and the desired outcome.

Many operations are now developing plans that leverage the synergies of applying civilian and military assets in close coordination. For example, workshop participants suggested the use of Joint Protection Teams (JPTs). Both MONUC and UNMIS have used JPTs, which are deployed on a temporary basis to gather information, provide analytic support, help design civil and military action to protect civilians (with local authorities where appropriate), monitor and collect human rights data, and provide conflict negotiation and mediation support.

Comprehensive protection plans should seek to define the specific roles and responsibilities of various protection actors within a multidimensional operation. Such guidance should also include mechanisms for the coordination of joint military and civilian protection activities. Given the potential for rapid escalations in violence, in-theatre scenario training that includes protection actors from across the multidimensional operation and (where appropriate) external protection actors could be useful in identifying when civilian, police, or military assets should be deployed alone or in coordination.

Findings:

- A comprehensive approach to protection – leveraging comparative advantages and coordinating the efforts of various protection actors – will yield better results. In a situation of low-level violence, the emphasis will likely be on political lines of effort. However, military assets may be useful in coordination with civilian efforts, or as a distinct line of effort at the tactical level to protect civilians.
- When violence escalates and large numbers of civilians are at risk, non-military tools will often be inadequate on their own to halt the attacks. Non-military tools generally require time to have an impact, and the urgency of such protection crises places a premium on rapid and effective action. Thus even while non-military lines of effort continue, once violence escalates past a certain threshold, military components are likely to take the lead at the tactical and operational levels.

²² In the United Nations this is sometimes referred to as a mission-wide protection strategy or comprehensive protection strategy.

Posture

*Mission posture is everything.*²³

Both groups asserted that in the face of escalating violence, the military component's posture should change—deploying additional troops and assets, and assuming a different bearing. This deployment of additional military assets was not done at the expense of other lines of effort. In fact, the working groups generally proposed increasing political and economic lines of effort, in parallel with the adoption of a more robust posture by the military component. As one participant explained, “Proactive posturing is not just military—it should be the whole mission, [including] heightened political engagement.”²⁴

A UN peacekeeping operation's posture is critical. A participant noted, “As a concept, proactive military posture is a fundamental tool of peacekeeping.”²⁵ Following the sharp acceleration of violence in the second scenario, participants proposed increasing the size of the military component, and adopting a more robust force posture to protect civilians. Working Group A suggested that military action would still be employed jointly with civilian efforts or in close coordination at the tactical level. However, Working Group A also suggested that the posture of the military would need to change in a situation of escalating or wide-scale violence. “Proactive posture [includes] mental agility and maneuvering domination. Always tell Brigade Commanders to keep the opponents off balance as much as possible.”²⁶ In the case of patrolling and perimeter patrol, additional military assets including troops and air assets would likely be needed to secure humanitarian access to and deter attacks against the large concentrations of vulnerable civilians in IDP camps. Even in the case of liaison and mediation (in the case of inter-tribal violence in the scenario), the force's posture must also change. A participant asserted, “[You] have to talk to local leaders, tell them ‘stop the fighting, if not, we will take your weapons away—we will ensure a secure environment.’ If they are impressed by your posture, they may give up.”²⁷

However, participants also remarked that UN troops don't usually have appropriate guidance, and aren't necessarily trained on when and how to change their force posture. Given that UN operations are meant to use force as a last resort in self-defense or in defense of the mandate, they need to be able to identify and manage or mitigate the consequences of changing posture. Without guidance and training, it could result in inaction or ineffective applications of force.

Proactive postures and dynamic operations require a high standard of training, and one participant noted that UN forces need to be psychologically prepared to use force. Again, a proactive posture does not necessarily mean an inappropriate resort to force, but the threat must be credible. As one general asserted, “When the crunch comes and civilians are being killed, if you're not prepared to do anything, mostly due to a lack of political will and lack of engagement, that posture is worthless.”²⁸ As participants pointed out, the main risk of taking a more robust posture is that it could escalate, rather than de-escalate, a situation in the short and/or long-term.

Concerns about posture are not limited to UN peacekeeping missions. Although there has been research on military posture in operations in Afghanistan and Iraq, this was not an issue that garnered significant attention by Working Group B, tasked with planning to address the crisis with a multinational force comprised of additional troops and assets in comparison to Working Group A. Working Group B discussed whether forces were trained in cultural sensitivity, and understood when a lower profile may be needed in mediation, liaison, and interaction with the community.

23 Remarks by workshop participants.

24 Remarks by workshop participants.

25 Remarks by workshop participants.

26 Remarks by workshop participants.

27 Remarks by workshop participants.

28 Remarks by workshop participants.

Findings:

- A proactive posture should apply to the whole operation. In the face of multiple threats and an escalation of violence, additional military assets should be deployed. However, a viable political strategy at the tactical and operational level should be in place and military assets should be deployed in combination with political and other lines of effort. Leadership and communication is key to coordinating posture across the operation. The commander's intent must be thoroughly understood by all contingents at the lowest levels.
- Military personnel must be mentally and physically prepared for a dynamic environment where they may be challenged by determined perpetrators. Adopting a proactive posture will require the threat and possible use of force. It will also require military commanders and personnel to monitor and assess the situation daily to determine whether to lean forward or lower their profile.
- Operations must have a clear understanding of their own limits, and carefully assess the risks of bluffing. If that bluff is likely to be called, or consequences of such overreaching likely to be particularly severe, military inaction may be the preferable option, and other tools should be employed.

The Use of Force

Tensions around whether, when, and how peacekeeping operations should use force have persisted for decades. Over the last decade, this debate has revolved, in particular, around the protection of civilians. However, peacekeeping operations are not the only military operations that have struggled to determine how and when to use force in the protection of civilians. Stability operations have faced similar challenges regarding the appropriate use of military force to achieve political objectives.

The use of force in UN peacekeeping. Peacekeeping has often been distinguished from other military operations by its initial characteristic of the limited use of force in self-defense. Acknowledging challenges to UN peacekeeping missions throughout the 1960s and early 1970s, the UN Security Council formally extended the principle to include defense of the mission's mandate in 1973.²⁹

Despite this seemingly linear progression of matching the application of force to conditions on the ground in the early years, UN member states' appetite for the use of force by UN peacekeepers beyond self-defense has ebbed and flowed. The principle of using force only in defense of the mission and mandate remains largely unchanged and undefined today. Peacekeeping operations are meant to use force as a last resort, and use as much force as is sufficient to achieve the objective.³⁰

Stimson's research has consistently demonstrated that, in the past, UN member states have either been unable or unwilling to agree what that means in practice. As a result, mission leaders have been left to determine when and how to use force on the ground. This leads to enormous variation, from very restrictive to very robust, in the application of force even within the same mission operating under the same mandate.

Peacekeeping missions rely in the first instance on the consent of the main parties and/or the host state government and broader political legitimacy to ensure their freedom of action. When consent and legitimacy are uncertain or insufficient—an increasingly common situation—peacekeeping missions may rely on the deterrent effect of their military components. Effective deterrence, however, depends on the credible threat of the use of force to dissuade potential spoilers from challenging the mission, disrupting the peace process, or attacking civilians. Establishing credibility is particularly challenging for UN missions that lack the forces, equipment, and willingness to use force to overmatch spoilers. Some of the most notorious failures

29 Trevor Findlay, *The Use of Force in UN Peace Operations*. SIPRI, Oxford University Press, 2002, pp. 14–100.

30 The UN Capstone Doctrine directs missions to employ “the minimum force necessary to achieve the desired effect, while sustaining consent for the mission and its mandate.” (35) However, the Capstone Doctrine also asserts that: “By proactively using force in defense of their mandates, [robust] United Nations peacekeeping operations have succeeded in improving the security situation and creating an environment conducive to longer-term peacebuilding in the countries where they are deployed.” (34)

of UN peacekeeping operations to protect civilians have come as a result of peacekeepers proving unwilling or unable to carry through on the threats implicit in deterrence.³¹

In deciding when to use force, operations must take into account whether the application of force is adequate to meet its objective, whether the use of force could contribute to an escalation versus de-escalation of violence against civilians, and whether the use of force could undermine the force's consent and legitimacy.

Working Group A, tasked with planning a UN peacekeeping operation, proposed taking a proactive posture that might put peacekeepers in a situation where, if challenged, they would have to use force to establish or re-establish the credibility of their threats. In scenario three – mass killing – participants asserted that the use of force would be necessary to protect civilians from wide-scale atrocities. While discussing a range of tactical actions to offer protection when and where possible, many recognized that concerted military action at the operational level to halt the crisis would be beyond the capabilities of a United Nation peacekeeping mission.

The use of force in other operations mandated to protect. Although other types of stability operations mandated to protect civilians are not constrained from using force in the same way as UN peacekeeping operations, nonetheless they face dilemmas in the application of force. As with peacekeeping operations, stability operations face fundamental challenges in using military assets to reduce the vulnerability of civilians (for instance by reducing access to civilians by perpetrators), and reduce the threat itself (by identifying and taking action against perpetrators). Particularly when civilian populations are widely dispersed across challenging terrain, and/or armed groups hide in such terrain or hide within the populace itself, stability operations face the fundamental challenge of how to make best use of limited resources.

Moreover, tensions can arise between the objectives of destroying enemy forces on the one hand, and ensuring the security of civilians on the other. Although both may be deemed necessary to achieving strategic success, at the tactical level, they often impose contradictory imperatives.

Military actions to defeat an enemy may entail tactics that result in collateral damage, particularly against armed groups that deliberately place civilians in harm's way. Even if an operation generally complies with international humanitarian law, civilians and their assets may still be caught in the crossfire. Inadvertently harming civilians can have political—and therefore military—implications at the operational and strategic level. The International Security Assistance Force in Afghanistan faced this dilemma. The Commander of ISAF General McChrystal's latest tactical directive (July 2009) stated:

*I recognize that carefully controlled and disciplined employment of force entails risk to our troops—and we must work to mitigate that risk wherever possible. But excessive use of force resulting in an alienated population will produce far greater risks. We must understand this reality at every level in our force.*³²

Working Group B, which was tasked with tackling the workshop simulation scenarios with a highly-skilled and resourced multinational force, wrestled with when to apply force in different scenarios against different actors. The primary concern throughout the simulation was the impact that posture and use of force would have on perceptions of the force's impartiality. Although the multinational force was not constrained by a UN mandate whose principles included impartiality, the workshop participants recognized that impartiality was important to maintain credibility and legitimacy with the population, and with the host state government.

31 "We thought deterrence could be based on the moral authority of the United Nations, but we learned that the moral authority is not enough. When the Serbs realized there was a 155-millimetre cannon on top of Mount Igman, they understood the language." 'NATO's Turn in Bosnia as UN Flags Come Down,' International Herald Tribune, 21 Dec 1995, p. 1.

32 NATO/ISAF Unclassified. "Tactical Directive." Headquarters, International Security Assistance Force, Kabul, Afghanistan, 6 July 2009.

In the first scenario of political uncertainty and low-level violence, Working Group B rejected the use of coercive force as infeasible. Given that the operation was deployed in relatively small numbers with a mandate to help reform and professionalize the host state's security forces, the direct use of coercive force to protect civilians was not considered viable. Instead, the group focused on how to leverage their liaison and mentoring role to reduce the threat posed by those security forces, and to assist in the implementation of the shaky peace agreement through a limited monitoring role.

As violence escalated in the second scenario at the same time as additional force and assets were deployed, participants proposed a two-pronged strategy in the application of force. The group suggested sending small teams to monitor each regional problem while reconfiguring the bulk of their forces as a quick reaction force (QRF). The QRF would be capable of rapidly deploying to any of the regions, in response to an escalation of violence reported by the monitoring teams. Under this concept, an initial deterrent effect was intended by the presence of the monitoring teams, in that they could call in substantial reinforcements on short notice. Should that deterrent effect fail, it was possible that the rapid deployment of the heavily armed and highly capable QRF would inspire a reevaluation of goals and methods on the part of perpetrators. Should the presence of the QRF prove inadequate to halt the escalation, its capabilities were adequate to overmatch any of the belligerents in any one of the regions in crisis. However, participants expressed concerns that action against the host nation or its proxies in one region could trigger retaliation against civilians or the operation in other areas, introducing additional complexities to the model described above.

In the final scenario of mass killing, participants suggested the coalition rely heavily on information operations, demonstrations of force, and electronic warfare. Although there was more consideration of using force against perpetrators of violence, given additional assets, participants were unable to agree upon whether, when, and how to apply force against host state forces. The dilemma in this scenario was less about loss of the consent of the host state, and more about whether political authority had been given for such actions at the strategic level, the legitimacy of the operation, whether the force had the assets to succeed in such an undertaking, risks to the force, and the possible negative consequences for the overall end-state. Similar to posture, guidance and training are essential to the effective use of force and to the protection of civilians.

Findings:

- An operation should only use the amount of force necessary to deter and/or compel perpetrators to change their behavior because: a) a proactive posture and the application of force can affect perceptions of whether a force is impartial which can in turn affect the credibility of an operation; b) in some circumstances, a greater application of force may also translate into a greater risk of collateral damage; and c) operations may not be equipped to dominate escalation if a belligerent responds in kind. It should be noted that neither working group discussed the potential necessity of defeating a perpetrator when there is no reasonable prospect of changing their behavior through actions aimed to deter or compel.
- Guidance and training are essential prior to, and during, deployment on the use of force in the protection of civilians.

FROM THE FIELD: MANAGING RISKS AND CONSEQUENCES

The UN Mission in Sudan (UNMIS) was initially deployed to monitor and support the implementation of the Comprehensive Peace Agreement (CPA) in Sudan during the fragile “interim period.” This was the time period between the signing of the CPA and a referendum scheduled for 2011. The referendum would allow southern Sudan a vote to choose whether to secede and become a separate nation state, and an oil-rich area of Abyei to vote whether to join the south or the north. This interim period included a number of commitments by parties to tackle sensitive border issues not resolved in the CPA and meet critical CPA benchmarks, including a national census and national, state, and local elections.

Given the history of past conflicts throughout Sudan, the current conflict in Darfur, conflicts over natural resources, and conflicts in neighboring states that have bled over and mixed with those of Sudan, UNMIS faces multiple protection threats to civilians. To cope with escalating protection threats, UNMIS developed a mission-wide security concept that included a tool to help mission leaders across the mission and throughout the leadership chain understand and judge the risks and consequences of taking coercive action against a diverse and ever-changing mosaic of actors threatening civilians. The tool identified a sliding scale of possible consequences and risks to consent of taking action to confront various armed actors targeting civilians.

THE APPLICATION OF THE MILITARY COMPONENT TO PROTECT CIVILIANS OVERARCHING FINDINGS AND RECOMMENDATIONS:

- Effective protection of civilians hinges on accurate and timely intelligence about the nature of threats to civilians, and the vulnerabilities of various populations. Intelligence entails information gathering and analytical capacity, and requires human, signal, and imagery intelligence capabilities in the field.
- A coherent political approach to protection is critical to any success. The military is a necessary but insufficient component of peacekeeping and stabilization operations. It can only contribute to the conditions for other tools to construct a durable peace. Political strategies should be developed and guide when and how to apply military components in combination with civilians or host state actors, or as a stand-alone effort. Political strategies and lines of effort will also help guide the operation in making decisions from the operational to tactical level on when to act, and how to manage the risks and consequences of action and inaction.
- In deciding whether to use force, operations must take into account whether the application of force is adequate to meet its objective, whether the use of force could contribute to an escalation versus de-escalation of violence against civilians, and whether the use of force could undermine the force’s consent and legitimacy. The question is not whether to use force in some situations, but when to take action, and how to manage possible risks.
- Given that protection crises are complex and conditions can change quickly on the ground, guidance and training on the use of intelligence, posture, and use of force is critical in the protection of civilians up and down the chain of command. Troops should be empowered to make decisions regarding the use of force, down to the most junior levels.

PRIORITIZING PROTECTION

*You cannot get away from protection as your primary task. Hundreds of thousands of people are on the run and run to persons with a blue helmet. If you can protect them, you ensure a secure environment and a stable situation. It has all the effect of supporting the peace agreement at the end. You don't do tasks sequentially, but concurrently. Protection is absolutely the primary task.*³³

Protecting civilians is rarely the strategic objective of a military operation. Even when it is, transitioning to a stability or peacekeeping operation will likely require hard choices. If the overall end-state of an operation is a secure and stable environment, an international force is likely to be given multiple tasks to achieve that goal. The question that military planners and leaders face is *how should protection be prioritized?*

Some experts and practitioners have answered this question by relegating protection to a task to be executed at the tactical level. Many workshop participants disagreed with this approach, and instead asserted that the effective protection of civilians should be an operational-level objective.

Participants identified four interrelated motivations for this prioritization: moral, legal, pragmatic, and utilitarian.

1) Moral: Neither the body authorizing an operation nor an operation's personnel wants to stand by as silent witnesses – or worse – become complicit in abuses. The fact that peacekeeping and stability operations increasingly include protection objectives and tasks is a manifestation of this commitment.

2) Legal: Although there is a lack of consensus on whether individuals are obligated by international human rights or humanitarian law to proactively protect a civilian from a threat, if the military operation is mandated or given a directive to protect, uniformed personnel are obligated to comply and undertake tasks to achieve this objective.

3) Pragmatic: Whether or not a peacekeeping or stability operation is tasked with protection, in the face of violence, communities on the ground and around the globe expect uniformed personnel to be proactive in protecting civilians. Moreover, the ability of an operation to protect civilians is fundamental to the legitimacy and credibility of the mission, and the institution under whose auspices it deployed. Should the operation lose its credibility and legitimacy by failing to protect civilians, its ability to pursue other objectives, including support to peace or stabilization processes, can be undermined.

4) Utilitarian: Effective protection of civilians requires operational-level comprehensive protection plans—created and implemented in coordination with protection actors across a multidimensional operation and, where appropriate, with protection actors external to the operation—in order to synchronize action across different lines of effort. Further, effective protection requires operational-level military planning in order to seize the initiative from perpetrators of violence, and fundamentally change the security dynamics in a conflict. In order to systematically reduce the threat to civilians, an operation must sequence tactical actions as part of an operational campaign plan so that they build towards the desired end state (e.g. political negotiations and an end to attacks on civilians).

Despite a growing consensus around the need to include protection as an operational-level objective, planners and those implementing objectives in the field continue to struggle with *how* to prioritize this objective, and how to apply resources to the objective at the operational level. Workshop participants noted that the prioritization of protection does not mean that an operation will always be applying the same level of resources at the operational or tactical level. In fact, participants asserted that the application of resources (type and level) would be influenced by the severity and prevalence of human rights violations (particularly mass killing, torture, rape, mutilation, and abduction), political will, mandate/authorization of the operation, consent of the parties, and operation leadership. However, the prioritization of protection

33 Remarks by workshop participants.

in planning enables operations to be prepared with the right assets, and communication and coordination mechanisms to make rapid decisions and adapt quickly to protect civilians in a fluid environment.

Participants stressed the need for a methodology for prioritizing protection. The simulation exercise was designed to challenge workshop participants to prioritize actions in the three scenarios of escalating violence, from low-level to systematic and wide-spread violence, to capture insights that might contribute to such a methodology.

Their deliberations highlighted that operation planners and implementers would need to make decisions on prioritizing protection on three levels: between operational-level objectives, within the operational-level objective of providing immediate protection, and between existing and potential threats. These levels and the tensions and trade-offs of prioritizing protection are explored below.

Between Operational Objectives

Operations often have multiple operational-level objectives in pursuit of a single end-state. For example, an operation may be expected to monitor and support the implementation of a peace agreement, including monitoring cantonment areas and ceasefire zones. An operation may also be tasked with security sector reform, including supporting disarmament, demobilization, and reintegration; capacity building of host state security forces; and, in some cases, accompanying host state security forces in joint operations. At the same time, an operation may explicitly or implicitly be tasked with protecting civilians from physical violence.

All three of these objectives could contribute to civilian security and sustainable peace, and therefore protection in the long run. However, tensions and trade-offs can arise between the short-term objective of providing immediate protection and the long-term objectives associated with the stabilization process and reforming security forces.

Tensions and Trade-Offs, Example: Peace vs. Protection

At the tactical level, tasks involved in peacekeeping or political stabilization may include the defense of key locations, protecting key leaders, and presence and patrolling along ceasefire zones. Such an activity may be accomplished using a fairly static approach, with uniformed personnel and assets removed from the population. Protection, on the other hand, requires situational awareness, anchored in interaction with communities; mobility and flexibility to anticipate and respond to threats; and a different pattern of deployment as protection threats may arise in vastly different areas from those of ceasefire or cantonment areas.

Moreover, if the operation is partnering with the host state and main parties to the conflict at the tactical and operational level to support and implement peace negotiations and agreements or the reestablishment of state authority, actions to protect civilians facing immediate threats could jeopardize these relationships. If the host state's or main parties' troops or proxies are complicit in abuses, confronting these actors to prevent, preempt, or respond to threats in the short run could risk the partnerships with the host state and/or main parties. This tension is particularly acute for UN peacekeeping forces or other stabilization operations that depend on the strategic consent of the host state and main parties to deploy and remain on the ground.

Tensions and Trade-Offs, Example: Partnering with Host State Security Forces vs. Protection

Similar to the peace vs. protection dilemma, partnering with host state security forces can create dilemmas when the host state security forces are complicit in abuses. Should the operation temporarily freeze capacity building and/or joint operations while they effectively respond to the immediate abuses? Protection will not be sustainable if host state forces are unable or unwilling to protect civilians. A balance will need to be struck between the two objectives.

Findings:

- Protection is an operational-level objective, even when a situation is characterized by low-level violence that has the potential to escalate into systematic or widespread abuses. Failure to prevent abuses can undermine, and even unhinge, other operational and strategic objectives by undermining the legitimacy and credibility of an operation.
- Whenever possible, strategic-level guidance should be given to the operation on how they expect protection to be prioritized against other operational-level objectives.
- Operational leaders should develop operational-level comprehensive protection plans to help guide the prioritization of protection and the use of resources and assets. Such plans should be developed in consultation with protection actors within and outside the operation, and across all relevant operation components. Corresponding directives, standard operating procedures, etc. on protection should also be developed. Implementation of protection plans should be monitored to ensure resources and assets are being used effectively toward short-term protection objectives.
- In the absence of strategic-level guidance, and with the understanding that situations on the ground can change quickly, military personnel at all levels should be provided with tools, and trained to identify and manage the risks and consequences of action and inaction. Military leaders at the sector, battalion, and company level must be empowered to make decisions, act, and manage the consequences.

Within the operational-level objective of providing immediate protection to civilians under threat:

Beyond decisions between operational-level objectives, tensions, and trade-offs arise within the operational-level objective of providing immediate protection to civilians under threat. There are often multiple threats against civilians across disparate terrain in an area of operation. Individuals will have varying vulnerabilities within and across communities, and operations will have different levels of capacity and capability. Given that operations cannot be expected to protect everyone in the area of operation at all times, the question for planners and implementers is when, where, and how to protect which civilians?

Tensions and Trade-Offs, Example: Concentration vs. Dispersal of Forces

Should an operation attempt to apply forces to all major threats in the area of operation, or concentrate its forces on the most critical threat? Concentrating forces on one threat in one area could exacerbate the vulnerability of communities in other areas, as perpetrators will look for windows of opportunities. On the other hand, if forces are spread too thin, they may not be able to cope with a potential escalation of violence, or achieve sufficient troop density to effectively dominate an area and prevent perpetrators from accessing civilians. Focusing forces on one population over another could undermine a force's credibility, which is determined in part on the perception that they provide protection in an impartial fashion, based on who is vulnerable and under threat. Operations should think through the potential unintended consequences of their courses of action when prioritizing protection.

Tensions and Trade-Offs, Example: Government Forces vs. Proxies

Operations face situations where host state forces and/or parties to the conflict directly target civilians or use proxies to perpetrate attacks. Should an operation choose to address threats by targeting proxies, entailing a lower risk of damaging relations with its politically powerful sponsor? Or should operations go to the source to dissuade the government and main parties from attacking civilians directly or through proxies—a choice that could put the whole operation and larger end state at risk? Operations have to balance the uncertain risks of inaction—lost lives and undermined legitimacy—against those of action: an escalation of violence or loss of strategic consent.

Findings:

- Other lines of effort including political, economic, and humanitarian should be considered when developing and prioritizing courses of action for the military component. Protection actors within, and external to, the multidimensional operations should be consulted in the prioritization of protection activities.
- Prioritization should also take into account what other protection actors are doing within, and external to, the operation (including those actors' relative strengths and operating principles) to avoid duplication and to respect diverse operating principles.
- If there are sufficient forces, operations should deploy assets to address each threat. However, if resources are inadequate, then forces should address each threat sequentially, using a phased approach that initially concentrates more resources against one, while employing an economy of force approach against others. As the first threat is brought under control, assets and the main effort can be shifted to address other threats.
- Operations should be intelligence-led. Prioritization of threats should be based on who is vulnerable, followed by the operation's capability, and the risks and consequences of action.
- Operations must be mobile and flexible, with the ability to reconfigure troops quickly to address multiple threats in an area of operation.
- Operations should work with populations at risk to develop early warning systems that enable the operation to respond when it doesn't have troops in the area in the event of an incident.

FROM THE FIELD: MANAGING RISKS AND CONSEQUENCES PRIORITIZING PROTECTION IN THE CONTEXT OF LIMITED RESOURCES

Protection coordination mechanisms of actors within and outside UN peacekeeping operations have been established in the DR Congo (MONUC), Darfur (UNAMID), and Sudan (UNMIS). In most cases, the protection cluster—part of a humanitarian coordination structure developed by the Inter-Agency Standing Committee, of which protection is one sector—serves as the primary hub for communication and, where appropriate, coordination between protection stakeholders.⁽¹⁾ Given the diverse and dispersed protection threats in DR Congo, protection actors began using the protection cluster for monthly “priority protection planning meetings.” Protection actors meet to determine priority areas and actions for MONUC deployment. Participants share, analyze, and prioritize protection threats into three categories: “(a) ‘Must protect’ areas where MONUC troops should be physically present with a base deployed to the area; (b) ‘Should protect’ areas where MONUC should be physically present if the resources are available, and if not, MONUC troops should at least do regular patrols to the area; and (c) ‘Could protect’ areas where MONUC troops should carry out patrols, especially on market days.”⁽²⁾ Less formal and systematic methods have also been used on a much more ad hoc basis in west and south Darfur, where UNAMID has consulted community, human rights, and humanitarian actors to determine what protection activities should be prioritized.⁽³⁾

(1) Victoria Holt and Glyn Taylor with Max Kelly. *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*. Independent study jointly commissioned by the DPKO and the UN Office for the Coordination of Humanitarian Affairs (OCHA), 17 November 2009.

(2) Human Rights Watch. *You will be punished*. December 2009, pp. 89-90.

(3) Interviews with protection actors in Darfur, 2008.

Between Existing and Potential Threats

The goal in protection should be to prevent and preempt violence, rather than just respond to it. However, situations on the ground are often fluid, and violence can escalate quickly. Therefore, those charged with planning and executing operations must take existing and potential threats into account.

Tensions and Trade-Offs, Example: Densely Populated IDP Camps vs Inter-Ethnic or Tribal Tension

How should an operation prioritize its resources when there is a recognized threat against a densely populated IDP camp, as well as increasing inter-tribal tensions over water resources in a sparsely populated rural area? Failure to protect IDPs could have major consequences for the legitimacy of the operation as numerous people could be harmed at once, and media are likely to cover such failures. Conversely, inter-tribal violence could also quickly escalate into mass atrocity, especially if accelerated by state failure (a vacuum of law and order) and/or political manipulation. Workshop participants agreed that the UN is particularly challenged to address the latter threat due to lack of timely information and intelligence, and lack of guidance in protecting what can become a “moving feast of violence.”³⁴

Findings:

- All operations should develop contingency plans for possible scenarios of escalating violence. They should include possible responses that can be taken off the shelf.
- Effective intelligence is key to identifying and monitoring possible threats that can guide contingency planning.
- In such planning, operations should identify possible triggers for escalations of violence, specific to the situation and thresholds of violence that would trigger a more robust political and/or military response from the operational and, when needed, strategic level.
- Operations would also benefit from reserve surge capacity that can be deployed quickly to different areas in order to preempt, or respond to, an escalation of violence.

PRIORITIZING PROTECTION OVERARCHING FINDINGS AND RECOMMENDATIONS:

- Protection should be considered an operational-level objective as a reflection of its relationship with the credibility and legitimacy of the operation.
- Effective protection of civilians requires operational-level comprehensive protection plans—created and implemented in coordination with protection actors across a multidimensional operation and, where appropriate, with protection actors external to the operation—in order to synchronize action across different lines of effort.
- Further, effective protection requires operational-level military planning in order to seize the initiative from perpetrators of violence and fundamentally change the security dynamics in a conflict. In order to systematically reduce the threat to civilians, an operation must sequence tactical actions as part of an operational campaign plan so that they build upon one another towards the desired endstate (e.g. political negotiations, and an end to attacks on civilians).
- Intelligence is critical to effective prioritization, which requires an understanding of who is vulnerable and why, who is perpetrating threats, how and why they attack civilians, and what type and level of action is needed to address the threat.

³⁴ Remarks by workshop participants.

- Intelligence is also critical to undertaking assessments of potential threats that have yet to emerge, and of potential triggers for the rapid escalation of violence.

MANAGING RISKS AND CONSEQUENCES: THRESHOLDS OF CAPABILITY AND CONSENT

This report has highlighted a number of tensions and trade-offs that operations mandated to protect will likely face in designing and implementing protection plans at the operational and tactical level. The workshop deliberations highlighted an overarching theme. The question is not whether an operation should take action to protect, as the failure to do so can have crippling consequences. The question is how to identify which action to take, and how to manage the risks and consequences of that action.³⁵

Workshop participants highlighted two thresholds that operations would need to understand to identify and manage risk: capability and consent. Although these two thresholds are discussed separately below, they are intimately linked. At times, this report has suggested tools or best practices from the field that have been applied. This section seeks to explore in greater detail the concept of thresholds and possible tools to address them.

Capability: Managing the Escalation Curve

An operation's capability to protect includes both its capacity and will to manage the consequences of action and inaction in order to protect civilians. In the case of an operation that may be limited in assets, commanders will have to consider whether their action could escalate or deescalate violence. The workshop simulation was designed to explore if and where a ceiling or threshold of violence exists, beyond which military operations mandated to protect civilians cannot succeed.

Throughout the course of the simulation exercise, and particularly in scenarios two and three that were characterized by escalating violence and mass atrocity, some participants in Working Group A raised concerns about the improbability of a UN operation implementing some of the proposed courses of action in a real-world scenario, given capacity constraints. A number of research projects and publications have explored the current capability gaps of UN peacekeeping operations, including insufficient command and control, a lack of leadership, an inadequate quantity and quality of troops, limited intelligence and communication resources and assets, limited mobility, and inadequate logistics support.³⁶ Although participants discussed these challenges as critical liabilities for UN peacekeeping operations, they will not be discussed in detail here.³⁷ Needless to say, a UN peacekeeping operation will need to identify this threshold in relation to the various armed actors perpetrating threats against civilians, as each is likely to have varying capabilities.

Although other operations mandated to protect civilians may not be constrained by the same liabilities of a UN peacekeeping operation, they will inevitably be constrained by other liabilities. For example, in scenario one, Working Group B determined their course of action in part because they were a small force designed to

35 "Not Whether, but How" is a phrase that has been used by the Mass Atrocity Response Operation project to raise awareness about the lack of preparation of militaries to respond to mass atrocities.

36 Victoria Holt and Tobias C. Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*; Victoria Holt and Joshua Smith, *Halting Widespread or Systematic Attacks on Civilians: Military Strategies & Operational Concepts*; Washington, DC., Stimson Center, 2008; UN Department of Peacekeeping Operations and Department of Field Support, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*; Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*.

37 Participants highlighted the following liabilities: a) guidance: the lack of mission-wide strategies, standard operating procedures, and other guidance at the operational and tactical level; b) communication and intelligence assets as discussed earlier in this report; c) troop contributing country caveats: the enduring problem of caveats imposed by troop contributing countries that may limit their ability to take robust action in the face of threats to civilians; d) mobility: a persistent concern was the lack of mobility by air, water, and land, at midday or midnight (effective protection efforts require flexibility in reconfiguring and re-deploying troops, and quickly responding to existing or emerging threats); and e) night operations: for obvious reasons, perpetrators of violence against civilians often strike at night yet the frequent inability of UN missions to mount operations at night is both common and a serious impediment to effectively protecting civilians. One participant asserted, "It's 4:20 in the afternoon and they don't want to fly, they have to return back to base because the insurance hours for this month are expired."

advise and provide support to host state forces. In scenario two, Working Group B concluded it didn't have the appropriate or adequate assets to successfully address the tribal violence in dispersed rural areas, which contributed to their de-prioritization of this protection threat.

Findings:

- Given that operations will undoubtedly have limited resources, they must develop protection plans to manage expectations at the local, operational, and strategic level.
- Improved guidance and planning (including contingency planning) would assist operations in doing more with their assets.
- Workshop participants suggested that if an operation is on the ground in a situation of wide-scale atrocity or genocide, it has the responsibility to do as much as it can within its means to protect civilians. For example, even if an operation lacks the capacity required to halt all the atrocities, it may be able to protect some civilians in certain areas. In an extreme case where an operation is entirely outmatched, personnel may still be able to provide witness and inform the international community about what is happening.
- However, participants agreed that even if the guidance, leadership, and willingness of troop contributing countries exist, there will likely be situations that UN peacekeeping operations are not able to surmount in the near future. The international community will need to look to single-nation or coalition efforts that have the will and capacity to reinforce or replace UN peacekeeping operations faced with wide-scale protection crises.

Consent: Managing Multiple Actors

Of even greater concern is the risk of an operation losing strategic consent to operate in an area and/or losing the consent of other stakeholders to the extent that it undermines the operation's ability to reach its operational-level objectives. The simulation also tested participants to explore the question of the consent threshold.

During the simulation, Working Group A, planning the actions of the UN peacekeeping operation, applied coercive military force in a manner broadly consistent with existing principles regarding the use of force in UN peacekeeping. Those principles, as explained in the Capstone Doctrine, permit the use of force at the tactical level, prohibit it at the strategic level, and are silent on its application at the operational level.³⁸ The workshop simulation discussion and outcomes highlighted gaps in the available guidance, particularly with regard to:

- How to identify whether the use of force at the tactical level may affect consent at the operational and strategic level;
- How to manage the risks and consequences of applying force at the tactical level, understanding it can have consequences at the operational and strategic level?

As discussed above, Working Group B was also sensitive to force posture and the application of force throughout the scenarios, recognizing that it would affect their impartiality. In the last scenario of mass atrocity, working group participants were reluctant to target the host state government without further

38 The UN Capstone Doctrine asserts that, "While robust peacekeeping involves the use of force at the tactical level with the consent of the host authorities and/or the main parties to the conflict, peace enforcement may involve the use of force at the strategic or international level, which is normally prohibited for Member States under Article 2(4) of the Charter unless authorized by the Security Council." (19) The January 2010 draft DPKO/DFS operational concept notes on the Protection of Civilians and Robust Peacekeeping reaffirm the Capstone interpretation. The 2010 Draft Operational Concept on Protection of Civilians notes, "protection of civilians tasks undertaken by UN peacekeeping missions must reflect and uphold the principles of UN peacekeeping, namely, consent of the host government and the main parties to the conflict, impartiality and the non-use of force except in self-defense and defense of the mandate. It also recognizes that the protection of civilians is the primary responsibility of the host government." The draft operational concept on Robust Peacekeeping also limits robust peacekeeping to using force "at the tactical level, limited in time and space, and aimed at countering or containing a specific spoiler...."

strategic guidance. Although the participants of this working group were more aggressive in the application of their more robust military assets than Working Group A, they also asserted that they would need an additional directive or consent from the political leaders to take such action. A participant suggested:

You may have the legal authority (Chapter VII) to shoot at government troops who are violating an obligation or commitment, but you don't have the political authority to turn government forces into an enemy.³⁹

Participant discussions on the issue of consent suggested that the gaps are, in part, a reflection of the difference between formal consent granted by the host state and/or main parties at the strategic level to a peacekeeping or stability operation, and consent in practice that is fluid and unpredictable at the operational and tactical level. The fluid boundaries between tactical, operational, and strategic levels will be determined by the various actors in the conflict that allow the operation to operate and achieve its goals.

Figure 2: Extent of Authority for Peace Support Operations

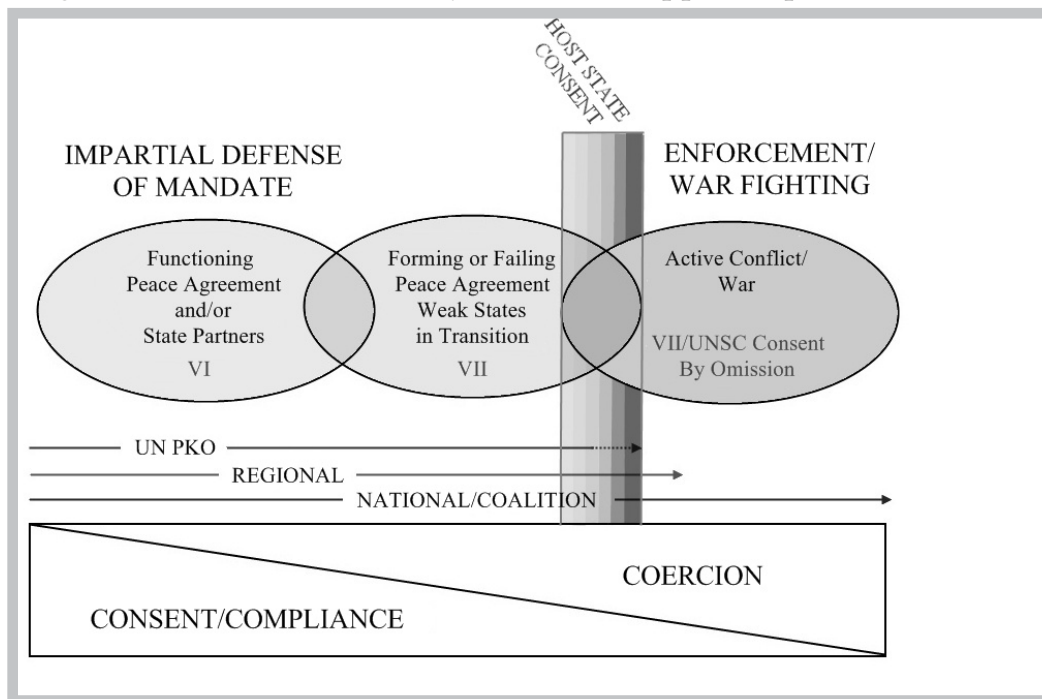


Diagram adapted from African Standby Force Doctrine on Peace Operations, 2008, Figure 1-3: The Conceptual Model*

*"Doctrine for Peace Support Operations," African Standby Force, 2008.

Consent in Practice

- **Host State:** Host state consent is understood in the first instance as "strategic consent," or the consent that the host state government gives the UN or other national or multinational operations to conduct operations within their borders. However, the central government, including its various pillars (armed forces, ministries, etc.) and the state and local governments are anything but monolithic, and each may have the ability to support or challenge and undermine the operation.
- **Main Parties to the Conflict:** Consent of the parties primarily refers to the political and military leadership of the main parties to the conflict or a peace agreement. At the tactical level, it may also include the rank

³⁹ Remarks by workshop participants.

and file and/or political supporters of the parties.

- **Other Organized Armed Actors:** Other organized armed actors are likely to be present, and may engage in attacks on civilians. These actors may have cross-border or transnational reach. The term ‘other armed actors’ is purposely broad to capture the spectrum of militias, criminal gangs, and/or groups that take up arms. The impact of taking action against other armed actors depends largely on their relationship to/identification with the host state government, main parties to the conflict, and/or their capacity to launch attacks with strategic effect.
- **Civilians:** Models of consent often gloss over the importance of civilian consent. A loss of consent among civilians will not generally directly lead to a loss of strategic consent, however, their opinions and attitude towards the operation are a key determinant of an operation’s success or failure.

As discussed above, multidimensional operations mandated to use force to protect civilians often face a recurring challenge to balance the imperative to protect civilians, with the requirement to manage consent from the array of actors outlined above. The tensions between these two imperatives—each a necessary but insufficient component for successful stabilization and peacebuilding in the context of UN operations—can be acute, and can generate persistent strategic and moral dilemmas for operations.

Despite an increasing number of operations authorized under Chapter VII of the UN Charter, the formal consent of the host state government is a prerequisite for the deployment and continued operations of UN peacekeeping operations. Whether by the host state alone, or by other main parties to the conflict, the withdrawal of formal consent generally leads to the withdrawal of the operation. This does not fully reflect the complexity of the situation, though. As noted above, actors—including the host state—are not monolithic, and therefore the risks involved in using force against them depend on the particular agent or proxy in question. Thus the risk of confronting government forces at the tactical level will depend on a number of factors, including how closely the actors involved are affiliated with the central government. Such calculations are complex, and require extensive knowledge of the host state government and other actors.

Similarly, challenging the leadership of the main parties to the conflict could undermine peace negotiations and/or access to areas under these parties’ control. The trade-off will depend largely on the resilience of the peace agreement and the capacity and influence of the parties to the conflict. The risk and/or trade-off of losing the consent of other armed actors will depend largely on a) their relationship to/identification with the host state government or main parties to the conflict and b) the capacity and reach of the armed actor the operation is confronting.

The issue of consent of the civilian population is more complex. While a loss of consent among civilians will, in general, not lead directly to a loss of strategic consent, their opinions and attitude toward the operation is a key determinant of success or failure. With specific reference to their potential impact on issues of strategic consent, the political connections between civilians, the host government, and the various other actors can alternately aid or hamstring an operation.

For operations that successfully cultivate popular support—often in part through effective protection—legitimacy can enable more robust action to protect civilians. Conversely, operations that lose the support of all or part of the civilian population lack the political capital to challenge other actors, undermining their ability to carry out their tasks, and leaving them vulnerable to manipulation and pressure by parties to the conflict. In the worst case, antipathy towards an operation by all or part of a civilian population can make it easier for parties to the conflict to withdraw consent, or even spur attacks by either established actors or political entrepreneurs seeking power. This is all in addition to the practical issues related to obtaining intelligence critical to achieving operational objectives, including the protection of civilians. Thus while civilian attitudes may not directly impact strategic consent, they are a critical factor for success of the operation.

Workshop participants suggested that an operation's calculations regarding the risks of forceful action would have to take account of these complexities, and be reflected in guidance for tactical commanders. However, they also highlighted a gap in generic guidance for operations regarding how to identify and manage the risks within this gray area (depicted in the consent threshold in the following diagram). Given the variables on the ground, participants asserted that guidance and training should be developed to enable the operational and tactical-level military commanders to analyze risks and tradeoffs in various situations. This should be done in coordination with the civilian components of an operation to synergistically leverage all appropriate resources to achieve protection goals, and to reduce the chance that the actions of one component of the operation unintentionally undermines another component.

Findings:

- The outer boundary of a UN peacekeeping operation's use of force to protect civilians lies at the doorstep of host state strategic consent. Other types of military operations mandated to protect civilians may have greater flexibility in the use of force but concerns of impartiality and legitimacy persist. Political authorization will likely be sought by operational-level commanders before taking on forces of the host state government.
- It likely will be difficult to identify whether/how actions at the tactical and operational level will impact strategic consent as decision-making by the host state government may be opaque or unpredictable. Therefore, there is no one-size-fits-all answer to when/how an operation can/should use coercive measures.
- The gap in guidance lies in the ability of the leaders at the operational and tactical level to identify and manage the risks and consequences of actions in this gray area to deter, compel or neutralize various actors that are perpetrating attacks against civilians.

MANAGING RISKS AND CONSEQUENCES OVERARCHING FINDINGS AND RECOMMENDATIONS:

- Comprehensive protection plans should include frameworks or other tools to help military leaders at the tactical level identify thresholds. A consequence management framework should include:
 - Time – how quickly violence against civilians may escalate and what windows of opportunities may exist to stop it;
 - Level of atrocities – both the scale and severity;
 - Host state and main party consent – are the actors targets or partners, granting reluctant consent to confront perpetrators, enabling perpetrators or perpetrating violence;
 - Leadership – what is the willingness of the operational and strategic-level political leadership to back-up the decisions of the operation to confront the perpetrator;
 - Legitimacy of the spoiler – how legitimate is the perpetrator in the eyes of the population, the main parties, the host state and the regional and international communities; and
 - Capability – is the operation able to manage the escalation of conflict should they confront the perpetrator.
- Comprehensive protection plans, additional guidance, and training should inform the military component of its roles and responsibilities, clarify expectations of decision-making and actions and empower actors down to junior levels to identify and manage the risks and consequences of action and inaction.

- Operations are not going to be able to protect all civilians under threat of physical violence. Comprehensive protection plans should include plans to manage expectations at the tactical, operational and strategic level.
- Moreover, actions to protect civilians may sometimes result in harm to civilians and civilian assets. Protection plans should direct operations to be the first to own and admit the consequences of their actions and provide guidance on how to work with communities to make amends.

CONCLUSION: UNANSWERED QUESTIONS & NEXT STEPS

This project drew on the experiences of military and civilian leaders who have either planned for or implemented operations in the context of systematic and widespread abuses. Regardless of their experience—in Afghanistan, the Democratic Republic of the Congo, Iraq, Kosovo, Liberia, Sierra Leone, and the Sudan.

Three themes emerged over the course of the workshop:

- Protection must be a priority for peacekeeping and stability operations.
- Planning for, developing, and executing operational-level protection plans to address protection threats systematically is a substantial challenge, and requires clearer doctrine and training to provide the necessary framework analysis.
- Military leaders with experience across a vast array of national and multinational operations agreed that there are both pragmatic and moral reasons to protect civilians. It is fundamental to a soldier's creed to not stand by and watch mass atrocities occur.

Beyond these areas of consensus, participants raised additional issues that merit further research. The following areas continue to cloud decision making on the ground about how and when military force should be applied to protect civilians from systematic and wide-spread abuse. Stimson will continue to work with partner institutions, policymakers and practitioners to address these areas:

- **Understanding the problem:** Although policymakers and practitioners around the world recognize that civilians are increasingly targeted in conflict, there are significant gaps in the knowledge needed to craft effective policies. Even where knowledge exists, in many cases it has yet to be transformed into policy-oriented analytical frameworks and guidance. The better policymakers and practitioners understand the problem, the more effective they will be at proposing solutions. Academics and institutions are looking to identify patterns of violence that lead to wide-scale and systematic abuses.⁴⁰ This research could be critical to identifying indicators and interruption points that different types of political and military intervention could exploit.
- **Measuring success:** Throughout the simulation exercise, participants struggled with defining a criterion for success: progress will be highly dependent upon context. Nevertheless, participants asserted that this is an area that should be addressed. Various institutions and projects are exploring how to develop a set of metrics to monitor and evaluate efforts to protect civilians. The corresponding draft doctrinal principles begin to address the issue of metrics, but further research is needed.

*The biggest challenge we face is a definition of what success looks like in a protection mandate. We have to have the debate. We still don't know what success looks like. What is a successful level of civilian casualties? What is it we are trying to achieve and how do we achieve it?*⁴¹

- **Understanding legal obligations and definitions:** As explored in scenario three, some participants asserted that UN missions authorized to use force to protect civilians under imminent threat have a legal obligation to take action to stop others from attacking civilians in the case of systematic and widespread abuses. Those that maintained the legal obligation to act asserted that the mandate to protect issued by the UN Security Council amounted to a legal obligation. Others within the working group did not agree with this position. Although participants recognized that international forces should take action to protect civilians—for moral and pragmatic reasons and because they are tasked to do so—the international community continues to debate if and when third-party actors have a legal obligation to act.
- **Coordination and division of labor:** The simulation did not include a scenario where a multidimensional

40 The Genocide Prevention Task Force Report, Chapter 5, proposes a process of violence tool that depicts a pattern that could lead to mass atrocity or genocide; however, further research is needed. Genocide Prevention Task Force, *Preventing Genocide: A Blueprint for U.S. Policymakers*.

41 Remarks by workshop participants.

UN mission is deployed and operating in the same theatre as a single-nation, regional, or multinational force. Over the last two decades, there have been a number of examples where UN and non-UN forces have been deployed alongside each other in contexts where civilians have faced threats of mass violence. Participants asserted that lessons learned and best practices should be explored and captured to improve when and how UN and other operations should coordinate to protect civilians.

- ***The role of armed police:*** The international community is increasingly looking to FPU's or other armed police (individuals or units) to provide interim law and order in complex and high-risk environments. These police may have superior training and expertise to confront protection threats within densely populated urban areas and IDP camps and can help maintain the civilian character of IDP camps. The demand for these more robust policing units is growing despite the dearth of supply. Additional work is needed to understand the division of labor between military and armed police and doctrine and training specific to protection should be developed for these units.

The workshop findings underpin the moral and pragmatic reasons to make military operations tasked with protecting civilians more effective. Conflicts are characterized by state and non-state actors targeting civilians directly as a tactic, strategy, and means of subsistence. The legitimacy of governments and multilateral peace and security institutions depends in part on their ability to prevent and respond to atrocities, which can no longer escape lenses that capture images of failure for dissemination around the globe.

The calls for additional guidance, and the number of areas identified for further research in this report are indicative of the long road ahead to make institutions and governments more effective at preventing and halting systematic and mass violence. This project is a first step to catalyze or influence the development of guidance within the governments and institutions that authorize, equip, train, and deploy military operations with mandates to protect. These governments and institutions will need to develop appropriate guidance or doctrine to better address the challenge of protecting civilians. Guidance will then need to be tested, revised and incorporated into the planning for operations and training of militaries that are likely to be called to protect civilians under threat.

ANNEX I GLOSSARY OF TERMS

DEFINITION OF PROTECTION

Protection

The concept of protection of civilians includes activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., human rights, humanitarian and refugee law).⁴² The activity of protection is defined as any activity – consistent with the above-mentioned purpose – aimed at creating an environment conducive to respect for human beings, preventing and/or alleviating the immediate effects of a specific pattern of abuse, and restoring dignified conditions of life through reparation, restitution and rehabilitation.⁴³ This report focuses on the military's role in protecting civilians from physical violence in armed conflict, ongoing generalized violence, and post-conflict situations. It examines efforts to prevent and halt physical violence against civilians in situations ranging from low-level violence that has the potential to escalate, to situations of systematic or mass violence.

NATO TERMS (QUOTED DIRECTLY FROM THE NATO GLOSSARY OF TERMS AND DEFINITIONS)⁴⁴

Course of Action

In the estimate process, an option that will accomplish or contribute to the accomplishment of a mission or task, and from which a detailed plan is developed.

Doctrine

Fundamental principles by which the military forces guide their actions in support of objectives. It is authoritative but requires judgment in application.

Operational Level

The level at which campaigns and major operations are planned, conducted and sustained to accomplish strategic objectives within theatres or areas of operations.

Strategic Level

The level at which a nation or group of nations determines national or multinational security objectives and deploys national, including military, resources to achieve them.

Tactical Level

The level at which activities, battles, and engagements are planned and executed to accomplish military objectives assigned to tactical formations and units.

⁴² "Workshop on Protection for Human Rights and Humanitarian Organizations: Doing Something About It and Doing It Well." Report of the workshop held at the ICRC, Geneva, 18-20 January 1999, published 1999, p. 21.

⁴³ "Workshop on Protection for Human Rights and Humanitarian Organizations: Doing Something About It and Doing It Well," p. 25.

⁴⁴ North Atlantic Treaty Organization, "NATO Glossary of Terms and Definitions." AAP-6(2010).

ANNEX II

LIST OF PARTICIPANTS

International Experts Workshop
21–24 September 2009
UK Defence Academy, Shrivenham, UK

Experts were selected for participation in this workshop based upon current and past affiliations. Participants included experienced doctrine writers, subject matter experts and practitioners from operating environments characterized by mass or systematic violence against civilians. Past organizational affiliations of the participants include: the African Union, Centre interarmée de Concepts de Doctrines et d'Expérimentations (CICDE), Economic Community of West African States (ECOWAS), Global Peace Operations Initiative (GPOI), Joint Doctrine and Concepts Centre, North Atlantic Treaty Organization (NATO), United Nations (Best Practices Section, Integrated Training Service, Office of Military Affairs) and US Army Training and Doctrine Command (TRADOC).

Participants' past operational experiences include: Afghanistan, the Balkans (UNPROFOR), Chad (MINURCAT), Democratic Republic of Congo (MONUC), East Timor (UNTAET), Iraq, Northern Ireland, Kosovo, Liberia (UNMIL), Sierra Leone (UNAMSIL), and Sudan (UNMIS).

Many of the participants listed below volunteered hours of their time to review drafts of the workshop report and draft principles and contributed to the development of the forthcoming case studies.

**Members of the Workshop Advisory Team*

+Provided the model for doctrine development and rules of taxonomy

Colonel Festus Aboagye

Senior Research Fellow and Former Head of the Training for Peace Programme, Institute for Security Studies (ISS South Africa)

Brigadier General Jean Baillaud

Chief of Staff, Office of Military Affairs, UN Department of Peacekeeping Operations

***Major General (retired) Patrick Cammaert**

Consultant on Peace and Security, Senior Fellow Netherlands Defence Academy (NLDA), Former Military Advisor Department Peacekeeping Operations DPKO, former General Officer Commanding Eastern Division MONUC

***Ms. Sally Chin**

Project Director, Mass Atrocity Response Operations Project, Carr Center for Human Rights Policy, Harvard Kennedy School

***Colonel (retired) William Flavin**

Directing Professor, Doctrine, Concepts, Training and Education Division, US Army Peacekeeping and Stability Operations Institute (PKSOI)

Ms. Alison Giffen

Deputy Director and Research Fellow of the Future of Peace Operations Program, Stimson Center

Mr. Shayne Gilbert

Strategic Planning Officer, UN Office of the Assistant Secretary-General for Rule of Law and Security Institutions (OROLSI), UN Department of Peacekeeping Operations (DPKO)

Major General Robert Gordon

UN Department of Peacekeeping Operations (DPKO) Consultant on Doctrine Development/Challenges Forum Consultant on Comparative Doctrine Development; Former Force Commander, UNMEE

Ms. Lise Grande

UN Deputy Resident and Humanitarian Coordinator for Southern Sudan

Dr. François Grignon

Director, Africa Program, International Crisis Group

Mr. David Haeri

Head of UN Best Practices, Former Special Advisor to the Under-Secretary-General for Peacekeeping (Alain LeRoy)

Mr. Guy Hammond

Research Assistant, Future of Peace Operations Program, Stimson Center

+Colonel Richard Iron

Defence Fellow at the University of Oxford

Mr. Max Kelly

Consultant, Future of Peace Operations Program, Stimson Center

Commander Arnaut Lacote

Planning Officer, Military Planning Service, UN Department of Peacekeeping Operations

Brigadier General Hassan Lai

Chief of Staff, ECOWAS Standby Force

Lieutenant General (retired) Jasbir Lidder

UN Deputy Special Representative in Sudan (UNMIS), Former Force Commander of UNMIS

Lieutenant Colonel Harald Lixenfeld

Department of Peacekeeping Operations, Office of Military Affairs, Policy and Doctrine Team

Colonel Robert Manton

Counselor (Military Advisor), Australian Permanent Mission to the UN

Colonel Stephen Mariano

Chief of Strategic Plans, Policies and Assessment, United States Africa Command (AFRICOM)

Lieutenant General Daniel Opande

Former Force Commander of the UN Mission in Sierra Leone (UNAMSIL) and the UN Mission in Liberia (UNMIL)

***Dr. Babu Rahman**

Head, Planning Group, Stabilisation Unit, United Kingdom

***Colonel (retired) Dwight Raymond**

US Army Peacekeeping and Stability Operations Institute (PKSOI), former advisor to Iraqi Army

Dr. Christopher M. Schnaubelt

Transformation Chair, NATO Defense College

***Ms. Sarah Sewall**

Former Director, Carr Center for Human Rights Policy; Lecturer, Public Policy at the Kennedy School of Government at Harvard University

Major General Michael G. Smith

Founding Executive Director, Asia Pacific Civil-Military Centre of Excellence

Mr. Michael Larmas Smith

Program Director, Global Peace Operations Initiative (GPOI), US State Department

Major Niel Smith

Operations Officer, US Army and Marine Corps Counterinsurgency Center

Lieutenant Colonel Mike Snook

British High Commission and Training Team in Pretoria

Major Filip Van Der Linden

Air Operations Headquarters, Ramstein Air Force Base, NATO

Colonel Philip Wilkinson

Associate Fellow, International Security Program, Chatham House

ANNEX III

PROJECT METHODOLOGY

For over five years, Stimson has explored the prospects and limitations of utilizing military assets to stop systematic and widespread attacks against civilians. In 2006, Stimson published *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, which took an extensive look at gaps in doctrine and training of military operations tasked with protecting civilians. Building on this body of research, Stimson convened the 2007 workshop, “Halting Widespread or Systematic Attacks on Civilians: Military Strategies and Operations Concepts,” at the Kofi Annan International Peacekeeping Training Center in Ghana. Drawing on the experiences of former military and civilian leaders of peace operations, participants offered recommendations in three broad areas: 1) improving guidance on protection; 2) backing mandates with means; and 3) generating new thinking on protection strategies.⁴⁵

In 2009, Stimson undertook efforts to address the experts’ first recommendation and remedy the “doctrinal deficit.”⁴⁶ Each military institution has its own approach to developing doctrine; however, most processes include a combination of the following: identifying a clear problem that current military doctrine, training, and capacity do not effectively address; identifying new approaches to use existing or new capabilities to address the problem, often through examination of best practices and lessons learned; and finally testing and validating the approach.⁴⁷

Stimson developed a process that included a similar, albeit abbreviated, approach to arrive at a set of draft doctrinal principles that could initiate or influence the development of doctrine focused on the protection of civilians.

Building on existing Stimson studies and the complementary research of others,⁴⁸ Stimson first completed a desk review of recent developments in military doctrine and guidance, emphasizing key multilateral institutions and individual states. In September 2009, Stimson convened a workshop at the UK Defence Academy in Shrivenham. Workshop participants included current and former military and civilian leaders from the UN, AU, NATO, and Economic Community Of West African States (ECOWAS), as well as multinational coalitions and single nation operations.⁴⁹ They were accompanied by doctrine writers and military planners from the UN, NATO, the AU, US, and UK. The workshop was centered around a two-day simulation exercise portraying a protection crisis in a fictional country. Through discussion, participants were asked to draw on best practices and lessons learned from their own experience to stop or mitigate attacks against civilians in the scenario. On the final day, participants were asked to distill emerging themes into insights that could be used to develop draft doctrinal principles.

Participants were then asked, and agreed, to participate in a Community of Practice that would be tasked with reviewing drafts of the principles. An online platform was created to share workshop findings. Through a consultative process, the Stimson team spent the following eight months reviewing the workshop transcripts and developing the draft principles by leveraging the expertise of the workshop participants and reviewers. The culmination of this drafting and review process is a set of draft doctrinal principles that will be released separately to policymakers and practitioners for further debate and review.

⁴⁵ Victoria Holt and Joshua Smith, *Halting Widespread or Systematic Attacks on Civilians: Military Strategies & Operational Concepts*.

⁴⁶ Victoria Holt and Joshua Smith, *Halting Widespread or Systematic Attacks on Civilians: Military Strategies & Operational Concepts*.

⁴⁷ Doctrine development also includes the bureaucratic task of determining stakeholders in the process and approval authorities for the doctrine. As a non-governmental project, the Stimson Center did not include these steps.

⁴⁸ UN Department of Peacekeeping Operations and Department of Field Support, *A New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*; Victoria Holt and Glyn Taylor with Max Kelly, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*; Thomas Szayna, Derek Eaton, Amy Richardson, *Preparing the Army for Stability Operations: Doctrinal and Interagency Issues*.

⁴⁹ Participants had served in a variety of operational contexts including Afghanistan, the Democratic Republic of the Congo, Ethiopia, Iraq, Liberia, Sierra Leone, and the Sudan.

A CLOSER LOOK AT THE WORKSHOP DESIGN

The workshop was designed to illuminate a number of gray areas that experts and practitioners struggle with when planning, training for, and implementing operations to protect civilians.⁵⁰ The workshop was focused on draft doctrinal principles for the operational level. As described above, the primary objective of the workshop was to capture principles that could catalyze or influence the development of doctrine specific to the protection of civilians. However, the scenario was also designed to ask participants to explore three persistent challenges:

- How military components of multidimensional operations can be effectively applied to protect civilians;
- How protection should be prioritized in relation to other objectives; and,
- How to manage the risks and consequences of action and inaction in the protection of civilians?

The workshop opened with presentations by government representatives, former military leaders, and academics outlining the changing character of conflict, the increased targeting of civilians and the implications of the lack of doctrine and training related to protection for operations deployed in these complex crises. Military planners, trainers, and force commanders provided examples of how a lack of guidance has undermined past and current operations tasked with protecting civilians.

THE WORKSHOP ADVISORY TEAM

In designing the workshop, Stimson invited experts and partners to participate in an advisory team. The advisory team included: Dr. Babu Rahman, Conflict Team Leader, Research Analysts of the United Kingdom Foreign and Commonwealth Office; Major General Patrick Cammaert; members of the Mass Atrocity Response Operations (MARO) Project including Sarah Sewall, Sally Chin; Graham Ball of the Carr Center for Human Rights Policy at Harvard; and Colonel Bill Flavin and Colonel Dwight Raymond of the US Army Peacekeeping and Stability Operations Institute (PKSOI). The team advised on the content and arc of the agenda and the development of the simulation. As a result, in addition to building on past research of Stimson, the workshop content and scenario also reflected the complementary work of MARO and the expertise of the individual team members.

The heart of the workshop was a two-day simulation exercise portraying a protection crisis in a fictional country.⁵¹ The exercise was designed to explore a number of challenges that military and civilian leaders of operations mandated to protect civilians face in a crisis. Participants were divided into two groups, Working Group A was given a problem set related to a UN peacekeeping operation and Working Group B was given a problem set related to a single-nation/multinational coalition operation. The working groups were presented with a similar background (see below). However, the UN and the single-nation/multinational coalition received three separate scenarios over the two days and were tasked with identifying courses of action to prevent or respond to threats and attacks as well as the guidance, intelligence, and assets that an operation would need to plan for and implement the courses of action.

The exercise was designed to challenge participants to address multiple and diverse threats to civilians, including a counterinsurgency-turned-ethnic-cleansing conducted by state security forces against a widely

50 The workshop design expanded on the 2007 Stimson workshop in Ghana; see Victoria Holt and Joshua Smith, *Halting Widespread or Systematic Attacks on Civilians: Military Strategies & Operational Concepts*. The 2007 workshop participants were divided into two groups and presented with a scenario. One group at the 2007 workshop was tasked with an operation where the primary objective was protection of civilians and the other where protection was one of many objectives.

51 A fictional scenario was chosen to highlight specific challenges and to encourage participants to draw on their diverse experiences, rather than get bogged down in debating the details of a real protection crisis with which they were likely to already be familiar.

dispersed rural population; escalating raids by state proxies against large concentrations of vulnerable civilians in IDP camps; and intensifying inter-communal violence in remote rural areas. Each situation unfolded in a geographically distinct area and involved varied terrain and infrastructure, reflecting the reality that operations mandated to protect civilians often face multiple, simultaneous threats to—or attacks against—civilians. For example, different actors may target civilians for very different reasons, and targeted civilians will have various vulnerabilities. The simulation sought to explore the prospects and limitations of each operation to address the diverse challenges.

The simulation also involved an escalation of violence. The first problem, “political uncertainty,” featured

Figure 3: Workshop Design

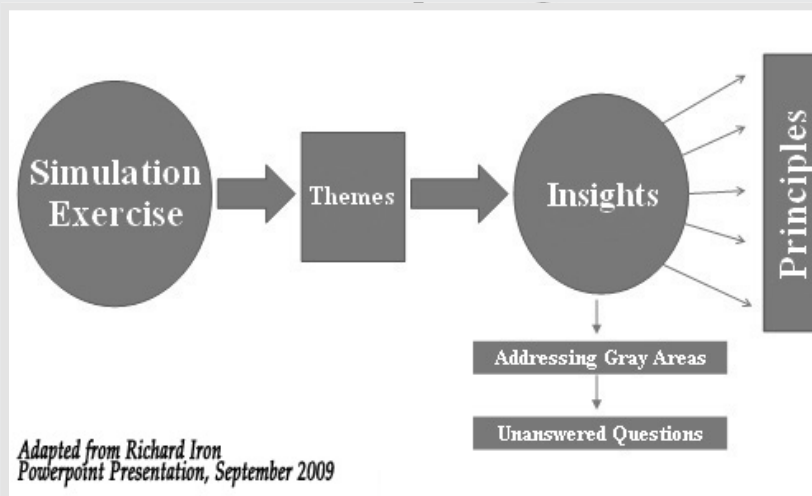
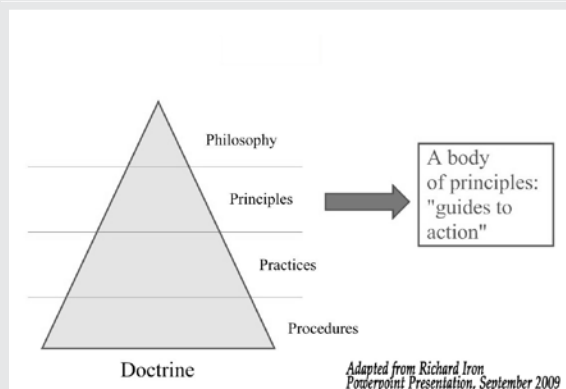


Figure 4: What Doctrine Do We Seek to Develop?



participants from diverse civilian and military backgrounds. Participants were then tasked with reviewing and distilling the themes that arose from the problem sets into insights, which then served as the foundation of the draft doctrinal principles. Other discussions captured during the simulation are explored in this workshop report.

low-level violence; the second problem, “the killing begins,” included rising levels of rape, forced displacement, and killing of civilians; and the third, “mass killing,” included wide-spread ethnic cleansing.⁵² Although these phases may not occur sequentially in a real protection crisis, and may unfold in different geographic areas at different speeds, they are attributes of situations of mass atrocities. The escalation of violence was designed to explore how participants prioritized and addressed protection when it was one of many operational-level objectives or when it was the primary operational objective of an operation.

Themes were captured by participants and rapporteurs throughout the course of the simulation, then reported back to plenary sessions and debated. On the final day, an experienced doctrine writer gave a presentation describing how a body of military doctrine is developed and introduced a NATO doctrine model to help provide a common framework for

52 The scenario's three phases were adapted from “Process of Violence: A Military Planning Tool,” included in the Genocide Prevention Task Force report *Preventing Genocide: A Blueprint for U.S. Policymakers*. The tool outlines six phases that may occur in the escalation of violence: the breakdown of the “social contract,” political uncertainty, group mobilization, the killing begins, mass killing, and the killing ends. Genocide Prevention Task Force, *Preventing Genocide: A Blueprint for U.S. Policymakers*, p. 82.

The model of doctrine adopted by this project and presented to the participants was based on NATO military doctrine. The model includes four layers: philosophy, principles (or guides to action), practices and procedures. The participants were asked to focus on identifying insights that could be distilled into principles or guides to action. The Stimson Center then distilled these insights into draft doctrinal principles and subsequently developed a draft philosophy section and application of the principles for UN operations. Additional applications could be developed for other operations if useful to those that develop doctrine and training.

SIMULATION BACKGROUND

Historical Context: The simulation posited a fictional country called Kisubi emerging from a colonialist past. The country's recent history was characterized by a string of authoritarian presidents that leveraged the military and manipulated ethnic tensions to consolidate power, suppress opposition, and siphon resources. By 2007, the economy was regressing, infrastructure was decrepit, and development lacking, catalyzing a small insurgency.

Scenario One – Political Uncertainty: Two years of fighting between the government of Kisubi and insurgency failed to yield a decisive outcome for either side, and the United Nations stepped in to broker a peace agreement between government forces and the rebel movement. However, both parties had little faith in the other and in the peace process. A breakdown of law and order resulted in violence against civilians characterized by theft, assault, and rape. Organized violence against unarmed civilians had not yet emerged but ethnic divisions in other parts of the country were precarious and tribal violence threatened to erupt.

At this point, both working groups acted as operational-level planners and conducted a situational review and analysis. Working Group A planned the deployment of a multidimensional UN peacekeeping operation to support the implementation of the peace agreement. Working Group B planned a single-nation-led operation (and later a multinational force) to liaise and train host state forces. Assuming a permissive environment, both working groups considered potential violence against civilians in two geographically distinct areas of the country including: 1) a weak peace agreement and potential civil war threatening civilians; and 2) intertribal violence amongst a dispersed population.

Scenario Two – The Killing Begins: The government of Kisubi initially rejected entry of an international force, but reluctantly agreed. The peace agreement decayed further, and DDR stalled. The insurgency grew into a formidable force that continued to attack government installations and forces. Frustrated by the insurgency, government forces forcibly displaced a large portion of the population accused of supporting the rebels into several consolidated camps.

In this scenario, Working Group A discussed and determined broad courses of action for the UN peacekeeping operation, while reassessing priorities and maneuvering a 50% deployed force to protect civilians. Working Group B determined broad courses of action for an EU force (three brigades) mandated to stabilize the situation and protect civilians. Assuming a semi-permissive environment (strategic consent of the host state was still valid; however, government officials and forces were less than cooperative, often obstructing and occasionally engaging foreign forces), both working groups planned how the respective operations would prioritize and protect civilians from three different kinds of violence in three distinct areas of the country: 1) Government sponsored militia occasionally staged raids against IDP camps composed of an ethnically homogenous population that were now geographically consolidated; 2) Surprised by the success of the insurgency, the government's counterinsurgency strategy

began to target civilians while insurgents mobilized to protect kinsmen within the IDP camps; 3) Inter-tribal violence in the more sparsely populated part of the country threatened to boil over. Groups of armed actors began small-scale raids exacting revenge against civilians of rival villages. Faced with these diverse challenges, both working groups defined criteria for choosing and prioritizing courses of action and identified risks and consequences of their choices.

Scenario 3 – Mass Killing: The peace process completely broke down, insurgents attacked the capital city, and the government of Kisubi responded with a major offensive involving ethnic cleansing of civilians, which openly defied international diplomatic pressure. In this final scenario, Working Group A assumed control of a 90% deployed UN peacekeeping operation and was challenged to “do everything possible” to protect civilians. Working Group B commanded an EU force (three brigades) under the direction to rapidly halt violence against civilians within the country. Assuming a non-permissive environment, (host state consent was largely withdrawn) both working groups tried to protect civilians from different levels and types of violence: 1) the president and government forces embarked on a full-scale campaign of ethnic cleansing; 2) an already severe humanitarian crisis in the IDP camps was exacerbated by full-scale government-supported attacks through proxy local militia against IDPs; 3) inter-tribal violence in the more dispersed/sparsely populated north escalated into raids against villages, blatant targeting of civilians, and massacres. Both working groups determined more specific courses of action than the previous scenario and again discussed the criteria used to determine the courses of action and possible risks and consequences of those actions.

ANNEX IV SIMULATION EXERCISE HIGHLIGHTS:

Summary of Workshop Participant Deliberations

WORKING GROUP A: PRIORITIZING PROTECTION AND THE USE OF MILITARY FORCE SCENARIO OF A UN PEACEKEEPING OPERATION

SCENARIO ONE: POLITICAL UNCERTAINTY

Context: Following the deployment of a UN advance mission (political mission deployed to prepare for a peacekeeping mission), the UN Security Council authorized an integrated multidimensional UN peacekeeping operation to deploy to support the implementation of the nascent and fragile peace agreement. The Chapter VII mandate authorized the operation to use force to protect civilians under imminent threat.

Protection is a priority: Working Group A recognized that despite the low level of violence, sufficient information was available to indicate that at least two situations within the country could escalate into a protection crisis, which could derail other operational-level objectives, and/or undermine the legitimacy and credibility of the UN mission.

Application of the military component: Given the low level of violence, the group proposed that the mission would primarily undertake preventive action through political lines of effort in this scenario. However, the group proposed that military troops and assets could be used at the tactical level, often in combination with, and in support of, civilian efforts to prevent and preempt violence.

Criteria: At this stage, the group primarily considered trade-offs between the operational-level objectives of monitoring and securing the peace agreement on the one hand, and the objective of protecting civilians on the other. However, given the potential threats and escalation of violence, the group's prioritization suggested that, although military activities related to protection would be relatively limited, the protection of civilians should be a priority at the operational level. Underpinning this approach was a concern that, if protection was not addressed at the operational level, the mission might not be adequately prepared for an escalation of violence, especially with regard to coordination among the various protection actors within and outside the mission. The group suggested that additional guidance from the head of mission and force commander, ideally a mission-wide strategy (previously referred to in this report as a *comprehensive protection plan*), could assist the mission in prioritizing and coordinating protection horizontally (across the mission) and vertically down through the echelons of command to the tactical level.

Effective implementation of the protection of civilians is pivotal to mission success. Protection is a cross-cutting issue within a mission; because of that it is essential that there is a SRSG directive or similar mechanism to bring all parties together at the table to emphasize that importance.⁵³

Prioritization and rationale: The group suggested using military assets in each area to collect information and analyze what threats were being perpetrated, who was perpetrating the threats and why, which populations were vulnerable, and what other actors were doing to provide protection. This intelligence would be critical to monitoring the situation and developing effective strategies to prevent and respond to escalations of violence. Moreover, participants proposed that the military may be used to liaise and mediate

⁵³ Remarks by workshop participants.

with perpetrators to try to dissuade them from targeting civilians. The group suggested this would likely be done in tandem with civilian efforts, and suggested Joint Protection Teams (JPTs) as a possible model.

SCENARIO TWO: THE KILLING BEGINS

Context: The UN Security Council did not issue a new mandate in this scenario. In light of the deteriorating situation on the ground (including the forced displacement of thousands into IDP camps) and pressure from the media, the Security Council called upon the UN mission to do something to protect civilians. The consent of the host state government has diminished in practice, but the environment was semi-permissive as the host state strove to placate the international community. UN deployment increased with 50% of the ground forces and 100% of the air assets in theatre.

Protection is a priority: When prioritizing between the protection objective and other objectives related to the peace agreement, participants of Working Group A recognized that the parties were doing little to uphold their commitments. As a result, the group proposed that the mission's efforts to salvage the peace agreement rely primarily on political lines of effort undertaken by civilian components with assistance from UNHQ in New York, the Security Council, and other strategic partners. A decision to focus on political efforts could free up military assets that had been allocated to monitoring the implementation of the peace agreement, allowing reallocation to protection concerns. However, Working Group A also recognized that the mission would need to utilize an increased portion of its military assets to protect mission staff and assets, and to expand the force reserve. As a result, the overall number of troops and other assets available to address protection issues would not be greatly expanded. Nevertheless, given the level of violence and the possibility of escalation into mass killings, Working Group A proposed applying existing military assets to address protection threats in each of the three areas, in combination with political lines of effort.

Application of the military component: Given the sharp acceleration of violence, Working Group A proposed additional application of military force in efforts to protect civilians. The group suggested that military action would still be employed jointly or in close coordination with civilian efforts at the tactical level. However, the group suggested that the posture of the military would need to be strengthened in order to effectively secure the IDP camps, and successfully deter an escalation of inter-tribal violence.

Criteria: Working Group A used various criteria when deciding how to prioritize and apply military assets to each of the protection threats including: the information/intelligence likely available to the UN mission; the strength of military forces necessary to deter threats and the escalation of violence in each geographically distinct protection crisis; which threat the UN force would be most likely to succeed in tackling given its capabilities; and which situation would have the most risk if the UN mission failed to take effective action.

25% of resources will be committed to protecting UN installations. In Darfur, the majority of the force is committed to protecting UN assets and installations; we should be pragmatic as to what combat power is available to the Force Commander.

A commander must have adequate force reserve, any commander would like to keep another 5% of reserves.⁵⁴

Prioritization and rationale: As a result, Working Group A proposed applying military assets already present in each of the three areas to the protection threats. The group proposed to deploy additional capacity sequentially. First, the group proposed applying additional military resources to the IDP camp, then to areas of inter-tribal violence, and finally to the government's direct targeting of civilians in the midst of an escalating counterinsurgency campaign.

Working Group A prioritized the stabilization of the IDP camps because of the large number of vulnerable

⁵⁴ Remarks by workshop participants.

civilians and the potential for a humanitarian disaster. Participants raised concerns that such a large concentration of IDPs and the camp's accessibility compared to the other conflict-affected areas would likely draw the attention of national and international media. Under such scrutiny, the failure of the mission to protect civilians in that location—even if effectively doing so elsewhere—would make the UN susceptible to accusations of lethargy in the face of atrocities, undermining the mission's credibility and legitimacy. Finally, in comparison to the other threats, participants suggested that given the experience and capabilities typically found in UN peacekeeping operations, the mission would most likely succeed at protecting the IDP camps.

We would end up focusing on the IDP camps—you would quickly realize you are a band-aid on [an] ever widening wound. [We] need to focus on how to raise the political and military cost for parties to continue their actions in other areas—[counterinsurgency campaign targeting civilians] need not be treated as something that will go away—it is the most difficult one. It's also the one that is the worst fit for the UN. IDP protection is a reasonably good fit [for the UN]—there is quite a lot of guidance on this area. Where we are having more trouble in [the] guidance gap [is] what do you do when 20 people get massacred every day in a moving feast of violence. We do not have a huge guidance gap on protecting IDP camps.⁵⁵

The working group proposed tackling the inter-tribal violence as a second priority. One participant asserted that UN missions typically have failed to effectively deter violence between dispersed rural populations, in part due to the combined effects of a lack of accurate and timely intelligence, poor mobility and inadequate capacity. The group proposed that the military component could accompany political mediation efforts and cited the JPTs employed by UNMIS and MONUC as a model. Although the military would be deployed alongside personnel from the civilian components, some participants asserted that the military should adopt a robust Chapter VII posture to successfully deter violence, requiring the appropriate kit, demeanor and bearing. The group proposed that the UN mission could prepare to surge, and concentrate forces against specific flashpoints (using reserves if necessary) to prevent further escalations of violence between tribes. The group also proposed saturating key terrain to the extent possible with available troops to interpose between the tribal groups and cut off the access of armed groups to potential civilian targets. The group emphasized the importance of around-the-clock troop presence to prevent any actor with the intent to commit abuses from slipping through gaps. The group proposed many preemptive measures that would be triggered by the criterion of “imminent threat.” Moreover, participants expressed concern that if the UN failed to demonstrate it could protect civilians, civilians could take up arms for self-protection, further escalating tensions between the tribes.

The group proposed to prioritize the government's attacks on civilians as a last step, acknowledging that it would be the most difficult for a UN mission, given the situation was characterized by active conflict involving the host state and parties to the peace agreement. Participants questioned whether and when they could use force to protect civilians from the parties to the peace agreement, whose strategic consent the mission required to remain in the country. The group recognized that despite the fact that UN missions often operate in situations of active conflict, UN missions are not currently equipped to do so. In particular, participants expressed concern that UN missions are constrained by slow logistics arrangements designed for static operations. Addressing the threats to civilians resulting from the government's counterinsurgency campaign would require high-tempo operations whose logistical demands would exceed the capacity of UN systems. Given these constraints, the group proposed that the troops should adopt a defensive posture, and focus on disarmament with the goal of creating a weapons-free zone in areas of high civilian concentration. Further, given there would be inadequate troops to protect all of the villages affected by the conflict, the mission suggested establishing an early warning system that would allow civilians to contact the UN for rapid response.

⁵⁵ Remarks by workshop participants.

Figure 5: Scenario Two – Working Group A Decision Making

MAJOR OPERATIONAL TASKS

- Stabilize IDP camps and create protection corridors
- Prevent inter-tribal violence
- Address depredation of the parties
- Mitigate humanitarian crisis
- Support and revive the credibility of the peace agreement

ASSUMPTIONS REGARDING MILITARY ASSETS

- Mission must reserve 25% of forces used for force protection
- Force enablers are available, especially air mobility and communications
- Mission will reserve 5% of force for contingencies
- Mission should maximize remaining force in protecting civilians

UN CONSIDERATIONS WHEN CHOOSING COAs

- Are all tasks equally important?
- Prioritization based upon the need for protection, military assets available, presence of media in a vulnerable area, influence of COA on the peace process
- Impartiality of the COA
- Political impact of the COA on parties to the conflict
- Unintended consequences of the COA
- Expectation management
- How does the COA balance with supporting/reviving the credibility of the peace agreement
- Use of intelligence, surveillance, and reconnaissance (ISR) and quick reaction forces (QRF)
- Should military assets be concentrated to protect the IDP camps versus other peace process and/or protection priorities?
- Should military assets be static or mobile?
- What does success look like?

SCENARIO THREE: MASS KILLING

Context: The UN Security Council did not issue a new mandate, despite the sharp escalation in violence. UN forces were 90% deployed at the opening of the scenario. Complicit in wide-spread attacks against civilians, the government no longer fostered a permissive environment for the UN operation. The host state government did not officially revoke strategic consent, but it stopped facilitating and is increasingly hostile to the presence of the UN operation.

Protection is a priority: Given the dramatic change of events on the ground and the indicators of mass violence and potentially genocide, participants raised concerns that the mission did not have the authority and consent to use force and coercive measures to address violence perpetrated by the host state government. This question of threshold is explored in more detail in “Addressing the Gray Areas.” Moreover, Working Group A raised parallel concerns that it would not have the capacity to effectively address the violence at the operational level. Nevertheless, participants asserted that a UN operation would be morally—and some participants asserted legally—obligated to act to protect civilians in a situation of mass atrocity and potential genocide. Participants also discussed whether they were required to or should seek a new mandate and/or authorization from the UN Security Council given the change in the situation.

While some asserted that they could only act with the explicit authorization of the UN Security Council and Secretariat, others asserted that the authorization already existed in their current mandate to impartially defend the mandate and protect civilians. One participant cited the Rwandan genocide as a moment when superiors in New York were not able to act quickly enough to prevent or respond to the situation. In the end, the group proposed to evaluate what threats and attacks the mission could potentially deter and take any action to save lives, even if the application of UN assets could not win the day.

Application of the military component: The group acknowledged that an additional constraint on capacity would be the likely evacuation of civilian mission personnel. Participants acknowledged that the majority, if not all, civilian mission personnel would need to be evacuated from the field and many would be evacuated from mission headquarters as well. Given the level of violence, the groups suggested that an application of the use of force (by the UN or another force) would be necessary to protect civilians from wide-scale atrocities.

Criteria: Given the decreased civilian and military assets (the mission might also be asked to help evacuate civilians external to the mission, e.g. humanitarians, further straining civilian capacity and diverting military assets), Working Group A wrestled with how to apply military assets. The group primarily made decisions based on capacity, the limits of its authority and the strategic consent of the host state government.

Prioritization and rationale: The group proposed employing a combination of strategies. The group suggested using political lines of effort at the operational level. Further, the group proposed establishing trigger points, or lines in the sand that, if crossed, would result in the call for more robust political and military action from other actors outside the theatre. Participants also proposed that the military should focus on holding its ground in each of three areas: containing the violence, acting/striking decisively at the tactical level to save lives within the mission’s capability, and making examples of offenders. Finally, the group recognized that even if it could not use coercive force to stop the violence in every instance, the remaining UN civilian and military actors could play an important role in witnessing the atrocities and, in particular, in sounding the alarm to leverage additional regional or international action to stop the escalation of violence.

WORKING GROUP A: SCENARIO THREE COURSES OF ACTION

- Evaluate what the mission is capable of and intervene to save lives. This may include: securing key points (airfields, ports, IDP camps, bases...), evacuating personnel, protecting segments of the population, establishing safe areas, etc.
- Inform the larger international community (regional and international bodies) to provide witness and to try to leverage additional political and military assets.
- Strengthen military posture in coordination with political posture.
- Establish a trigger mechanism: as host state consent becomes more hostile, the operation must have an understanding of the mission's threshold (at which point it elicits a call for reinforcements, regional, coalition, or individual nation response).

WORKING GROUP B: PRIORITIZING PROTECTION SCENARIO OF A SINGLE-NATION/MULTINATIONAL FORCE

SCENARIO ONE: POLITICAL UNCERTAINTY

Context: A UK force is deployed into the fictional country to address the deteriorating situation from within. The decision to deploy the UK force is based on its long-standing relationship with the host state government forces. The large UK military mission is directed to focus on training and advisory activities in the hope that capacity building and leading by example will reform the host state government forces, whose negligence and complicity in acts of violence are undermining the sustainability of the peace agreement and the prospect of a secure and stable environment. A UN mission is present in the country; however, it is a political mission with a civilian character, mandated to observe and advise the parties to the peace agreement. The UN mission does not have a military component.

Protection is a priority: Similar to the other working group, Working Group B recognized that the coalition would need to balance operational-level objectives with the objective to protect civilians. Given the existing threats and potential escalation of violence, the coalition proposed to focus some military assets on protection activities in the two areas of concern.

Application of the military component: Given that the UK force was deployed in relatively small numbers with a mandate to help reform and professionalize the host state's security forces, the direct use of coercive force to protect civilians was not considered a viable course of action. Instead, the group focused on how to leverage their liaison and mentoring role to reduce the threat posed by those security forces, and to assist in the implementation of the shaky peace agreement through a limited monitoring role.

Criteria: Participants discussed interpretations of the political guidance provided, and assessed viable courses of action by weighing the tensions and trade-offs between applying military assets to address root causes vs. immediate symptoms, and supporting the peace agreement vs. acting partially to support the reform of government armed forces. Rather than make decisions based on the guidance provided, the group proposed that it should seek further political guidance on these issues. As a result, the group ended up listing a number of options rather than choosing between them.

Prioritization and rationale: The group suggested that the coalition's military assets could be employed in tasks such as cantonment and DDR that contribute to the protection of civilians as well as joint mediation (with political and civilian components of the mission) or military-specific mediation to try to dissuade those perpetrating violence from continuing or escalating attacks.

SCENARIO TWO: THE KILLING BEGINS

Context: In reaction to the deteriorating situation, the EU deployed a force to stabilize the situation (this scenario assumes there has been no prior UK force presence on the ground). A directive was issued for the EU mission, which included the task of protecting civilians within the directive authorizing the force. As a result of the EU force expansion, three well-equipped mobile brigades were deployed in the theatre.

Protection is a priority: Working Group B received an EU directive that included the protection of civilians. Similar to Working Group A, the group recognized that given the escalation of violence, the Multinational Force would need to address each of the three protection threats. The question was, "How?"

Application of the military component: Given the expanded forces and the direction to protect civilians, the group proposed a two-pronged strategy in the application of force, applying monitoring and advisory

teams to each problem and reserving a proportion of the force as a quick reaction to respond sharply to any escalation of violence.

Criteria: The group proposed a list of criteria to apply when deciding how to prioritize and apply military troops and assets. The list included criteria such as: does the action result in the protection of civilians; what risks do actions present; how do actions affect the perception of the coalition's perceived impartiality; is the action politically feasible; what are the long-term consequences of the short-term action (in particular how do they impact the peace process); and how does the action affect the Multinational Force's ability to identify an exit strategy?

Unlike the UN peacekeeping mission in Working Group A, the Multinational Force had more assets, logistics and intelligence at their disposal. The most apparent question was how the Multinational Force should position itself in relation to the host state government forces. Participants recognized a tension between the coalition's task to build the capacity of the government forces over the long-term at the same time the coalition was tasked to provide protection to civilians being targeted by government forces in the short-term.

Prioritization and rationale: The working group considered several possible courses of action. One involved the deployment of monitoring and observer teams to all three crisis areas, backed by a quick reaction force (QRF). The parallel deployment of the forces to the three areas would send a signal at the operational as well as tactical level that attacks against civilians would not be tolerated, and the QRF could rapidly respond to alerts about impending crises provided by the observer teams. Another course of action employed a phased approach, in which the main force would be deployed sequentially to stabilize each of the three geographic areas in which civilians were under threat. Similar to the other working group, Working Group B prioritized the IDP camps due to the number of vulnerable civilians, the potential for escalation of violence into mass killing and the potential loss of the multinational force's credibility and legitimacy should it fail to protect the IDPs.

The group then planned to address the deliberate targeting of civilians in the counterinsurgency campaign, and finally the tribal violence in the north. This sequence differs from that proposed by Working Group A, which determined it was better able to deal with the inter-tribal violence than the counterinsurgency targeting civilians.

You may have the legal authority (Chapter VII) to shoot at government troops who are violating an obligation or commitment, but you don't have the political authority to turn government forces into an enemy.⁵⁶

Given the inherent contradiction between supporting the government forces and protecting civilians, the group suggested moving the government troops surrounding and threatening the IDP camps to another geographic area in order to attend to the tribal violence in a different geographic area. However, the success of this effort would require the host state government's agreement to redeploy away from a population that the government had forcefully displaced because of their perceived allegiance with and support to the insurgency. Working Group B also suggested monitoring the government forces closely in the area of tribal violence to dissuade troops from perpetrating violations and/or escalating the situation. The group recognized that the tribal violence may be beyond its capabilities and force structure.

The counterinsurgency campaign raised additional questions. The group struggled with the contradiction between the directive to stabilize the country, which could include siding with the host state government to quell the insurgency, and the directive to protect civilians. Given the level of abuses and failure of the host state to comply with the peace agreement, one participant suggested that the multinational force should "freeze" or suspend its longer-term operational-level objectives of building the capacity of the government forces and focus on protecting civilians, targeting actors because of what they did (threatening, attacking civilians) versus who they were. In the end, the group recognized that this was not a question that could be solved or decided solely at the

⁵⁶ Remarks by workshop participants.

operational level given the implications at the strategic level and suggested that additional guidance from political leaders could assist in prioritizing objectives. In the absence of additional guidance, the force commander and commanders beneath the operational level would have to find tactical solutions to balance and mitigate the risks.

When a concept [like protection] is so broad, they embody internal contradictions that are papered over by mandates like this.⁵⁷

Figure 6: Scenario Two – Working Group B Decision Making

**CRITERIA USED BY THE MULTINATIONAL FORCE
TO DETERMINE COURSES OF ACTION (COAs)**

- Does the COA result in the protection of civilians?
- What risks do the COAs present to:
 - The Multinational Force forces;
 - Mission accomplishment;
 - Flexibility; and
 - Consent (of the parties)?
- How does the COA affect the perception of the Multinational Forces perceived partiality?
- Is the COA politically feasible?
- Is there time to implement the COA? What is the time required to implement the COA?
- Is this a window of opportunity to stop an escalation of violence? If so, how does the COA take advantage?
- Are the COAs to be executed simultaneously or sequentially? If simultaneous, the situation will be much more complex. What is the possible impact of one COA on another COA?
- What are the long-term consequences of the short-term COAs? In particular, how do they impact the peace process?
- How does the COA affect the Multinational Force's ability to identify an exit strategy from the area of the COA and, in the longer-term, from the host state?

⁵⁷ Remarks by workshop participants.

MULTINATIONAL FORCE POSSIBLE COAs

- In order to send a signal, one task force should be deployed per the three protection situations.
- However, additional resources and focus will likely need to be phased. The international force will need to phase courses of action sequentially. When focusing additional resources, first address the IDP situation, then the parties direct targeting of civilians and finally tribal violence.
- Compartmentalize the government security forces (that are surrounding and a potential threat to a large IDP camp) by moving government security forces from the area around the IDP camps to the geographic area of tribal violence. Government forces must be closely monitored.
- Use economy of force. Initially deploy heavy monitoring and advising teams, and reserve quick reaction forces to address any situation that escalates.
- Be clear that the military courses of action will not solve the protection threats. Therefore, leverage the totality of the mission and manage the relationship with the government, but demonstrate that violence against civilians is not acceptable.

RISKS/TRADEOFFS THAT WILL NEED TO BE MANAGED BY THE MULTINATIONAL FORCE AS A RESULT OF COAs

- Long-term vs. short-term objectives
- Protecting civilians vs. peace process
- Robust action vs. being perceived as impartial
- Host state as partner or adversary (consent)
- Speed vs. risk (force protection)
- Mass vs. economy of force

SCENARIO THREE: MASS KILLING

Context: Amidst ethnic cleansing, government-sponsored attacks on IDP camps, and inter-tribal clashes, an EU force was deployed to intervene and halt mass killings in a non-permissive environment. An initial operating capability (IOC) was to be available in-country within 48 hours, and the force fully operational within 10 days.

Protection is a priority: Given the stark deterioration between the parties to the peace agreement and the escalating threats to civilians, Working Group B recognized that the protection of civilians in the short-term trumped all other long-term objectives. Therefore, the group suggested that protection was a priority, if not the primary operational-level objective. Participants discussed immediate actions and the phases of deployment for establishing security.

Application of the military component: During initial stages, the working group suggested the coalition rely heavily on information operations, demonstrations of force, and electronic warfare. However, given the non-permissive environment and scale of killings, participants considered, but did not agree upon, the circumstance for applying force against host state forces.

Criteria: Similar to the other working group, Working Group B debated how to prioritize their actions given the intensity of violence. The group recognized that they would likely be involved in securing and evacuating internationals and citizens from the area of operation. Participants debated whether the operation should: a) prioritize areas where it could quickly succeed in protecting civilians in order to effectively save lives, demonstrate force and potentially deter atrocities, show efficacy and at the same time to protect its own forces from casualties, or b) focus on areas where civilians were most vulnerable. In the end, the group proposed that given the coalition would not be able to protect all of the citizens in the area of operation, it could use intelligence to determine where the need was greatest and then match capability to address those threats.

Prioritization & Rationale: Given that it would take time to evaluate the situation and reconfigure troops, the group suggested a four-phase operation. Within the first 48 hours, the working group suggested that the coalition should rely heavily on information operations targeted at various actors to deter atrocities. They also proposed to use flyovers to show force and electronic warfare to try to cut off digital transmissions of hate-speech that could fuel the violence. In the second phase, 48 hours to 10 days, the coalition would establish secure key points (including important cities, IDP camps, airport, and safe havens), determine deployments to stop atrocities based on intelligence, and facilitate access for humanitarian assistance. The working group also considered several other possible COAs including saturation, ink spot, separation of parties, establishing safe havens, partner enabling, containment, and regime change. However, the coalition also kept the end-state in mind and planned for medium- and longer-term actions that could contribute to a secure and stable environment.

Figure 7: Scenario Three – Working Group B Proposed Four Phases of an Intervention



ANNEX V

ABOUT THE AUTHOR

Alison Giffen is the Deputy Director of the Future of Peace Operations program where she is responsible for leading the program's efforts to advance civilian protection in war-torn societies and to increase global preparedness to respond to mass atrocities. Ms. Giffen joined the Stimson Center in 2009 with more than a dozen years experience monitoring and advocating on human rights and humanitarian crises. She previously served as the Advocacy and Strategy Coordinator for an international humanitarian agency in Sudan, where she led the design and implementation of their global strategy to secure civilians' rights to protection and assistance in Sudan. As a Policy Analyst for the Open Society Institute, Ms. Giffen promoted multilateral US foreign engagement and US support of UN reform initiatives. She was project director of a groundbreaking study on ex-combatants in Sierra Leone and was the Founding Director of the US Office on Colombia, an international coalition of groups promoting peace and human rights in Colombia. She received her MA in International Affairs from the School for International and Public Affairs at Columbia University and received her BA in Diplomacy and World Affairs from Occidental College.

ABOUT THE PROJECT

In 2009, the Stimson Center launched this project to address the doctrinal deficit. The project included a workshop in September 2009 at the UK Defence Academy in Shrivenham, gathering current and former military and civilian experts with experience in operations deployed in the context of protection crises. The workshop was designed to capture lessons learned and insights that could be distilled into draft doctrinal principles. The project resulted in three products:

- this workshop report;
- a set of draft principles that will be shared with policymakers and practitioners for further review and revision over the coming year;
- and case studies illustrating the applicability of the themes and principles that will be published separately.

Alison Giffen is the lead author of this workshop report. Max Kelly is the lead author on the corresponding draft doctrinal principles. Guy Hammond is the lead author on the case studies. All three authors worked collaboratively to develop this project and the resulting products.

ABOUT THE PROGRAM: FUTURE OF PEACE OPERATIONS

The Future of Peace Operations program builds a broader public dialogue on the role of peace operations in resolving conflict and building lasting peace. Peace operations comprise peacekeeping, the provision of temporary, post-conflict security by internationally mandated forces and peacebuilding, those efforts undertaken by the international community to help a war torn society create a self-sustaining peace.

The program's goals are to advance, through research and analysis, the capacity of peace operations to promote the rule of law, protection of civilians, and regional security; enhance US peace operations policy by building bridges between the Administration, Congress, international organizations, and NGOs; and to advance UN reforms for peacekeeping and peacebuilding and to bring those reforms to the attention of key public and policy audiences.

The program is led by Director William Durch and Deputy Director Alison Giffen and supported by researchers Alix Boucher, Madeline England, and Guy Hammond, consultant Max Kelly, and project management specialist Nicole Dieker. To learn more about the program or to offer feedback on our work, please visit www.stimson.org/fopo or contact us at 202-223-5956.

The Stimson Center is a nonprofit, nonpartisan institution devoted to enhancing international peace and security through rigorous, nonpartisan analysis and results-oriented outreach on many of the most enduring and challenging problems of national and international security.

“Hundreds of thousands of people are on the run and run to persons with a blue helmet. If you can protect them, you ensure a secure environment and a stable situation. It has all the effect of supporting the peace agreement in the end.”



“If the troops are well prepared to protect civilians and know what to expect, and if commanders can fall back on guidance and doctrine at moments of hesitation, there is a good chance of success.”