



IPI POLICY FORUM

DPKO/OCHA JOINTLY-COMMISSIONED INDEPENDENT STUDY ON 'PROTECTION OF CIVILIANS' MANDATES IN UN PEACEKEEPING OPERATIONS

When:

Monday, November 9, 2009, 12:30-2:30pm

Where:

Trygve Lie Center for Peace, Security & Development
International Peace Institute
777 United Nations Plaza, 12th Floor
(Corner of 1st Avenue and 44th Street)

Dr. Edward C. Luck: Good afternoon everybody. Welcome to IPI. Some of you we haven't seen for days. I don't know if I'm more impressed looking at this panel or more impressed looking at the audience, but it's a lot of talent and a lot of experience in this room. We're very pleased to be able to host the launch of this important study by DPKO and OCHA – at least they commissioned it – on the very topical issue of protection of civilians. I understand the Security Council will be taking this up this week. The President says yes, he's shaking his head, and we're just pleased to be able to be part of launching this.

We have a very impressive group of speakers, including one current and one former perm rep, both known as the most articulate speakers in the diplomatic corps. We have the heads of two departments, which I can remember the day that they hardly – not these people – but these departments, once upon a time, had little to do with each other, and think we've seen so much progress that now they're jointly sponsoring studies, so I think that's a very positive step forward. And we have Glyn Taylor who's been one of the main authors of the study itself.

I'll ask Augustine Mahiga, the Permanent Representative of the United Republic of Tanzania to speak first. He will be followed by Prince Zeid who, now apparently is – there he is – now for some reason thought it was better to move to Washington than New York. I don't understand this. And then Glyn, and then John and Alain to conclude.

So it's a terrific group. I've asked them to hold their comments initially to six or seven minutes each, and so we have plenty of time for discussion, and then we can go back to them later in the discussion and for concluding remarks.

So, again, thanks everyone for coming. There are a couple of seats here in the front. I don't know what it is about the seats in the front, but people always seem to think that they're dangerous places to be, but we promise we won't call on you. So if anyone in the back wants to come in, you'd be more than welcome.

So if we can begin with Augustine Mahiga, and eager to hear from you Augustine.

Augustine Mahiga: Thank you very much Ed Luck. Good afternoon to all of you. I hope most of you have received an executive summary of this report, and hopefully some of you may already have also received the full text that was sent out to missions by the end of last week.

Thank you very much for joining us today for this important event. I would also like to express my gratitude to IPI for hosting this very timely discussion.

As a Team Leader of the Research Team, I drafted this study. I am honored to have the opportunity to discuss with you the report entitled "Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and the Remaining Challenges." An advance copy, as I said, of the report was posted on the delegate, the member state website last Friday, the 6th of November.

I was appointed as Chairman of this study group, I think mainly because I've had firsthand experience in challenges to the protection of civilians in peacekeeping missions when I worked for the United Nations High Commissioner for Refugees for about 11 years.

The most telling and most insightful and painful experiences were in Liberia, and in Rwanda just two months after the genocide. That was way before the Security Council had started addressing the issue of protection of civilian. But indeed, it was something that should have been addressed much earlier. I'll probably go into details later, but let me save time, maybe that is what's inspired my colleagues to ask me to chair this study group.

This study group was jointly commissioned by DPKO and OCHA as an independent study. It was initiated based on the realization that notwithstanding the tremendous effort being undertaken in the field, some mega gaps remained in the international community's effort to protect civilians in armed conflict.

This study is the first comprehensive research that has been done on the protection of civilians in the context of UN Peacekeeping Operations. The report should be of interest for a broad range of actors including the member states, troop and police contributors, and practitioners in the field, as it looks at each stage of the protection of civilian proceeding from the elaboration of the protection of civilians' language in their Security Council resolutions; the planning of such operations to the implementation of the protection of civilian mandates in the field.

The research took over a year and a half with a dedicated research team of two researchers, Victoria Holt and Glyn Taylor, who have broad experiences and expertise in peacekeeping and protection. Fortunately, Glyn Taylor is with us this afternoon.

An advisory group composed of experts with backgrounds from the political, military, police, humanitarian, human rights and academic disciplines, provided guidelines to the team throughout the process. Ambassador Zeid is here today representing the advisory group members, and General Cammaert has also been able to join us. Glyn Taylor, one of the authors of the study, is also with us today, as I said, and will be sharing some of his insights with us.

The team took desk interviews in New York and Geneva and contacted field visits to four peacekeeping missions, ONUC, MONUC, UNAMID and UNMIS. Along the way we have consulted different protection actors from the member states down to the commanders and humanitarian actors in the field.

I personally also visited MONUC, and I visited Kiwanja, the place that was splashed in the international media, where some of the latest atrocities this year and last year took place.

Before looking at some of the specific findings and recommendations contained in the report, I would like to share some general impressions with you. The study shows that the entire protection of civilians chain from the Security Council to the peacekeeper on the ground, is in need of serious attention. There are significant gaps at all levels, and it

will require a major and concerted effort from the council, troop and police contributors, the Secretariat and peacekeeping operations to fill them.

Clearly, there are gaps. And in order to strengthen the protection of civilians, the study points to a number of areas which need to be strengthened. Some of these relate to issues which the member states will need to address. These include insuring a political strategy and unwavering support from the Council, insuring the critical equipment fundamental to fulfilling the mandate is made available to the missions.

Contingents on the ground need to be properly trained and equipped before arriving to the mission area and must be led by commanders with the necessary resolve. And troop and police contributors need to be aware and prepared for the difficult and the dangerous environment that they will be working in.

If we were serious about enhancing protection of civilians in the context of UN Peacekeeping Operation, systematic change will have to take place, and all actors, we have to step up to the challenge that it entails. This will be a difficult but worthwhile endeavor, as the beneficiaries of our efforts will be those who most need our attention.

That said, I would like to offer some insights with regard to some of the specific recommendations. One: UN Security Council and Protection of Civilian Mandate Language. The study looked at the first usage of the imminent threat of physical violence, language, under the UNAMSIL resolution in October 1999, and its evolution to date. This was a resolution related to the deployment of peacekeepers in Sierra Leone. And as you can see, it was long after the events of Rwanda and Bosnia and Herzegovina.

The study finds that this physical protection language, with the three caveats, has now become standard. This seems, partially due to the fact that the Security Council members continue to value precedence in writing mandates.

Two: The team assessed that the physical protection language remains confusing for those in the field. While simultaneously raising expectations, the intent of the Security Council with regard to the missions' efforts to protect civilians, is not fully understood by the Secretariat or the peacekeeping missions. It is important that the Security Council members not only focus on getting the mission mandate language right, but to also back up peacekeeping operations with the necessary political support. I may add financial support as well.

In addition, it has become evident that the planning that informs Security Council deliberations does not consistently consider the nature of the threat to civilians. As a result, the spectrum of threats to civilians does not help to share the missions' mandate, strategies, mission structures or resources.

Peacekeeping planning and Secretariat policies: The study looked at the planning process that links council resolutions to peacekeeping deployment. In particular, it examined the guidance, preparation and planning mechanisms used to build peacekeeping operations. The study concludes that the lack of an operational concept of what protection of civilians means for UN Peacekeepers has hampered the implementation of this mandate task.

The study also found that troop and police contributors often have difficulty understanding how to train and equip their contingents to undertake their role in protection. Even nations with well developed peacekeeping doctrine, and who train others on peacekeeping, often do not address the question of protection of civilians beyond respect for international humanitarian law, support for the rule of law, and human rights.

As such, the Secretariat cannot rely on deriving guidance on protection of civilians from existing doctrine of the member states, but will have to base it on the lessons derived from the field. I believe the engagement with the troop and police contributors on this aspect will be absolutely vital.

The field: The field implementation. The findings from the field were based on the mission visits between the end of 2008 to March 2009. This section of the report provides a snapshot of the reality on the ground including the missions' protection strategies and tools. Missions' specific cases reveal that without the basic prerequisites in place, no peace to keep; insufficient backing from the Security Council and lack of resources. The Security Council cannot expect the mission to successfully implement the protection of civilians.

We also found that the role of the UN Police, both civilian police and formed police units, is a key area where new thinking is needed in considering the future role in the protection of civilians. There seems to be general confusion regarding appropriate roles for formed police units. The study also found that leadership has also been decisive on how certain protection challenges were overcome.

These issues that I've highlighted are just a few of the many findings and recommendations that the team has highlighted. I am pleased to know that some internal Secretariat thinking has already started based on the report. I believe USGs Holmes and Le Roy will be providing you with some of the initial thoughts in this regard.

I hope some of the recommendations for the member states will be taken forward with equal enthusiasm. Today will only be the first of many discussions to come, and I look forward to engaging with many of you.

Before concluding I would like to commend those in the field that I have encountered, who are addressing the protection challenges under extremely difficult circumstances.

Luck:

Thank you very much Augustine for laying out so clearly the main themes of the report. Glyn Taylor comes next, one of the important scribes on this report. As I recall, the other scribe is now a Deputy Assistant Secretary of State in Washington, so obviously this is the right report to be associated with.

Glyn has worked with DFID and the UK government through the years, on humanitarian issues, and with Humanitarian Outcomes as well, so Glyn, you have the floor.

Glyn Taylor:

Thank you, and thank you Ambassador for the introduction. It's my intention really just to say a few words, sincerely in the hope that the report will speak for itself, after more than a year of effort but – and acknowledging the fact that only the hard core insomniacs amongst you will have read the whole thing. I thought it would be best just to lay out the basics.

Ambassador Mahiga mentioned myself and Victoria. We were the two lead authors on the study, as he mentioned. We couldn't go past this moment without acknowledging the other individuals that worked on the study. It was a tremendous amount of effort over the course of 12 months. And Max, who's in the audience here, and his colleagues at the Stimson Center, put in an extraordinary amount of effort over the past 12, and particularly the last two months, to get the study into the form where it was sent to you today.

So in a sense, even though Tori's current, her current professional incarnation precludes her presence, I'm speaking, I hope, on behalf of the whole team.

With regard to the study then, Ambassador Mahiga has already mentioned this, the concept of this chain of actions from the Security Council to the field. This is a very

simplistic way that we latched upon very early in terms of laying out the structure of the report. It's just how it presented itself to us as a task.

It seemed to us in the very early meetings, that many people presumed a sort of cause-and-event chain that ran from the Council to the field, improved mandates must lead to better actions in the field. So we set out then to look at every step along the way through the mission planning process, and right down to the end. That explains the structure of the reports, chapters two through four, From the Council to the Field.

Chapter One, the introduction, for those of you who read it, obviously, there are many events that are beyond this cause-and-event chain. This is the recognition that neither the mandates nor the missions are written and planned in a vacuum. This is the real world and we're looking at particularly the political context in which the whole, the sort of realm of peacekeeping sits, and in which these mandates are drafted.

Chapters Two and Three, as Ambassador Mahiga said, we're looking at the, from the beginning, from 1999 in Sierra Leone, from the initial mandate, the history of these mandates and the protection of civilians, and how this has evolved through time. And then, to Chapter Three, in quite extraordinary detail, the mission planning process, particularly around the latest mission in UNAMID.

The detail is important. We really felt – I freely admit, for those of you who've got that far, the level of detail is quite a lot for the casual reader when it goes through into the mission planning process, but we really felt, and it's a testament to the strength of the researchers that we had working on this, there is quite an extraordinary level of detail. We wanted to get into the nuts and bolts of the mission planning in such a way that we could write recommendations and suggestions that were credible for the individuals that work, that live and breathe that process, and I hope that we've succeeded to a certain extent.

Chapter Four is the summation of the field visits, and that's where we really felt we needed to bring out the human aspect. We interviewed hundreds of individuals who are serving in peacekeeping missions, many of whom have a tremendous sense of duty around this issue, around the protection of civilians.

Many civilian sections within the missions – we have child protection, human rights – very, very clear idea of what it is that they are there to do, and very clear reporting channels, very well established programs of work. But rarely did we see all of these things coming together around the general theme of the protection of civilians.

And amongst the military and the civilians, a great deal of innovation that's going on with good local leadership and good common sense around this issue, but also a great deal of confusion and a great deal of frustration that certain individuals sense around the lack of guidance and the lack of resources.

We really did have an excellent level of cooperation from the field missions, and subsequently they've been generous with their time in terms of giving us feedback. All of that has led to this voluminous document and to the recommendations that the Ambassador has spelled out.

It's been a very tough process. The support of the advisory group, OCHA and DPKO has been essential all the way through. We've had significant feedback already on the report. I'm pleased to say that most of it's been highly positive, and obviously we're thankful for that. Several people have come back to us and said that they like the way that the report tells it like it is, quote, unquote, as if that's something unusual in this day and age.

Luck: That couldn't be.

Taylor: It comes from a simple philosophy that also we tried to instill right from the start, that if basically you set out to record the truth and to tell it, it's challenging for people in the first instance, but eventually they thank you for it. Thank you.

Luck: Thank you very much. You mentioned casual readers. I look around, I don't see too many casual readers, so probably people are looking at your footnotes as well.

Now we have Prince Zeid, who was once upon a time, a peacekeeper. He was, of course, an average peacekeeper with a doctorate in history from Cambridge. I think it's required now for most missions. We miss you and the work that you did here on trying to curb sexual abuse by peacekeepers and many other things, but we're glad you come up now from Washington. Prince Zeid ...

Prince Zeid Ra'ad Zeid Al-Hussein: Thank you very much, Ed, for inviting me up to New York. I'm delighted to be here and to see so many friends, and to represent the members of the advisory expert panel, and I'm very pleased to see General Patrick Cammaert in the front row, because he was a key member of this group.

I cannot underscore to you the extent to which we were surprised by the initial findings. We didn't realize how, just how broken the system had become, in part because the development of the rhetoric and actions by the Security Council made us feel that we should have been seeing a natural progression from where we were in 1999 to where we should be today.

But just like a marriage that turns sour, and you know it turns sour, or it's turning sour, when the couple under observation, used to say 'I love you' once a day to each other and now say it every minute, we began to sense that as the rhetoric developed, we were suffering from something quite acute in the field.

The report goes into great detail as to why it is there were problems in terms of interpretation and coordination. Leadership was sporadic. Where there was success you could always find some, or a group of highly innovative policies being put into place by skilled people.

But it wasn't the system that was producing any success. And the sad thing, perhaps the saddest realization, is that it need not be like that because once it wasn't. If you look back at the first Congo operation from 1960 to 1964, it was an amazing operation. And what they were able to do in that operation we could scarcely begin to think about in the present day. At one stage, as you'd remember, there was a humanitarian convoy that was being attacked by a fighter aircraft flown by a mercenary, and Ethiopia immediately made available fighter jets for the UN to use in getting rid of this stray fighter. The Swedish government also made fighter jets available for use by ONUC at the time.

The mission was extraordinary. That mission – there was one occasion there was a refugee camp, 40,000 people were under threat, and the mission immediately went to the defense of those 40,000 people. It carried out search and destroy operations, it protected civilians, and all of this was done in the 1960s without the use of SAT phones, without the use of direct dialing. It has been done before. We don't have to think or imagine that this is impossible for us to do.

And that raises this sort of other question of is it simply because there were better governments at that time? Better diplomats than we were? Better members of the Secretariat? Are we to believe that somehow we are deficient and we cannot achieve what they once achieved back in the 1960s? And they held the country together, of course, much to the benefit of the African continent and beyond.

The report, as was discussed by Ambassador Mahiga and by Glyn, is a very dense report, a very important report. I hope that it won't go the way of the Srebrenica Report, the Carlson Enquiry on Rwanda, the Volcker Report on Oil for Food, and that is that we

present it and there's nothing that happens beyond that, that we don't have a discussion about it. Because, as the report says itself, that if we do not address this issue first and foremost, no peace agreement is durable if these resentments are maintained and can be whipped up by any chauvinistic leader or an extremist in the future.

I would urge members, member states and members of the Secretariat, to come up with some sort of mechanism now by which this report can be discussed in detail, and then the recommendations be examined by the Security Council and the C34. It is that important. It's important both for the reputation of the governments who are members of this organization and the organization itself.

But thank you very much for inviting me. I'd be happy to answer any questions you may have.

Luck: Thank you very much – very much to the point. And I'm glad you pointed out that it's not only the Secretariat that has to implement the recommendations, very much the member states and the Security Council itself.

We now have two of the implementers, Sir John Holmes, the Emergency Relief Coordinator and Under-Secretary-General, Head of the Office for the Coordination of Humanitarian Assistance. I probably shouldn't say this, but he's been such a frequent visitor to IPI of late he wanted to know whether he could collect his fee, and I generously offered him half of my UN compensation. But we're glad that Sir John has frequented us a few times and, again, I'm just delighted to see the cooperation between OCHA and DPKO. So, John ...

Sir John Holmes: Well, thank you very much indeed and good afternoon everybody. I think it's clear to everybody that mandating peacekeeping missions to protect civilians is perhaps the most significant of the Security Council's actions over the last ten years, which have been designed to enhance the protection of civilians when they've been looking at this as thematic agenda item.

But it's also true to say, I think, that the process of elaborating mandates and their translation from the Security Council Chamber into actual protection activities on the ground has shown mixed results, to put it no more strongly. And which, again, to be frank, is part of a wider gap you can identify between rhetoric and reality when it comes to the protection of civilians over the last ten years, as Prince Zeid was pointing out just now.

And that was the thinking behind the decision to commission the study jointly with DPKO, to examine the elaboration, interpretation and implementation of protection mandates and the role of the various actors in the process. And let me, in turn, express my thanks to the team for their hard work, accurately capturing the challenges that face peacekeeping missions in this area, and of course thank, particularly Augustine Mahiga and Prince Zeid as well as the other members of the advisory group for their invaluable guidance in producing what I think is an extremely valuable report for the future.

Clearly the context of the study is that the protection of civilians is increasingly at the very heart of UN peacekeeping missions, as indeed it is at the heart of the UN Charter more widely. Missions are now expected to protect civilians in practice, and their legitimacy and their credibility, and that of the Council and the UN more broadly, are clearly undermined when that's not happening. So ensuring that missions are able to deliver protection more effectively is clearly essential, and the study does, as Glyn Taylor was saying, confront this head on and sets out a number of clear and solid recommendations to this end which are addressed to everybody concerned – the Council, the Secretariat, police and troop contributors, and those who are actually trying to carry this out in the field.

Let me just highlight a few of the points which we, at least in OCHA, think are particularly important. First, the role of peacekeeping missions as protection actors must be much more clearly defined for operational purposes than it has been. We need to draw up an operational concept, an operational guidance which clarify what missions, and indeed individual actors within those missions, actually do to protect civilians, and critically, how they should do it. This has been missing hitherto, as the report brings out very clearly, and as Glyn Taylor said, good local improvisation is all very well, and there has been some of that, but the result has been, too often, confusion.

Second, missions have to develop genuine mission-wide strategies for the protection of civilians based on a realistic and a well-informed assessment of the risks to the population, in consultation with the other actors on the ground, whether they be humanitarians, human rights, or other people concerned with protection. But again, clear guidance from headquarters on the development of these protection strategies is vital.

It's also essential, these strategies these are based on the understanding that protection mandates are not limited to the relatively narrow notion of the protection of civilians under imminent threat, in other words, very clear military protection of civilians, but involve a variety of activities of a much broader protection kind whose implementation is not a task exclusively for the military or for police personnel of a mission or, indeed, for the civilian components of missions and humanitarian actors. Rather, it's an overarching responsibility for the whole mission, and the leadership in the mission needs to find ways to bring together the different mandates and the different actors, the different capacities, the different expertise, in the most appropriate way, to make sure that these broad protection challenges are finding the right kind of response.

And that brings me to the third point, which is that leadership matters. The commitment to the Special Representative to the Secretary General and the force commanders is essential in setting tone to insure that protection is considered a priority across the whole mission. They need to be accountable for the production and implementation of mission-wide protection strategies of the kind which I was just talking about, and for reporting on their results. But if they're going to be able to do this effectively, they need much better training, support and guidance, not least in advance of taking up their responsibilities, as of course, do their military and civilian components.

Fourth, good analysis and honest reporting are essential to active and effective follow up. The Council needs to be kept fully and candidly informed about the challenges missions face, and the opportunities also which exist, to make sure that civilians are being protected, because it can only then, the Council can only then take informed action on how to support the missions. And the development of guidance to missions on how to report on protection, is obviously key in this area.

For our part in OCHA, we will try to make sure that the relatively new informal Security Council expert group on protection of civilians continues to serve as an effective forum for exchange of information, provision of additional information on protection challenges for missions, and how they can be addressed, and also that the aide memoire on the protection of civilians, which was endorsed by the Security Council earlier this year, remains an actively used reference point.

Fifth and finally, political commitment to support the mission by the council and by the parties on the ground is also critical. Its absence will certainly fatally undermine the mission's ability to carry out its role in the protection of civilians. And this means also the need for political commitment by the troop and police contributing countries, including minimizing so-called national caveats which can interfere with command and control of missions when violence escalates and peacekeepers face tough challenges on the ground in protecting civilians.

I would say that above all though, and overall, it means political support not only for the timely deployment of the personnel and assets of a mission, but also for insuring that

these assets are genuinely the appropriate ones needed for the task at hand, and that's not just a question of numbers, it's a question of the experience, the expertise, the right balance of the mission, whether it be police, military or civilian. In other words, getting the design right at the beginning of the mission is absolutely crucial to its ultimate success.

As a final, final point, I agree with the report that we have to guard against exaggerated expectations of universal protection of all civilians where peacekeeping missions are operating. We've seen that very clearly in the case of MONUC.

At the same time I think we can also legitimately expect greater consistency in success in this core business of protecting civilians by peacekeeping missions than we've seen hitherto.

We in DPKO are committed to working closely together to take forward the study's recommendations in consultation with other relevant actors, obviously. I also trust we can count on the full cooperation and support of member states in doing that as well, and I look forward to this Wednesday's wider Security Council debate to mark ten years of activity on the protection of civilians as a first opportunity to see some of the findings of this study being taken into account in what the council is doing. Thank you very much.

Luck: Terrific John. You were so succinct, make it three quarters of my UN salary. Thank you very much. Now last, and certainly not least, Alain Le Roy, who must have the hardest job next to the Secretary General in trying to handle very much stretched out forces and missions around the world in very, very difficult circumstances, not made any easier by these robust mandates from the Security Council. We have really been impressed how quickly you have seized the reins of DPKO and how smoothly this has all flowed, and it's terrific to see the two of you working so closely together on this. So Alain, it's your turn now.

Alain Le Roy: Thank you Ed, and thank you Ambassador Mahiga, Prince Zeid, Glyn Taylor and John Holmes, all your comments, and Ambassador Mahiga and all his team for this study.

It's really clear for us, we take this issue extremely seriously. We all know that this – the protection of civilians in armed conflict draws its inspiration from the very heart of the UN Charter, so we take that very seriously.

At the same time, I want to make the point very clear that the study is an independent study, because though my predecessor decided to commission the study it's truly independent study. And I say it was rather candid from our side, because at least as far as DPKO is concerned, we received of course a lot of criticism from the study, but we wanted to be transparent and candid and to draw from that lesson. So we are very happy. We don't dispute the result of the study. It's candid, but we want to draw the lesson from there.

And I, like also Ambassador Mahiga, and you also Glyn Taylor, mentioned that what is at stake is not only the peacekeeping mission, but the whole chain of action. I think it's very important, we as DPKO must improve in field mission, but of course the whole chain of action from the Security Council to the member states to contributors countries and of course the Secretariat. That's very important for us to keep that in mind.

You all know that so far eight of our UN peacekeeping missions have that mandate to protect civilians under imminent threat. That's where we are. And we are, of course, trying to develop innovative approaches. The reports say very clearly, identify very well the gaps that are in that chain of action. We acknowledge that very much, but I want to tell you that of course, already something has – a lot of things have already happened.

Just, for example, I just came back myself. I came back over the weekend from the DRC, while at the same time, of course, we learned that some significant number of

civilians have been killed and of course that is clearly a failure in our way of protecting civilians, but at the same time I visited several sites, where the population was so thankful for the MONUC for protecting them. I've seen so many sites where it was the case.

So at the same time where civilians are being killed in the eastern DRC, thousands, or maybe more than that, of civilians are being protected by the peacekeeping mission, so it's – I wanted to say that because, of course, the media attention is always on those who are killed and, fully legitimate. At the same time, if you visit DRC – I did that last week – so many places, so many sites where our peacekeepers are making the difference in protecting civilians. It was so obvious. And even in the case where civilians had been killed in a place called Lukwete, that we discovered last week, immediately the mission has established a new site, 48 hours after, again, and we know that this site is very important for the protection of civilians there.

We clearly – and from the report, we are committed, of course, to most all of the recommendations. First, you identify the gap, which is very clear, the lack of operational concept of POC and guidance development, that's very clear. What we are doing so far, we know that within MONUC already we have lots of innovative approaches, and with UNMIS there already draft strategy that, of course, we need from the headquarters to help them in doing that.

What I call by innovative approach, you all know that, for example, in MONUC they have established joint protection teams with, of course, a military, police, human rights, child protection officers going, and I've seen some of them, and of course, again, I visited the population who have been visited by JPTs and, of course, they feel much more reinsured after that because, of course, a link with MONUC is strengthened.

And I said UNMIS has celebrated a draft strategy. But we must now, addressing this gap as a first step, and we have already begun to draft within DPKO and DFS what we call operation concept for the protection of civilians and peacekeeping operations, so it's at a draft stage. We of course want to share it, of course with the humanitarian community and humanitarian actors, and of course with member states, and we have to do that in the coming weeks. That work is already at an advanced stage, but of course now it's time to enlarge the discussion to insure we're all on the same page.

You refer –very quickly on the analysis of threat and reporting – we fully accept that we have to improve this analysis of threat, and the candid reporting of the Council. I will not elaborate because you just touched it, John.

On the planning issue, it's very clear that so far we put the protections in the planning, but not enough in an operational way. We say, of course, we have to protect civilians, we don't say how to protect it, and of course, we have to draw the lessons from what happened in the fields and it's clear that we have to improve our way of doing planning.

The question of the training – it's very clear an army cannot do that very well. No army is training the world to protect civilians. They are trained to fight war and not to protect civilians, so it's a huge issue. So far it's clear that the planning on the protection of civilians has concentrated on, of course, including references to humanitarian and human rights law, that has been there, and the soldiers have been trained what not to do, but again, how to insure that these laws are protected and how to operationalize this concept has been lacking so far in the training. We admit it and we are working on it and we are trying to produce soon what we call training standards and are drawing lessons from the field on this issue.

Leadership, I won't touch it because John said it. Of course, it is a key issue. And, of course, political support, particularly for member states, and also as far as capacity is concerned. It's obvious when you have a mission, when you have – mostly under Chapter Six – when you have a small line, protection of civilians under Chapter Seven.

We have the means and the capacity of a Chapter Six mission, which is clearly not enough, and I think it said in the report to have the capacity, are not clear enough to protect the civilians in a satisfactory way.

So it's clear that we are committed in DPKO and DFS. We said that already in the New Horizons study. We will pursue that discussion, of course with the humanitarian community and member states. We look forward, of course to the Security Council discussion on Wednesday, I think, under the Austrian presidency, but we look also forward to the discussion in the C34 because, of course, it's a global undertaking and the whole chain of action is concerned.

So we are committed to reform. We will share our first draft on the guidance, on the concept paper soon, with relevant stakeholders, and we will continue the discussion on all the issues – analysis of threats, training – with all other stakeholders concerned. Thank you very much.

Luck: That was terrific. I didn't believe this was possible. We had such a disciplined panel, we actually have an hour left for discussion. I saw this lineup and I thought, oh my God, a lot of impressive statements but not much time left at the end, and thank you everyone for making your points so succinctly.

I first should apologize for the doors being open, which may make it slightly noisy, but it was either that or make it very hot in here because they've turned the air conditioner off some time ago. Please identify yourselves. If it's a comment, make it short. If it's a question, we'd be happy if it was short as well. We'll take a bunch of them and then go from there. We'll start with the President of the Security Council – I'm sorry, Thomas, wait for the mike.

Thomas Mayr-Harting: I just wanted to thank the panel for this extremely useful presentation. I think the authors of the study know that we've been in close cooperation with them from a very early phase. As you know, it was one of the priorities of the Austrian Presidency of the Security Council to promote the protection of civilians' agenda. We've been working on it for months, including in retreat format where both Prince Zeid and Ambassador Mahiga participated. And although the results of the study sort of only have become public only now, I think we had a certain idea, a good idea in which way it was heading.

As has been said by a number of speakers, the Security Council will debate the issue on Wednesday [which resulted in [Security Council Resolution 1894](#)]. There too we have been going through laborious preparations which have moved well, thanks also to the support we've received from OCHA and DPKO. It is my feeling that the Security Council will be in a position to produce an outcome in the form of a resolution, and I think that many of the ideas that the study mentions, in particular the idea of the operational concept and the idea of mission-wide strategies, will receive the support of the Council. But as I said, work is still under way. I hope it will be concluded today or tomorrow, and I think that the Security Council will be able to make a fruitful contribution to this very important subject on Wednesday. Thank you.

Luck: Terrific. Who would like to go next? A hard act to follow but ... my goodness, so many people and so few hands. This is a little hard to believe.

[inaudible comments / laughing]

Luck: Or maybe even a statement – please, Ambassador of the Netherlands, please.

Herman Schaper Thank you. Very informative, very useful. My question would basically be, if everything would be arranged all right, if you would have the operational concept you are looking for, if you would have the training, if you would have a clear mandate – but what if you don't have enough troops to respond to that? The gap – isn't a large part of that simply not enough troops, or is that putting it in too simple a manner?

Luck: If you didn't hear the question in the back, if I may summarize it, it was fine the doctrine, fine the training, but what if you, in the end of the day, don't have enough troops? A key factor and obviously the force is being stretched really quite thin. I will start with this and then we'll get some other questions. Alain first and then Zeid.

Le Roy: It's a very good question, Just in DRC we have now today 20,000 troops, but to protect the civilians where they are most in danger, which is the Kivus, ten million people, so it means we have 20 peacekeepers – even if they are all concentrated there – 20 peacekeepers to protect 10,000 people so even with the best training, the best strategy, guidance, it's a key issue. I always remind the people that when NATO came into Kosovo in 1999 they came with 45,000 troops to protect a territory with 200 times smaller than the DRC, and still at that time – I know because I was there – there were civilians being killed every day. So even with the best strategies, the best troops and the best density, still the question is a huge one, so it's a very important question and for me the answer, we will never be able to protect all civilians, but of course we have to do our utmost, as we try to do in Congo.

Luck: Zeid wanted to comment. If I could add to this question, Zeid. You made the comparison to the Congo operation in the early '60s, which I think is a very good one, and also it was deployed much more quickly than people seem to be able to do these days – but have things changed in terms of the threat to civilians in the meantime, where they become really targets of organized and disorganized violence? Do you think that was as true in the early '60s? And again, we like to think of that operation as a success, but we're back in the DRC, the same place with worse problems now than we had at that point. So how would you add that to your comparison?

Prince Zeid: It begs the much more fundamental question of whether it is true that in warfare these days more civilians are killed than hitherto was the case? Because I can't believe it to be the case. When you look at the First World War, it's true that a greater proportion of the casualties were military as opposed, as a ratio of the overall casualties, yet another 20 million people died as a result of the Spanish flu, and part of this was an indirect effect of the war. In other words, throughout history, civilians have borne the brunt of casualties. Every major city in Europe was sacked and burned and the people massacred, practically, and throughout the rest of the world similar experiences have occurred. I think we need to do away with this myth that somehow civilians are being targeted now in war and they weren't in the past.

In the Congo the difficulties at the time was, as we know, very early in 1960 there was no effective infrastructure in the country and the UN had to build and hold this huge country together. The fear was by the OAU that if the UN didn't do it, Africa would fragment into many, many little states. And so there was a resolve on the part of a great many governments to do this. We had emerged out of the Second World War recognizing what can happen in war more fully, and the UN was committed to do its very best. I think in terms of the individual, there were some horrific things that also happened in the Congo at the time that cannot be also dismissed.

But on the question that you presented, sir, I think it's highly misleading, because when we were in the former Yugoslavia, everyone was talking about mandates and numbers, mandates and numbers, and no one was talking about performance. We had 68,000 troops in the former Yugoslavia, and on the occasions we could prevent violence against civilians it was, as Sir John Holmes said, because individuals took the initiative. But the whole mission, with the exception of Sarajevo and the safe areas after Meron entered Srebrenica, you know, you could test the success of that particular mission.

The other mission to look at by contrast is UNMOT, an observer mission in Tajikistan in the 1990s. I think they had about 168 observers there, and they were credited with saving upwards of 100,000, maybe 150,000 lives with just a small number of military observers. Very well led, knew how to do their job.

So it's performance that we need to keep focusing on as opposed to – I mean mandates are important, yes, numbers, we need the troops, yes, but you need to have a good structure in place, good understanding, good coordination, and above all, the highest quality people you can have.

Luck: Very good. Glyn?

Taylor: I had basically the same point to raise. When we were, particularly during the field sections, this point came up time and time again, that there are two questions. One is absolute capacity, which will never be enough, and the other is making best use of the capacity which you have, the performances you – and in that sense it isn't just the number of troops that one can put forward, but also the combination of civilians and military to do the analysis and to get the whole concept right.

Luck: And if I might, Zeid, to your earlier historical comparisons, my recollection was that protection of civilians, at least in the vicinity, was always part of traditional peacekeeping. It's not only since '99. I think these more robust understandings of that are here, but I don't think it's entirely new for peacekeeping. The gentleman here please?

Male Speaker: Thank you sir. I don't know whether it's a question or it's a comment.

Luck: Please identify yourself too.

Male Speaker: (This speaker was largely inaudible)

Luck: Great, thank you. If people couldn't hear him, he basically was saying that as a soldier you want to have clear guidance from the politicians, what they want, and he made a distinction between strategic guidance and operational guidance. And I guess the question may be, partly, have we been lacking both strategic and operational guidance? And where do those gaps lie? Would anyone like to respond to that? Alain?

Le Roy: Just one comment. As far as DPKO is concerned, yeah, we are working on what we call an operational concept. It's very clear that for missions all the guidance will go mission by mission so it could be the guidance, operational guidance will be, of course mission by mission. We try to achieve, what we call operational concept, to try to operationalize the only sentence that was in the mandate, which says only you have to protect civilians under imminent threats. So this only sentence we consider that we have to elaborate a bit more to insure that we have the same understanding of what it means, and also the limitations of what – again, we cannot – we are not able to protect a hundred percent of the civilians. Of course operational guidance will be mission by mission. Thank you.

Holmes: This is a difficult area because it's not sufficient just to tell a contingent of troops we want you to protect civilians because they have to know what you mean by that, and that's what we haven't really defined. And actually, defining it is not a simple issue. We're trying it all the time and I can guarantee it's not simple. But it goes a long way beyond just the protection of civilians under imminent threat.

So, I think there's a lot of training that needs to be done before contingents get into the field because once they're in the field it's almost certainly too late and they're going to rotate rather quickly anyway, so that training needs to be built in.

But it's not necessarily the case that the key actors in this are going to be the basic troop contingents. There's a lot of other people who've got to do this job and may be better equipped to do it and that's why I say the design and the mission has got to be right in the first place, otherwise if you simply add a lot of traditional contingents together and hope they're going to do the job, it's not going to happen, at least not as much as you hope.

Then you do need very specific guidance about what you do in certain circumstances. And again, MONUC has been, I think, leading the way in some of this guidance they're giving to troops on the ground, which is partly things like the joint protection teams, partly very specific guidance. What do you do if your base, your operating base, is surrounded by a lot of civilians who are seeking protection? Do you let them in? Do you keep them out? Do you feed them? Do you not feed them? How do you deal with them? Not straightforward at all, but that kind of guidance can be developed and given to people in the field and then it can really start to make a difference.

Luck: Terrific. I think Augustine wanted to comment on the political side of this.

Mahiga: Thank you. It is important to know that when we are talking of politicians, let us look at the Security Council and the ambassadors and ourselves representing member states, I think that will be one category of the politicians, what exactly do we want? But also, it's important to look at the politicians on the ground where the operations are taking place.

Now let us look at the political level globally at the United Nations. I think the first thing is to understand what are the threats to civilians in peacekeeping operations? There are a variety of threats. Is it just from imminent danger of physical violence? Is it gender-based violence? Is it violence against children? And, as Mr. Holmes said, in integrated missions which are to day under the United Nations, there are purely military aspects of protection, there are police aspects of protection, there are humanitarian aspects of protection, all these add to the threats that the Security Council need to be informed of in crafting the mandates. And these all add up to the credibility of the United Nations in responding to these threats.

So to sum it from the United Nations' point of view is to provide credible protection in response to the different threats that will make the United Nations credible and the victims' expectations be lived up to.

Secondly, the political expectations on the ground level – the centerpiece of peace agreements should be the protection of civilians, because whatever government comes after a peace agreement, has first of all to bring peace. Sometimes the United Nations has a deploy where there is no peace to keep. It's still a major challenge. But even when there is peace to keep it doesn't make much sense if you do not respond to the safety, to the stability, to the rule of law of the civilians. And when we talk of protection of civilians on the ground level, the center of gravity of peace missions should be the safety and protection of civilians. Equally, any peace agreement that ignores that dimension is an incomplete peace agreement.

I think these are the political expectations both for the actors and stakeholders on the ground and at the global level, at the United Nations level.

Luck: If I could add one little comment. I was just saying to Glyn, it would be worthwhile, I think, to do some comparative studies of experience, for example, with the AU, ECOWAS ECOMOG,, NATO and others in terms of how they've handled similar issues, and compare doctrine, compare rules of engagement and the rest of it, maybe, to get some other ideas on this, So maybe we're suggesting additional studies for you, Glyn, I don't know. But please, my friend from Turkey.

Male Speaker: I'm the consul for the Turkish Permanent Mission, thank you for the panelists. First of all I commend, I would like to thank Ambassador Mahiga and his team for the study which we, at some stage, also met with him and shared our insights as a troop contributor country. And the comment, actually it's related to the very first question discussed here – what about reports, elaboration on the imbalance between well- funded, well- guarded or well- supported missions, peacekeeping missions, and the ones where a conflict has ended a long time ago or has turned into a political process. Maybe you can elaborate on that as well.

[pause in recording]

General Patrick Cammaert: I'm General Cammaert, and I was part of the advisory group and had the pleasure of helping out to make this project happen after a long period of time. On the issue of enough troops or not, and I was division commander in MONUC and I was responsible for all the operations in the eastern part of the Congo, and my division was 15,000. And, of course, as a good military officer, you always want to have more. But unfortunately, you won't get more, and you can only do a certain number of tasks with the troops that – we call that troops to task. If you have only so many thousand then you cannot do all those tasks, and that should be very clearly articulated to the troop-contributing countries, to the Security Council and to make sure that you can manage the expectations on the ground and with the international community.

Of course there are not enough troops to guard every person in the eastern part of the Congo, if you take that example. But I think that much more can be done if the resources are used more efficiently and if troop-contributing countries prepare their troops for what is required in 2009. And we've been through many seminars, etcetera, and we've heard from many of the leading generals in the various major troop contributors, and at this moment the majority of the troop-contributing countries are not fully prepared for what is required in, let's say, the missions in very volatile situations like Sudan, Darfur and the Congo.

And the protection of civilians under imminent threat, if we take it from the military, the military is not the only player here, it is only a small part of the whole integrated mission, and the protection is an integrated approach, and the imminent threat, the physical part of it is for the military. But the protection of civilians is really something that the military should understand, should articulate to the top leadership and to the lance corporal on the ground, because if they do not understand what exactly protection of civilians under imminent threat means, then we can write all the best mandates and we can give them all the best rules of engagement, at the end of the day it is those commanders who must understand what it means and must act if they are threatened with a certain situation. But it starts with the predeployment training in country.

Luck: If I could ask a follow-up question to that – I mean one gets the impression from news accounts and other things, and some anecdotal experience, that different contingents treat these kinds of mandates quite differently, and sometimes the groups that are causing the problems know that they don't mess around in some sectors and they do in others, because the reactions are quite different. And my impression has been that it's not been only a question of quantity, but a question of quality, and interpretation makes a big difference. And as you say, general, what risks and what word are some of these contingents getting from their capitals, which they may be listening to more than the word they're getting from UN headquarters.

Cammaert: But that lack of clarity should be immediately put on the desk of Mr. Le Roy to make sure that he is online with the troop contributors, that the force commander is making sure that the same message is clear to everybody. And if he sees that one troop contributor is using different rules of engagement than the UN rules of engagement, he should immediately raise all the alarm bells because you go in a very dangerous direction.

Le Roy: That should be sorted out in the concept of operations and rules of engagement. That's a task of the military officers to do that in the headquarters in liaison with the force commander on the ground, but at the same time, wherever it is, that's not every TCC has the same willingness to go, not the same preparedness and the same willingness, or the concept of operations is the same for everyone, and the rules of engagement the same for everyone. Even when we have harmonized our rules of engagement, the willingness of the troops, and of course the willingness of the capital, of course.

Luck: Great, thanks. Please, right on the aisle here. There's a mike coming from behind you.

Michael Smith: Thank you, Michael Smith. I'm from the Australian government but visiting from Canberra. I guess my question is mainly to Glyn and also to the advisory panel, and I would like to give my bouquets as well for a great report. But I'm wondering if you might have also received some criticism that after all these pages and all this work, that the report is good at identifying the problems but may have not gone far enough in actually coming up with some guidelines, and practical guidelines that will take us from the Security Council to the mission? And I'm really interested to know why. Is it because it's too hard to do that, that it was outside the terms of reference or because it's just so darn difficult to do? And I've got a real self-interest in asking this question because next month, with members of the African Union, we're sitting down to draft some guidelines for POC, which will then be considered in Addis Ababa in March next, year, so we want to make sure we're on the same sheet of music.

Prince Zeid: Thanks. That's a very good question, a very difficult one. Without trying to dodge the issue in any way, what we tried to do was to take it as far as we could in terms of allowing – if you look at the case of DPKO, we got the sense that many people for many years have been telling DPKO how to resolve this issue and we took the stance that it needs to be something that's taken forward from the inside, that the recommendations need to be clear in terms of what the outcome needs to be, but that the work has to be done internally, that it has to be an issue that's internalized, otherwise we could just be one other study that lectures on what protection is. That's the simple answer.

Le Roy: We don't disagree. The whole spirit of what we call the New Horizon study, how we can improve the capacity and, of course, it's our task to prepare recommendations and we are doing that, on protection of civilians, I said operational concept. And then, of course, to insure on what we propose we have the consensus of member states, the TCCs and the capacity, the adequate capacity. So it has to come from us and we have taken the initiative with the New Horizon, and now with the new operational concept, drawing on the lesson of your study, but then we have to insure that what we propose reach a consensus, of course.

Mahiga: This is indeed a very difficult exercise and we are probably just making a dent on a problem that is an evolving problem, because with all fairness, the Security Council, the Secretariat and troop contributors have tried their best to respond to the challenge of the protection of civilians as we have been going along. But nonetheless, we have been reading of attacks on civilians which take different forms and different manifestations. So we are groping, we are moving forward and we thought we are making an advance into this area, which should subsequently be further elaborated and followed upon by the Council, by the Secretariat and by the troop-contributing countries.

It is an area that I think is infinitely broader than what it is. Even in our study we did recognize the conspicuous absence in our study for lack of time and maybe resources, the kind of partnership which the United Nations has to build with the other peacekeeper organizations like regional organizations, like the African Union, as we are evolving into that area, which gives challenges of their own, in their own category, whether it is at the planning level or whether it is at the operational level.

In fact, I am very delighted from the Australian colleague that you are undertaking this exercise with the African Union. I think you are opening a new front all together that we saw the need, but we didn't have the time and the resources. And maybe the future of protection of civilians would come from that kind of partnership between the United Nations and regional organizations because these are very regional specific challenges as they arise.

We wish you all the best and certainly you would carry forward the baton to a higher level and to greater depths. We encourage and support you indeed.

Luck: If I could add just a little comment on this. I had no association with the study other than being one of thousands of people interviewed for it. But it does strike me, as an independent study, I think it's about as detailed as one would want, quite frankly. I think as one reads it, there is a certain political manifesto here. There is an effort to pose the right questions, but I don't think it's always the proper role for outside independent groups to then try to provide all the detailed answers as well. We have plenty of competent professionals in the UN system to deal with this. But I think it frames the questions right and frames the problems and identifies the gaps. I think that's a very big step forward, and part of the purpose, I think, is a political one in shaping the atmosphere a little bit.

We have two here. First, the gentleman right here and then Ambassador Abdelaziz.

Male Speaker: Dr. Luck, thank you again. It's good to be at IPI and thank you for organizing these talks. And also to the panel, thank you.

I'm Wilbert Ubugi from Tanzania. Now, I don't want to walk the very risky line of saying I represent Tanzania in this, because my ambassador is here, so I would be putting out a couple of points on a personal level.

One, I appreciate when it comes to the realization across the board what I have been listening to. As a military man, I do ascribe to the understanding that we do need to really go this meticulously when it comes to training of troops. It's not just the troops – it's true, as Under-Secretary Holmes has pointed out, and of course Dr. Mahiga. We are talking about integrated UN missions. It's not just the troops. But if you look at it, what is going in the missions, actually, what comes out conspicuously first and foremost is the presence of the troops, the blue helmets. The physical violence that can be enacted while the blue helmets are there is much more visible than what would be happening when a kid is being violated in terms of their rights and UN personnel are there.

So I think the question of clarity, when it comes to the Security Council – we had a talk about a few weeks ago, regarding UNIFIL. Crafting mandates on the basis of Chapter Six and then inserting in a clause or two to infer a Chapter Seven mandate, that's confusing. But it emanates from the Security Council's own deliberations behind closed doors, which troop contributors will not be there, but which is understandable because this is politics, which is why the question of strategic guidance comes in. And when it comes to the operational part of it, and I think it came out very well with a colleague who spoke earlier, it's very also tricky – it's important that all stakeholders understand this. Troops on the ground do not expect operational guidance. Yes, they do expect strategic guidance, because when it comes to the nitty grit [sic], the commander on the ground has got to have the flexibility to really decide within the broad mandate of what I have, this is the most reasonable cause of action I could have taken.

Now, this is tricky because we might end up really prescribing solutions to something on a blueprint that cannot ever be enforced. So I think DPKO and OCHA in terms of sponsoring the study have done very well, but also with the New Horizon, with the DPKO and the DFS, I think it provides the room for dialog. Let's continue with it in earnest, because this will eventually really bring us into something that we can take.

And perhaps finally, I should appreciate Prince Zeid's optimism. Yes, it was done in the 1960s in the Congo. It can be done today. Only the situation – it's true, we must all understand – even more complex because of the integrated nature of it, atrocities happen over a wide area, troop contributors are not that many when it comes – even numbers matter, because blue helmets, once they're seen it's a deterrent in itself. So the clarity, the presence of troops and indeed, knowing what we eventually end up giving to those on the ground will lead the way. Thank you.

Luck: Thanks very much. I might just say with the Congo, I think what is important is what happens between those two peacekeeping missions and that is, I think, quite a different story. Did anyone want to comment on the comment here?

Prince Zeid: I think what we just heard is very important. The Council has to arrive at a conclusion that it can no longer create a situation for UN peacekeepers where they don't know whether they're a combatant under the terms of Article 43 of the first additional protocol to the Geneva Conventions, i.e., are they a protected person or not, as a peacekeeper. And if you are a protected person, you are not a combatant, and if you are combatant, then it's very clear that there's a different regime that applies to you. And this is not clear. And the Council really has to put an end to this.

So I think back in the 1990s we always felt that there had to be a pop-up resolution, that you completely change the character of the mission and everyone is prepared for it. I always used to find it amazing how you're expected to do Chapter Seven type operations when you have a blue helmet and your vehicles are not camouflaged but they're white and you're giving yourself up, an easy target for someone. It's very unnerving for peacekeepers to go through this.

Another point I'd like to make is that all of this is connected with the reform of the Security Council. Not necessarily in the way that we always think, but in the way of practice. If you look at two or three of the most important moments in peacekeeping, pivotal moments, they occurred usually when the Council members turned up on site when the rockets and the bullets and everything was firing and saw with their own eyes what was happening, and then they began to produce mandates that were more realistic. This can be said of the Diego Arria mission to Sarajevo. It can be said of the Greenstock mission to East Timor.

So long as the Council members sit in that chamber and do not wander into danger or are fearful of wandering into danger, we are going to have a problem. It's no good just them visiting capital X and capital Y for three or four hours, meeting with the president and a few members of the cabinet and leaving. They have to go to the sharp end of where everything is happening to see what is happening. They don't all have to go. We don't want 15 members, but two or three can go and report to the rest. And that, I think, has to be done.

Luck: Good point, although I do recall that the Save Havens resolution in the Council was after a visit by some of the members, so sometimes their motions come up from the trips too.

Prince Zeid: Which was a good thing except that the mission wasn't prepared to do the right thing.

Luck: Yeah. It was the right idea but – Maged?

Maged Abdelaziz: Thank you Ed, and my thanks also to the authors of this report, even though it's not yet clear to me what mandated the DPKO and the OCHA to ask for the study and who paid for the study, and why. But as a strong supporter of protection of civilians, it is really important to start discussing these issues and to try to analyze where to go.

First, I think the first forum for discussion of this issue is not the Security Council, it is the C34. And I've seen the report on the C34 website – I don't know why, because it's not an official report of the United Nations, you mentioned that Alain, you said it is an independent study. Now I see this report posted in the C34 website and I don't know whether it has become an official document of the United Nations or what. Maybe that is due to the influence of your office or other offices.

But second, the issue is larger than what is written in the report. I haven't read it myself. One of my experts has gone through the executive summary. But the question is, are we ready to get the United Nations into battlefield? In order to send the peacekeeping mission, yes you have troops and we are suffering from the lack of troops in certain

areas. People do not want to send their troops to die or their troops to be attacked in certain areas.

Now you are requiring these troops to protect civilians and if you – whether positively by attack, being combat, or receiving civilians, both cases are going to put these troops into much greater risks. Attacking, then you need tanks, then you need missiles, then you need other equipment, you need highly trained people and you are entering the United Nations into war in a country concerned – and I don't think that this is what the United Nations is there to do.

We have all seen what happened in Gaza when even UNRWA tried to receive some of the people that are seeking protection and the United Nations was attacked also in this kind of situation. So it is a very difficult issue.

I agree with the main noble cause that we have to protect the civilians, that we have to do something to prevent people from dying, but also where are you going to get the forces? And who is going to pay for it? If we are now having many initiatives trying to speak about peacekeeping because they see that the budget of eight billion is over inflating and that we are over- exhausted with 120,000 persons working in the 17 or 18 missions that we have. Who is going to pay for the tanks? Who is going to pay for the planes? Who is going to pay for the missiles? Who is going to pay for all of this? Did you get a commitment from those who pay that they are going to pay all these kind of expenses?

So there are also questions on the TCC's side, there are questions on the donor side, on the budget side, there are questions on who's going to send forces to go to the battlefield. And initially peacekeeping is, as the Secretary General said himself in last year's report on the coherence organization, we send peacekeeping to protect peace, there must be a peace agreement in place. There must be peace to keep. So if you are departing from this assumption, would like to know, and we would like to see what is the reason for departure, and would like to discuss further in the C34, not in the Security Council, what is going to happen as TCCs, as a country not member of the Security Council that has a full right to understand and to know better what is going to be the reason in the future. Thank you.

Luck: Great. We thought sooner or later you could be provoked, so it didn't take too much. I think the question is aimed to under-secretaries-general, but may I just raise one point? I don't think the Secretary General has to be limited in terms of studies that he has to have done simply to those that have been officially mandated by an intergovernmental body. I don't think that was ever written anywhere or required anywhere. It doesn't mean that intergovernmental bodies then have to receive those studies, but it seems to me the Security Council has been dealing with protection issues now for a decade. Twice a year is not unusual. And I don't know why one has to choose between C34 and the Council, why one can't do both.

Anyway, I'll leave the official responses to the officials here. Thank you.

Holmes: I'll pass the microphone hastily to Alain in a minute. Just to respond to a couple of points. I mean this was commissioned by OCHA and DPKO and it was voluntarily funded by a certain number of member states. I should have thanked them actually, so I'll take the opportunity to do that, which is Austria, Canada, France, Germany, UK and Switzerland actually helped to pay for the study, so it wasn't used out of assessed funds to carry out the study, it was voluntary contributions.

Secondly, obviously, I understand the point you're making, that if we're going to be thrusting peacekeeping forces into war fighting situations, that has to be clear. But I think what we're saying is not really that because a lot of what we're talking about is not, as I was trying to suggest earlier, just about protecting civilians under imminent threat by intervening militarily. A lot of what can be done is a much broader concept to protection

of civilians and that. It's about protecting civilians from all kinds of abuses which they may be subject to, and sexual and gender-based violence is one, different kinds of human rights abuses where the peacekeeping mission is mandated to work on those is another. And this is not just about, as I say, military action with tanks and missiles. It's about deploying the right people in the right place with the right understanding of the situation, who simply by their very presence can act as a deterrent.

And I think a lot of it, as I'm trying to suggest, is actually about what civilians can do and not what the military contingents can do, even if the military contingents are essential to back up somewhere with the threat of force, what the civilians are trying to do. So it is a lot to do, for example, in a place like DRC, which we often come back to, the military contingents don't speak the language of the people they're surrounded by, therefore, they need to have much better ability to understand – they need more interpreters, put very simply, who are there day and night, so if something happens then they can understand what's happening. They need people who are actually out there mingling with the population to understand what's happening, where the threat's been coming from. Then you can move your, deploy your elements of the peacekeeping mission, whether they be civilians or military or some mixed teams like the JPTs that Alain was taking about, in a preemptive way.

So there's an awful lot that is not requiring new, big war fighting mandates or big new pieces of equipment, although mobility is very important. I mean somebody referred to the number of troops earlier. It's also about how those troops can move around, which is why this question of helicopters arises so much, because it's a question of mobility in places which don't have infrastructure, which is a lot of the time where the missions are operating, so that will be my, at least partial response to your concerns. But Alain, you might want to comment on the more military sides of it.

Le Roy:

No, no, I agree with that. Clearly, we said it's not purely a military answer, but I was there to have UN intervention because we are in [unintel] caught in the middle with the Secretariat saying protect civilians and the TCCs who have sometimes your reaction, say we want to come to your mission but with, of course, with some limit in mind, and some peace to keep and the three main – use of force and in the case of self-defense and in defense of the mandate. It's very important that this can take place not in the Security Council, as you said, but in C34. It's exactly, it's why preliminary remarks [unintel] has to take place in the C34 and it's our intention. We intend, of course, in our report to the next C34, which will be ready by the end of the year, to put all the questions there, to have a formal discussion on this issue which is, of course, linked to robust peacekeeping in the C34.

But I just want to put one limit also. As John said, first we said, clearly, it's joint civilian and military preoccupation. Second, we never speak of peace enforcement. That's very much of a limit. And we don't go further than a robust peacekeeping.

Just on the case of DRC, which as you say we often come back to, we are just so glad to have the Egyptian troops coming in soon because they will be used partly as a reserve force to try to – in fact to protect civilians. I mean when some of our small base will be all surrounded by civilians or attacked or – then the reserve force will be very much used to strengthen our capacity, to protect the civilians in that place. And I could only emphasize what John said, it was a question of mobility. But we didn't say that enough. How to best use the force, is to engage much more mobility, protection of civilians needs to be mobile, and for that the key element is helicopters and, of course, even in DRC, even more in Sudan, we are lacking that capacity which limits very much the intervention that we can do.

Taylor:

Can I just add, we'd be delighted to come and brief the C34 on the protection of civilians if that will be helpful.

Mahiga: In the report we recognize the need for continuing dialogue, conversation with the C34 at all levels, with the Security Council, with the Secretariat, with the commanders. And I think this report needs to be deeply discussed and analyzed within the C34. They are really key players in this whole thing.

But also, I'm glad Mr. Le Roy has come up to try to make a distinction between peacekeeping and peace enforcement. You know, sometimes there is this misunderstanding, people say you have 20,000 troops in the DRC, you have tanks, you have this, you have that, and people expect the United Nations to go to war. Certainly that is not the role of the United Nations – it is to keep peace. And even when you have to have robust peacekeeping, which I hope will be the next topic of discussion, what is robust peacekeeping?, it is not sending the United Nations to war. On the contrary, I mean that is totally, would be the contradiction in the philosophy of the United Nations as a peace promoter and as a fighting machine. I think it's always important to know that.

But Mr. Le Roy has already touched on this important concept which the ordinary person in the streets would think the United Nations is there to engage in war fighting, except maybe in self-defense or in defense of the mandate, but essentially a peacekeeping force is very different from a war fighting machine, yes.

Prince Zeid I'm going to respectfully disagree with Ambassador Mahinga. The question you raised was very important, and as someone who's spent 11 years in the C34, I would agree with you. The only problem is, Maged, that most members of the C34, at least on the political side, have never been to a theater, have never been to a mission, don't understand the gravity of the problems, don't understand the nature of the challenges they face. And if I were to say to the C34 in 2004, would you agree that the UN should have a sniping capability, should have military snipers in a peacekeeping operation, shooting at those who are shooting at civilians?, we would have had a unanimous decision by the C34, no. And yet in Haiti in 2004, MINUSTAH was under great pressure, Cité Soleil was exploding with violence and criminal activity, and the Secretariat asked us to supply snipers to the mission. There was a need, it had to be done, it was done and Cité Soleil was brought under control.

In other words, the C34 itself, like the Council, has to be more aware of the problems at hand. We have to find a way to send diplomats. And many of the military advisors have really very good experience and I think it's not so much on that side, but on the diplomatic side we need many more to actually go to the sharp end and to talk to people on the ground who spend years in these missions, know the threats.

And then, perhaps, the UN will find itself at a situation where it can ask for snipers openly following a discussion that we would have had and we would have said yes. So we need to find that relationship that will work, but I agree with you. You are the Egyptian Ambassador and I am the Jordanian Ambassador.

Luck: It's very hard to disagree with you as much as we sometimes try. We have about five minutes so I wanted to give each of our speakers a minute, if they would like, for profound wrap-up comments or more modest ones, whichever they prefer. And I'd like to start in reverse order if we could, so Alain, if there's any final word that you'd like to have?

Le Roy: When we renew the mandate of MONUC in December and maybe later or so, next year, so MONUC has 41 different tasks so then – of course protection of civilians is number one, but of course there are about 40 others, so that's something we have to discuss with the Security Council also.

And the last point I want to say, we have to insure so that by putting that sentence we have to deal with the expectation that that sentence in the mandate is raising, that when we have that sentence we are supposed to protect 100% of the civilians in that country,

and that, of course, is some kind of a mission impossible, so we have to deal – we haven't touched on it so much here, but how to deal with the expectation that the Security Council gives to the media when it puts that famous sentence in the mandates. Thank you.

Luck: John?

Holmes: Just one point, actually, to pick up Prince Zeid's remark that he doesn't think that there are more civilians being attacked now than before. I can't disprove that scientifically. And of course, as you say, many of the huge conflicts in the past, for hundreds and thousands of years, have involved attacks on civilians. I think what is a bit different now is that most of the conflicts we're dealing with and where peacekeeping missions are deployed are internal conflicts and not conflicts between states where you put peacekeepers between two opposing armies. That simply isn't the scenario. The conflicts are in the midst of civilians the whole time. That means the peacekeepers are in the midst of civilians the whole time, and there are very few, in most of these situations we're dealing with, these complex emergencies, there are very few battles between armies at all, and very few, relatively few deaths among combatants. The people who are dying in vast numbers from all sides are civilians, and that's why I think this concept of protection of civilians has become so important, is so crucial, is so difficult because, as I say, everybody's operating surrounded by civilians the whole time. Whether they're internally displaced or not, they're still in the area of combat very often. So I think that's why it is a different problem in many ways from what it was before, even if in the past, of course, civilians have very often been victims.

Luck: Zeid?

Prince Zeid: I'm going to depart from script and not go over any of this material, but I've been thinking to myself, one of the problems we have is that the Security Council seems to be too much under pressure and there's just too much to do to examine all of this in great detail. And perhaps what we need to think about, just as a court has two chambers, the Council will have two chambers. You have a chamber devoted to these very pressing issues, same membership, no change to the rules of procedure because they're provisional anyway; no need to change the Charter because there's still the Security Council. But you have one chamber that allows the Council to look at all these issues with considerable depth, to understand the intricacies, the detail that is required, the detailed knowledge that is required; and another council, same membership, but deals with the maintenance issues that occupy the Council to such a great extent, but needs to be done.

And so an offshoot of this sort of work will hopefully revive discussions on things like how we reform, organize the Council so that we could produce outcomes to reports, excellent reports like this in, of course, consultation with the membership and the C34 is the deliberative body which has to produce the guidance. The Council takes the decisions in terms of setting up the operations and mandating them. But we need to sort of rationalize the work in such a way that we can best make use out of these recommendations and put them to good effect.

Luck: I think that's a very good suggestion, and if there's anyone here who happens to be on the Peacekeeping Working Group in the Security Council, it does seem to me that is a group that's trying to look at these more generic, longer-term kinds of issues, and particularly working with the TCCs. This might be a very good report, very good area for them to spend more attention with. Glyn?

Taylor: Just to say thanks for the opportunity. It's been quite a process to get this report to this stage and delighted with the conversation that's been generated today. This feels like a bit of closure in a sense that we've come to the end of our part in presenting the report and getting it to this stage. I think it's safe to say on behalf of Tori, particularly, that the level of support that we've had from the advisory group, particularly from the member

states, we are delighted that this will be taken forward. We've seen a real energy behind it and it seems likely it will continue to get the attention that it deserves.

Luck: Well put. And you're missing all the fun now that it's getting to the political level. Augustine?

Mahiga: Probably as part of the Security Council working methods, after my two-year experience in there, there is a need to provide space for greater input to the Council so it's more informed from the TCCs and even from member states on the practicalities on the ground, and that would need more time and maybe more attention by the members. It's already a very demanding exercise to be a member of the Security Council, but this is one of the core issues of peacekeeping the Council has to address. And as we produce these kind of reports, we seem to be calling upon the Council to take more responsibilities.

And secondly, I want to invite all of you to look at this report. We would want to continue and to engage in more conversation and dialog. It's not only the C34, but all member states, because this is one of the core mandates of the United Nations, and the protection of civilians will continue to be a challenge to the United Nations from all aspects, from the human rights points of view, from the physical protection, from assistance, and it is a report that I think deserves to be looked at by all of you and all the stakeholders who have something to do with the United Nations and by all member states.

So I invite you – this is just the beginning of an ongoing conversation and we will find the right fora and time to continue this discussion. Thank you.

Luck: Terrific. And thanks first to all of our panelists and for those who did the good work of putting the report together, and thanks everyone for your patience and for your engagement with the issue. So thanks very much. Stay well.

[applause]