Protection of Civilians and Political Strategies

Introduction

The 2015 UN High-Level Independent Panel on Peace Operations (HIPPO) stressed two major themes that Secretary-General António Guterres continues to focus on: first, the primacy of politics in peacekeeping, which he raised in his September 2017 remarks at the Security Council open debate on peacekeeping; and second, the core obligation of peacekeepers and the entire UN to protect civilians, a continuous theme of his tenure.¹

Yet protecting civilians and pursuing political strategies, the defining tasks of modern peacekeeping, have frequently been in tension. Critics argue that peace operations in the last two decades have too often been tools of last resort, deployed to conflicts with no viable political process and serving as stop-gap measures rather than strategic steps toward a political solution. This is particularly evident in missions whose mandate to protect has been prioritized in the absence of a clear political vision to address the conflict. For example, in South Sudan, Darfur, and the Democratic Republic of the Congo, the mission’s political role may seem elusive, while its protection goals can appear as an operational imperative and a clear priority. As a consequence, POC may capture most of the attention and resources, sometimes at the expense of the political effectiveness of the mission.²

It should be noted that “the primacy of politics” and “political strategies” are terms that are not particularly well explored. Policymakers and practitioners frequently use the term “political” to mean “strategic” or in reference to the “big picture” (as opposed to “technical” or in reference to the detail of programs); focused on high-level engagement (rather than to the “local” work of civil affairs sections in peace operations or civil society); or interest-driven rather than principle-driven (when compared to humanitarian work, for example). The Department of Peacekeeping Operations is currently working to better clarify the idea and importance of political strategies writ large, and this paper does not seek to preempt that work. It does, however, accept that while the idea of a “political strategy” is contested, it remains a real and important component of mission work that is repeatedly contrasted with the protection of civilians mandate.

¹ Predating both the HIPPO and the secretary-general’s statements, the Policy on the Protection of Civilians from the Department of Peacekeeping Operations (DPKO) and Department of Field Support (DFS) has enshrined protection through political dialogue as the first of three tiers of protective action, along with physical protection and the building of a protective environment.
This issue brief reviews the complementarity and tension between protection of civilians and political strategies. It explores the important role of the Security Council in laying the strategic groundwork for the success of missions, and examines how missions, at their level, can implement protection of civilians mandates through a political strategy. Rather than providing concrete recommendations on a topic that touches upon the spectrum of peace and security challenges, this issue brief provides an overview of key questions and areas for further research. It highlights in particular the importance of clarifying strategic objectives for missions, UN headquarters, and the Security Council to minimize the risk that the protection of civilians mandate becomes military-driven rather than politically driven. It also emphasizes the need to link local conflict resolution to national political strategies, engage with a wider range of actors, and strengthen field offices.

Each of the following sections raises issues that defy simple answers and are the daily work of mission personnel, many with decades of experience in politics and peacekeeping. They are also the focus of numerous actors and processes, from the Human Rights Up Front Initiative and the Human Rights Due Diligence Policy, to the work of high commissioners and the secretary-general’s special representatives and advisers on thematic issues, to the numerous humanitarian actors whose work is beyond the scope of this paper.

Complementarity and Tension

The HIPPO recommended that missions deploy based upon a political strategy, with their capacities and activities tailored to fulfilling that strategy. At the same time, it recognized that missions would continue to be mandated to protect civilians, arguing that the protection of civilians is a “core obligation of the United Nations,” and made numerous recommendations to strengthen the protection mandate. The HIPPO was much less clear, however, on the potential tension between these two aspects of peace operations. There is an argument that the tension between protection of civilians and political strategies is a non-issue: UN political strategies, in seeking peace, naturally support the protection of civilians, and protecting civilians is a key step in building a viable political process and a sustainable peace.

However, tensions often arise in practice, resulting from at least three dynamics: the “ripe” moment for political dialogue versus the urgent need for protection; the focus on elites in political processes versus the interests and voices of the wider civilian population; and the military as a tool to further a political strategy versus as the driver of a political strategy.

RIPE MOMENTS VERSUS IMMINENT THREATS

Peacemaking theory emphasizes “ripe” or “ready” moments, when parties to a conflict recognize the benefits of compromise, often due to a “mutually hurting stalemate.” In many low-tech civil wars in the developing world, however, parties can support protracted conflicts through obtaining funds from neighboring powers, accessing transnational criminal and global trading networks, and preying on civilian communities. These ongoing conflicts, unripe for mediation, can have an immediate and devastating impact on civilians, and it is to these situations that peacekeeping missions are often expected to respond.

The tension between protection of civilians and politics becomes more pronounced when political processes stall while violence against civilians continues. This dynamic, which is all too common in modern peacekeeping contexts, is evident in South Sudan and Darfur, as well as in the Central African Republic where long-term statebuilding goals do not address immediate protection threats.

This tension is partly due to the framing of the protection of civilians mandate in apolitical terms, as a humanitarian or categorical necessity rather than a strategic decision. This framing is evident in the history of the protection of civilians mandate in peacekeeping, which grew from the stark atrocities committed in Rwanda and the Balkans. Humanitarians, upholding principles of neutrality and humanity, first championed this innovation in peacekeeping, though many have taken a more

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skeptical view as the protection mandate has increasingly become the public face of an inherently political endeavor.⁴ There are risks to treating protection as an apolitical mandate, however. When politics is removed from protection, we may create overly simplified narratives; the perpetrators of attacks on civilians, for instance, may be attributed motivations of “ethnic hatred” that mask more complex motivations around power and patronage.

ELITES AND COMMUNITIES

Scholars are increasingly recognizing the important work of local conflict mediation by peace operations personnel and its importance for protecting civilians and creating political solutions.⁵ Political strategies and the work of peace operations, however, have frequently focused on national political processes and political or military elites. These leaders do not always represent local communities, however, and they do not always have influence on the perpetrators of violence against communities. Moreover, peace agreements supported by international actors can increase the rewards for rent-seeking military leaders. This occurred during the interim period following the Comprehensive Peace Agreement in Southern Sudan, which incentivized militias to create instability, and in Darfur during the period of the Darfur Peace Agreement, which disincentivized the government of Sudan from seeking a comprehensive solution to the Darfur rebellion.⁶

There are often attempts to incorporate community voices into peace processes, but this is rarely a straightforward matter.⁷ Reaching agreement, even in the “ripest” of moments, can be more difficult with more voices at the table and civil society voices are not always conducive to sustainable peace. In the early stages of mediation of the South Sudanese civil war, for instance, most civil society representatives were highly partisan and effectively aligned with one party or the other, making coordination more difficult and offering little in terms of new perspectives.⁸

THE MILITARIZATION OF PROTECTION AND POLITICS

A third challenge is the militarization of the protection of civilians mandate and the tendency of militarized protection to become divorced from political goals. The recent UN report on “Improving the Security of United Nations Peacekeepers” (the “Cruz Report”) highlighted the importance of military capabilities in more dangerous contexts and appears to have galvanized proponents of more muscular peacekeeping.⁹ In practice, however, a heavy reliance on the military aspect of peacekeeping often draws focus away from political solutions and may limit a mission’s room for political maneuver.

The missions in the Democratic Republic of the Congo (DRC), Mali, and the Central African Republic (CAR) illustrate the risk of highly militarized missions losing focus on political goals. The UN Organization Stabilization Mission in the DRC’s (MONUSCO) focus on combating armed groups in eastern Congo has left it with little political leverage to protect civilians as the country barrels toward its greatest political crisis in a generation.¹⁰ In Mali, a combination of human rights abuses by the government and the UN Multidimensional Integrated Stabilization Mission in Mali’s (MINUSMA) move toward supporting the government in counter-terrorism operations.

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⁶ See Alex de Walle, The Real Politics of the Horn of Africa (Polity, 2015), chapters 5, 6, and the introduction. It should be noted that the negative impact of these agreements were primarily the strategies employed by the respective governments, without direct international support.
⁸ In 2017, South Sudanese authorities initiated a national dialogue that seeks to broaden participation in discussions of conflict issues and broaden the scope of issues addressed.
risk undermining the legitimacy of the mission and the UN as trusted political actors. The Central African Republic continues to be roiled by violence and intercommunal clashes despite a number of military successes achieved by the UN Multidimensional Integrated Stabilization Mission in the CAR (MINUSCA), putting the sustainability of such an approach into question.

The use of force is necessary in peacekeeping but becomes problematic when the military machine drives the political strategy. While this is a danger in any type of military operation, it is particularly so when protecting civilians is a key part of a mission’s political strategy. The seemingly endless list of threats to civilians in conflict-affected countries can lead to open-ended goals and a risk that missions attempt to substitute their forces for those of the host government. “Protection of civilians” can also come to be used to describe the goals of military campaigns against non-state armed groups, another potentially open-ended task.

There is no simple way to keep a mission’s military operations driven by its political strategy, particularly when the political process is stalled but military tasks must continue. Vague mandates, poor communication between military and civilian personnel, and the significant logistical and budgetary footprint of the military all add to the challenge. The military planning chain, however, is well within the UN Secretariat’s control. The military “tail” will only wag the political “dog” if communication between civilian political leadership and a mission’s military component is weak or avoids difficult issues, or when mission leadership and UN headquarters fail to coalesce around a political strategy.

SECURITY COUNCIL LANGUAGE AND SECURITY COUNCIL ACTION

A mission’s political strategy begins with its Security Council mandate. As lamented by many commentators, these mandates are not always strategic documents. They frequently provide the mission with numerous discrete tasks rather than a set of clear and achievable goals or a defined role within a larger political plan. Too often, new iterations of a mission’s mandate are focused on operational and even tactical directives. Protection of civilians mandates are a clear example of this: the council often calls for specific military measures (e.g., “robust patrols”) while leaving missions with little strategic sense of what the council seeks through the protection mandate.

One of the HIPPO’s proposed solutions to this challenge was to sequence mandates—“fewer priorities, fewer tasks and better sequencing [of tasks].” As noted above, however, protecting civilians and finding the ripe moment for political engagement cannot necessarily be sequenced, and recent missions (as well as non-UN military operations in Afghanistan and Iraq) have proved that it is difficult to lay down the stages of stabilization in neat progression. Yet this idea does recognize that the mission’s political strategy begins in the Security Council—that the council should have a plan—and, consequently, that it should ensure that the underlying conditions for the mission’s success exist or are within reach. Security Council members, particularly the permanent members, are some of the most influential member states in fragile and post-conflict countries, with significant resources to bring about those conditions. They can shape the economic space through bilateral or multilateral trade deals, sanctions, or development assistance (including loans from the World Bank or International Monetary Fund); the political space through high-level diplomacy; and a mission’s capacity, including its resources and capabilities, as well as its political role. These external conditions beyond the remit of the UN are vital to a mission’s success. Mission mandates should thus be tailored to and sequenced based on whether these conditions exist

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14 This paper recognizes that “the Security Council” is not a cohesive body with a single “plan”. It also recognizes that mission mandates, though the product of compromise, are also frequently the product of a single pen holder.
or council members are committed to establishing them.

The protection of civilians is often viewed as a breakthrough in mandate language. The first protection of civilians mandate in 1999 was the first time the council authorized the use of force to defend local people rather than to defend peacekeepers or specific locations, and the secretary-general’s aide memoir on the protection of civilians (first released in 2002 and regularly updated) collects past and potential council language to address protection issues. This focus on the council’s written word, however, at best obscures and at worst confuses the real value of council mandates. As recent conflicts from South Sudan to Syria have shown, the council’s requests, demands, and appeals for peace and protection regularly go unheeded. The source of this “protection gap” is not the language the council uses but its lack of commitment to shaping the economic and political space to influence relevant actors. For example, an array of international actors initially coordinated pressure and incentives to ensure the peaceful secession of South Sudan, leading many to assess the work of the UN Mission in Sudan (UNMIS), as custodian of the north-south peace process, to be successful. Civil war broke out in South Sudan two and a half years after UNMIS transitioned to UNMISS, however, and the latter mission has been judged as overly focused on protection to the exclusion of political progress. Yet the degree of international investment in supporting conditions for success in the first conflict, including high-level mediation but also including an array of promises of sanctions relief and financial aid to make the agreement palatable (these were not always delivered over time but important nonetheless), was not matched in the second.

From this perspective, council mandates best contribute to the protection of civilians when they are the culmination of the collective—or least convergent—will of at least key council members, including permanent members. It should also be noted that the participation or assent of regional powers or organizations, whether or not they have formal representation on the council, is increasingly important. Analysis of and advocacy for the protection of civilians in peacekeeping, however, often focuses on the language of council mandates, with the economic, political, and resource implications given secondary attention.

Implementing Protection of Civilians Mandates through Political Dialogue

While protection is far more than a matter of martial vigor, peace operations have a large role to play in successfully protecting civilians. They face two particular challenges at the level of field operations: (1) ensuring that implementation of protection of civilians mandates is driven by a political strategy; and (2) enabling mission personnel to undertake the political dialogue required for protection.

POLITICAL STRATEGIES IN MANDATE IMPLEMENTATION

Three years after the HIPPO report, it is now a well-established principle that implementation of all mission mandates should be driven by a political strategy. What this means in practice, particularly with regard to protection of civilians mandates, is more difficult to articulate. On the one hand, the link between protection of civilians and a mission’s strategy can be relatively clear: it is a basic goal of peacekeeping (even in the most traditional missions) to enhance stability and reduce conflict, and progress toward these goals naturally leads to greater protection. In many mission contexts, however, the level of violence is so high that “traditional” or “passive” measures still result in large numbers of civilian deaths. Similarly, supporting and building the capacity of governments is a basic goal that naturally coincides with greater protection, yet such projects progress slowly, often with backsliding and civilian deaths along the way.

There is generally no single document that

15 See UN Office for the Coordination of Humanitarian Affairs, Aide Memoire for the Consideration of Issues Pertaining to the Protection of Civilians in Armed Conflict, 2016, available at www.unocha.org/sites/unocha/files/Aide%20Memoire%202016%20I_0.pdf.

16 See and compare, De Walle, supra note 6.

17 Part of this challenge lies in linking a mission’s political strategy to the strategic direction provided by the Security Council. As noted above, the latter is often vague, incomplete, or incoherent, and missions are often left to fill in important blanks on their own.
contains the political strategy for a peace operation.18 The mission concept and mission plan, defined in the planning guidance for peace operations, are key strategic documents that establish priorities, mission phases and benchmarks, and key contextual factors. Most missions also have protection of civilians strategies that identify specific threats and articulate the mission’s particular approach to protection. The mission’s political strategy should be reflected in all these documents. This section looks at a set of issues essential to consider in developing the strategic approach that informs mission planning.

Clarifying Objectives

Challenging questions about how to apply political strategies to the protection mandate frequently arise in contexts where there is no clear political process. In such cases, clarifying the mission’s overall political goal is essential, if not always easy. In contexts like South Sudan with a halting political process and widespread violence, protection is the priority yet seems to leave the mission in a billion-dollar holding pattern. Legitimate questions arise over how the protection of civilians mandate can or should be framed in political-strategic terms. Many of those making policies for peace and stability operations, whether in the UN or organizations such as NATO, have long recognized that protecting civilians can build a mission’s credibility and better enable it to achieve its strategic objectives. It is less clear, however, that simply protecting civilians can or should constitute a strategic objective.

In addressing this question, it bears recalling that Security Council mandates are products of compromise, and the strategic direction they provide is often opaque. While unfortunate, this may be a reality of great-power politics to which peacekeeping must become accustomed. The benefit of broad mandates, however, is that they provide the secretary-general and the mission significant discretion to chart the best path forward. If missions are pushed to prioritize “protection of civilians” with no other clear political goal, that term is broad enough to capture a range of political goals. This does not make charting the political path easy (it is certainly challenging in South Sudan), but protection mandates should not restrict clear political thinking.

The Security Council and mission leadership teams have repeatedly prioritized the protection of civilians mandate. While this is admirable and important, it also risks leading to (or being used to justify) a heavily militarized approach. The military is a hugely important aspect of peacekeeping, of course, but good military planning begins with a clear political direction. If this direction is lacking, as may be the case when there is no clearly articulated political strategy document, military planners may be left to fill the crucial gaps.

Even in cases like DRC, where the neutralization of armed groups is considered a core aspect of the protection of civilians mandate, all stakeholders are clear that a military approach alone will not address the protection concerns of the affected communities. However, it is widely recognized that use of force is but one tool in the protection kit, and should be used in a complementary fashion with other activities. A strategy that shows how force will contribute to protection goals is thus crucial. Clarity of goals, articulated in a sound political strategy, is therefore important, particularly in politically polarized or counterterrorism contexts.

Working with the Host Government

A foundational principle of peacekeeping is that missions deploy with the consent of the host government. This is also a guiding principle of the Department of Peacekeeping Operations’ (DPKO) policy that the primary responsibility to protect lies with the host government. According to this policy, peacekeepers should only act when the government is unwilling or unable to protect civilians and should support the government’s protection efforts through capacity building and logistical or other support. However, these well-established and simply stated principles mask a more complex reality. Host-nation consent is generally a legal construct established (and sometimes cajoled) by the Security Council. As the experiences of many recent missions show, a host state’s consent to a peace operation does not necessarily mean it will cooperate with mission activities, and it may even

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18 As noted in the introduction, this is currently a work stream within DPKO to better flesh out the concept of political strategies and the primacy of politics in peacekeeping. This section captures only current practice.
actively obstruct them. This non-cooperation can serve as leverage for the host government in its dealings with the mission, the Security Council, and the international community. The mission in Darfur has long faced this challenge, and UNMISS has faced it in recent years as well.

Challenges to host-government cooperation may arise for many reasons, but a mission’s implementation of its protection of civilians mandate is a common one. For governments that present threats to their population, as does the government of Sudan through support for militias in Darfur, for example, a mission dedicated to protecting civilians is something to keep at arm’s length, if not obstruct outright. The UN Human Rights Due Diligence Policy provides an important framework for working with and supporting governments while maintaining human rights standards and protecting civilians.

In many contexts, however, the narrative is complex. Most governments in fragile and post-conflict states face pockets of armed actors, whether organized groups or community-based militias, that they must co-opt, marginalize, or defeat. This can be seen as a “political marketplace” where rulers bargain for the loyalty of factions through a twenty-first-century form of patronage politics. When peace operations act militarily to protect civilians, they become significant actors in this political marketplace, capable of supporting a ruler (and therefore reducing his costs) or complicating a ruler’s bargaining (and increasing his costs).

This perspective is crucial for peacekeeping because of the risk of unintended consequences of the mission’s activities. In the DRC, for example, the MONUSCO Force Intervention Brigade’s successful operations against the M-23 militia supported the government’s interests. While the brigade has subsequently turned its attention to a number of other militias that represented threats to civilians in eastern DRC, many of these have more complex relations with the government in Kinshasa and with local communities, and progress has been halting. Understanding local dynamics and how mission approaches to armed groups can produce ripple effects is important.

Managing Expectations
It is imperative but challenging to manage expectations of missions, whether they are expectations of the international community, the host government, or vulnerable segments of the civilian population. It is a well-worn truism that missions cannot protect everyone in their areas of operations. Member states routinely acknowledge this, yet time and again there are unrealistically high expectations of peacekeepers’ ability to protect. Part of this can be attributed to a lack of trust in the willingness and ability of peacekeepers, particularly the uniformed component, to protect civilians when called upon.

While this impression is likely only half true at best, its impact on the expectations of a mission—and therefore on how to define a mission’s success and failure—is real. As with improving the UN’s image in handling cases of sexual exploitation and abuse committed by peacekeepers, missions and UN headquarters need to examine ways of building trust and managing expectations. Clear and consistent messaging on the protection of civilians is an important and effective way to do this. Given the range of audiences for such messages, this is not a simple task of improving talking points. Such messaging would need to be based on a clear mission plan that embodies a political strategy and protection goals.

PROTECTION THROUGH POLITICAL DIALOGUE
The HIPPO encouraged missions to focus on “unarmed protection” strategies—the first tier of “protection through dialogue and engagement” under the Department of Peacekeeping Operations and Department of Field Support’s policy on the protection of civilians. If recent budgetary trends continue, with peacekeeping missions provided with fewer troops yet continuing to work in violent contexts with expansive mandates, unarmed protection will become ever more important. Currently, civilians in field offices regularly play important roles in gathering and analyzing information, conducting human rights investigations, and liaising with and building the capacity of local authorities. While this work needs to continue, missions also need to look at new ways of

19 See de Waal, The Real Politics of the Horn of Africa.
leveraging their civilian personnel to influence the behavior of armed actors.

There are many cases of civilian mission personnel successfully engaging with armed actors to prevent conflict and mitigate threats to civilians. Some of these are specific to individuals and situations, such as MINUSMA’s head of office in Timbuktu riding out to meet an armed group approaching the town (the Coordination des mouvements de l’Azawad), engaging it in dialogue, and convincing it to turn back. In other cases, institutional approaches have been taken, such as MONUSCO’s section dedicated to disarmament, demobilization, repatriation, reintegration, and resettlement, which actively sought to convince members of armed group to leave their militias. Most recently, MINUSCA has embarked on a strategic initiative to negotiate local peace agreements with the numerous armed groups operating in the Central African Republic.

Strengthening this civilian-led work will require three elements: linking local conflict resolution efforts to the mission’s political strategy; maintaining political space for dialogue with all relevant actors; and empowering heads of field office and investing in civilian personnel.

**Linking Local Conflict Resolution to Political Strategies**

To effectively influence actors who pose a threat to civilians, missions need to link local conflict resolution efforts and dialogue to their larger political strategy. Too often, missions restrict political engagement to the capital and government officials with ministerial titles. The real power structures of many fragile and post-conflict countries are not always transparent, however, and local conflicts frequently have direct or indirect ties to national political or military actors.

Understanding these power structures is essential. But while policymakers often prescribe better information gathering and analysis as a panacea for what ails peacekeeping, a huge amount of knowledge is already present in national and international staff. What is often missing is fashioning this information into coherent plans that address both the mission’s overall strategy and local concerns.

**Maintaining Political Space for Dialogue with All Relevant Actors**

Engaging with the right actors is essential to political dialogue. Where protection is concerned, these actors may be armed groups whom the government or international community do not view favorably, such as groups labeled terrorist, or on sensitive issues that the mission is not explicitly mandated to investigate, such as illicit criminal networks or corrupt practices. Missions must maintain their political space to engage with these groups and understand these issues, just as humanitarian actors do for their own purposes. While cutting off dialogue can be an important political statement in some cases, engaging with armed actors on the margins of peace processes can be an important step in preventing conflict and linking local efforts to national strategies. Such engagement carries risks, however, and requires strong and capable field teams.

**Empowering Heads of Field Offices and Investing in Civilian Personnel**

Strengthening the link between national and local strategies should not be a top-down affair, but each should inform the other. Mission field offices should not engage in political dialogue that has no bearing on the mission’s direction or overall strategy, but the mission headquarters also needs to listen to the political advice of its field offices in formulating strategic priorities.

This requires trusted and empowered heads of field office who mission leadership will listen to as confidants and who have the ability to proactively engage in dialogue when necessary. Protecting civilians under imminent threat may require engaging in political dialogue with little notice. Heads of field offices should be able to take the initiative to engage in sensitive discussions with confidence and decisiveness.

Empowered field offices require greater investment in civilian personnel. These personnel need opportunities to improve the qualities needed to engage in political dialogue, including political judgment, leadership, and decision making, and to strengthen specific skills in mediation, negotiation, and community liaison. Currently, this learning occurs almost exclusively on the job, but it should
be supplemented with training, including scenario-based training, and opportunities for structured career progress. Where training is not feasible, recruiting heads of office with clear leadership experience is essential.

**Conclusion**

While political realities may prevent true consensus on important issues in the Security Council, it is still possible to build creative coalitions in support of more meaningful commitments than strong mandate language and small changes to troop ceilings. However, this will require member states, and particularly council members, to treat the protection of civilians as more than a noble and aspirational ideal but a concretely achievable goal, and to pursue it accordingly.

At the mission level, political strategies should seek to accomplish the admittedly challenging tasks of establishing clear strategic goals; working with host governments to serve the long-term interests of their country while also meeting short-term protection needs; and managing expectations through messaging backed by credible steps to improve performance. The work of unarmed actors in missions can also be strengthened by linking local-level conflict resolution efforts to missions’ national-level strategies, engaging with all relevant actors, strengthening field offices, and investing in civilian personnel.

Whether in South Sudan or Syria, violence against civilians has rarely been more apparent, and the role of the United Nations in alleviating human suffering in conflict zones has never been more important. To address this reality, the UN’s peace and security architecture needs to embrace the primacy of politics, from the halls of world capitals to the dirt roads of remote field sites. Becoming a more effective political actor in protection crises will require wrestling with the tensions outlined in this paper and building on the good work being done in peacekeeping and special political missions.
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