

Protection through Policing: The Protective Role of UN Police in Peace Operations

CHARLES T. HUNT



Cover Photo: UN police patrol in the region of Ménaka in northeastern Mali, January 9, 2019. MINUSMA/Harandane Dicko.

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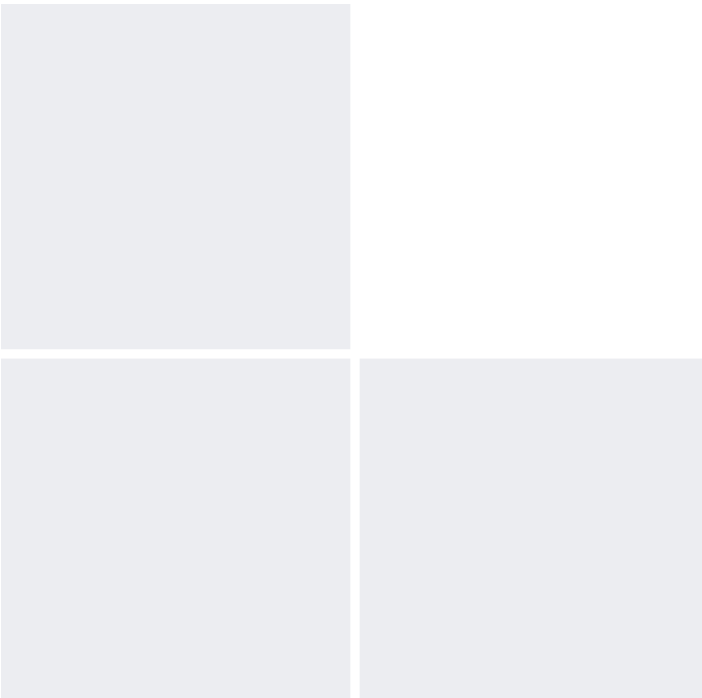
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ABBREVIATIONS

CAR	Central African Republic
CPAS	Comprehensive Performance Assessment System
DPO	Department of Peace Operations
DRC	Democratic Republic of the Congo
DUF	Directives on the use of force
FPU	Formed police units
HRDDP	Human Rights Due Diligence Policy on UN Support to Non-UN Security Forces
IDP	Internally displaced persons
IPO	Individual police officer
MINUSCA	UN Multidimensional Integrated Stabilization Mission in the Central African Republic
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali
MONUSCO	UN Organization Stabilization Mission in the Democratic Republic of the Congo
PCC	Police-contributing country
POC	Protection of civilians
SPT	Specialized police team
SSR	Security sector reform
UNMISS	UN Mission to the Republic of South Sudan
UNPOL	UN police
UTM	Urgent temporary measure

Executive Summary

United Nations police (UNPOL) are a critical component of peace operations. Since they were first deployed to the UN Operation in the Congo in 1960, they have consistently been present in UN missions and have become increasingly important to achieving mission objectives. Beginning in Sierra Leone in 1999, these objectives have often included the protection of civilians (POC). In the context of ongoing conflict and proliferating threats to civilians, police have been thrust further onto the front lines of POC efforts in places like the Central African Republic, Darfur, the Democratic Republic of the Congo, Mali, and South Sudan. But despite their rise in prominence, UNPOL's protective role is generally undervalued and regularly overlooked, and missions have tended to overly rely on militarized approaches to POC.

UN police offer at least four comparative advantages over their military and civilian counterparts when it comes to POC. First, when violence does not involve the sustained use of firearms or military weaponry, UNPOL are better placed than the military to conduct robust operations to protect civilians. Second, UNPOL are often better placed than the military to play a proactive role in deterring violent acts by armed criminal groups. Third, UNPOL are well positioned to partner with national law enforcement agencies, local populations, and other mission components to protect civilians. Finally, UNPOL can enable the POC activities of the rest of the mission by facilitating the work of the military component, and providing armed escorts to and collaborating with civilian components.

Despite these contributions to POC, UNPOL face a number of challenges that prevent them from having greater impact. First, despite the recent development of policy and guidance, UNPOL lack clarity on the scope of their POC mandate, particularly on what it means to use "all necessary means" to protect civilians when they do not have executive mandates. Second, work on POC is not always

effectively coordinated among components within missions, among different UN entities, and between the UN system and external partners, especially when it comes to rule of law and security sector reform. Third, UNPOL's partnerships with local communities and with the host state can be problematic, sometimes putting them at the risk of doing more harm than good. Finally, UNPOL lack the capabilities, capacities, and tools they need to protect civilians effectively, have a positive influence on peace operations, and adapt and learn.

These challenges reveal that while UNPOL make significant contributions to protecting civilians, POC is still not sufficiently in the "bloodstream" of officers on the ground. There is a great deal more that UNPOL could do to contribute to protecting civilians, both directly and indirectly. The following are recommendations for the UN Security Council, Secretariat, peace operations, and member states to help UNPOL meet the growing expectations for their role in POC:

- **Clarify the role of UN police in POC through mandates, policies, guidance, and training** to align the expectations of UN peace operations, the Secretariat, and member states for what UNPOL are expected to do.
- **Involve all UN police in POC and give them a voice in decision making and planning** to infuse whole-of-mission POC efforts with policing perspectives and empower UNPOL to act more readily.
- **Enhance partnerships between UN police, host states, and other mission components** to enable more responsive, better coordinated, and more comprehensive approaches to POC.
- **Provide more appropriate and more flexible capabilities, capacities, and tools** to address critical capabilities gaps and adapt existing resources to better meet UNPOL's latent potential for POC.

Introduction

Since UN police were first deployed to the United Nations Operation in the Congo in 1960, their role in UN peace operations has evolved significantly. In the past, UN police (UNPOL) were sent to observe and monitor national law enforcement agencies as part of peace processes. Over time, however, UNPOL's growing engagement in reform, restructuring, and rebuilding activities has seen them move increasingly into a development role. Alongside these development activities, UNPOL have continued to provide operational support to host-state police and occasionally to temporarily substitute for them.¹

The breakdown in the rule of law is often a major factor in the decision to deploy a UN peace operation. Accordingly, the rehabilitation of the criminal justice architecture—including police as well as justice and penal institutions—has become a prerequisite for mission transitions and a cornerstone of their exit strategies.² As the successful implementation of peacekeeping mandates has become contingent on reformed and strengthened national security institutions, the role of UNPOL has become increasingly mission-critical.³

UNPOL have been expected to contribute to the protection of civilians (POC) since the UN mission in Sierra Leone was the first to have a POC mandate in 1999. However, the changing character of the environments where UN peace operations are deployed has thrust police further onto the front lines of efforts to protect civilians in places like the Central African Republic (CAR), Darfur, the Democratic Republic of the Congo (DRC), Mali, and South Sudan.⁴ UNPOL provide unique

capabilities and expertise on POC, ingrained in their function to “serve and protect.” In the context of ongoing conflict and proliferating threats to civilians, police have developed a set of activities to protect civilians both directly and indirectly, showing a capacity and willingness to innovate to meet new and emerging challenges. However, POC is still not sufficiently in the “bloodstream” of frontline police officers on the ground. There is a great deal more that could be done to leverage UNPOL's comparative advantages and enhance their contributions to POC.

This report examines the roles and responsibilities of UNPOL regarding POC. First, it outlines the contributions of UNPOL to POC and their perceived comparative advantages, using examples of their role as compeller, deterrent, partner, and enabler. Second, it identifies and draws lessons from challenges to police protection efforts. Drawing on these lessons from past and current deployments, the final section of the report proposes recommendations for how member states, the Security Council, the UN Secretariat, and field missions can improve UNPOL's efforts to protect civilians going forward.

The report draws on desktop and field research, including interviews and focus groups conducted in Mali and CAR from August to September 2019, as well as fieldwork in the Democratic Republic of the Congo in May 2018 and in South Sudan in December 2018. This research included a cross-section of personnel from UN missions; UN agencies, funds, and programs; NGOs; national governments; community-based organizations; and members of local populations in multiple sites in each country.

1 For more detail on the evolution of UNPOL, see: Annika Hansen, *From Congo to Kosovo: Civilian Police in Peace Operations Adelphi Papers* (London: International Institute for Strategic Studies, 2002); Bethan Greener, “UNPOL: UN Police as Peacekeepers.” *Policing and Society* 19, no. 2 (2009); Garth den Heyer, *The Role of Civilian Police in Peacekeeping: 1999–2007* (Washington, DC: Police Foundation, 2012); William J. Durch and Michelle Ker, “Police in UN Peacekeeping: Improving Selection, Recruitment, and Deployment,” International Peace Institute, November 2013.

2 Jane Stromseth, David Wippman, and Rosa Brooks, eds., *Can Might Make Rights: Building the Rule of Law after Military Interventions* (Cambridge: Cambridge University Press, 2006); Carolyn Bull, *No Entry without Strategy: Building the Rule of Law under UN Transitional Administration* (Tokyo: United Nations University Press, 2008).

3 Kari M. Osland, “UN Policing: The Security-Trust Challenge,” in *United Nations Peace Operations in a Changing Global Order*, Cedric de Coning and Mateja Peter, eds. (London: Palgrave Macmillan, 2019), p. 191.

4 William J. Durch, “Police in UN Peace Operations: Evolving Roles and Requirements,” International Forum for the Challenges of Peace Operations, Challenges Forum Research Seminar, Oslo, Norway, March 18, 2014.

Police Peacekeepers and the Protection of Civilians

Since the inception of POC as a mandate for peace operations, the UN and its member states have recognized that police have an important role to play in protecting civilians. The secretary-general's first report on POC in 1999 stated that implementation of the POC mandate required "civilian police activities" as well as those of the military.⁵ So, too, did the landmark 1999 Security Council resolution furnishing the mission in Sierra Leone with the first explicit POC mandate.⁶ As POC has become a core priority for UN peace operations in general, it has also gradually become more central to the work of UN police, resulting in a broadening and deepening of UNPOL's POC activities. While still subject to some contestation among member states,⁷ UNPOL's role in POC has been increasingly accepted and institutionalized through Security Council resolutions on police in peace operations and consecutive reports on policing from the secretary-general.⁸

A common mantra of police service around the world is "to serve and protect," and many police see "protection" as their core business.

A common mantra of police services around the world is "to serve and protect," and many police see "protection" as their core business. Consequently, POC has also become central to how UNPOL describe their work in peace operations.⁹ This is evident in the stated mission of UN police "to enhance international peace and security by supporting Member States in conflict, post-conflict and other crisis situations to realize effective,

efficient, representative, responsive and accountable police services that serve and protect the population."¹⁰ Foundational policy documents also emphasize that "all actions of United Nations police shall be aimed at the protection and preservation of human life, property, liberty and dignity."¹¹

Despite these acknowledgements and the fact that UNPOL have been an important part of all missions with a POC mandate, it took some time before the Police Division developed POC guidance and doctrine. Following international consultations that resulted in calls to professionalize the structures and frameworks for managing UNPOL's activities, including their growing responsibilities for POC, the UN Police Division began developing a "Strategic Guidance Framework for International Police Peacekeeping."¹² The bedrock of the framework was

the 2014 "Policy on United Nations Police in Peacekeeping Operations and Special Political Missions." Since then, the Police Division has promulgated a series of derivative operational manuals and guidance aimed at harmonizing approaches to UNPOL's activities

and delivering on the policy in the field.¹³ These guidelines also lay out the skill sets and competencies required for UNPOL personnel to meet specific demands in the field, including those related to POC.

At the same time, UN peace operations have undergone significant changes in the past five years. Missions are increasingly sent to places where there is little or no peace to keep and where non-state armed groups, criminal networks, and abusive host-

5 UN Security Council, *Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict*, UN Doc. S/1999/957, September 8, 1999.

6 UN Security Council Resolution 1265 (October 22, 1999), UN Doc. S/RES/1265.

7 Some member states have resisted the expansion of UNPOL doctrine and practice into POC activities. See Sofia Sebastián, "The Role of Police in UN Peace Operations: Filling the Gap in the Protection of Civilians from Physical Violence," Stimson Center, September 2015, p. 17.

8 UN Security Council Resolution 2185 (November 20, 2014), para. 17; UN Security Council Resolution 2382 (November 6, 2017), para. 6; UN Security Council Resolution 2447 (December 13, 2018), preamble; UN General Assembly, *United Nations Police—Report of the Secretary General*, UN Doc. A/66/615, December 15, 2011; UN Security Council, *Report of the Secretary-General on United Nations Policing*, UN Doc. S/2016/952, November 10, 2016; UN Security Council, *United Nations Policing—Report of the Secretary-General*, UN Doc. S/2018/1183, December 31, 2018.

9 Interviews with UNPOL officials, New York, CAR, DRC, Mali, and, South Sudan, 2017–2019.

10 UN Security Council, *Report of the Secretary-General on United Nations Policing*, UN Doc. S/2016/952, November 10, 2016, para. 8.

11 UN Department of Peacekeeping Operations and Field Support (UN DPKO.DFS), "Policy on United Nations Police in Peacekeeping Operations and Special Political Missions," February 2014, para. 106.

12 UN Office of Internal Oversight Services, "Management of UN Police Operations: Development of a Comprehensive Doctrine Will Increase the Effectiveness of UN Police Operations," August 2008.

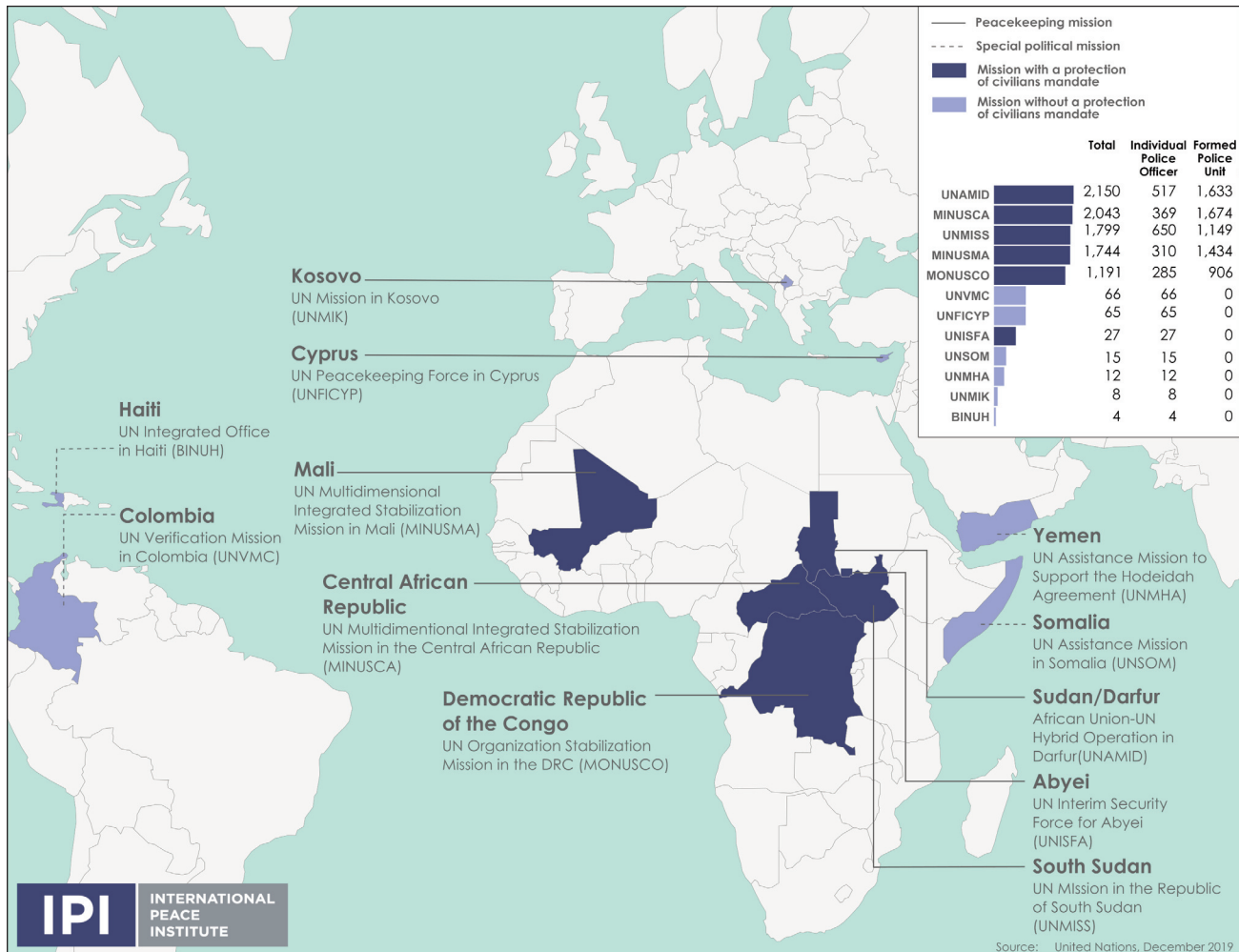
13 For the full list, see: UN Police, "Strategic Guidance Framework for International Police Peacekeeping," accessed February 3, 2020, available at <https://police.un.org/en/sgf>.

state forces are actively perpetrating violence against civilians.¹⁴ These non-permissive environments have forced UNPOL to move beyond conventional police development work and interim support for operations. In particular, police have been required to deepen their role in POC by preventing and responding to incidents involving threats to civilians, including those where civilians are targeted as a deliberate tactic.

The Department of Peace Operations’ (DPO) policy on POC, updated in November 2019, reinforces the idea that POC is a whole-of-mission undertaking.¹⁵

It is as much implemented by UN police as by troops, human rights officers, community liaison assistants, or civil affairs experts. Following recent closures of missions in Côte d’Ivoire, Haiti, and Liberia, UNPOL only have POC mandates in the “big 5” missions (in CAR, Darfur, DRC, Mali, and South Sudan), as well as in the mission in Abyei (see Figure 1). These nevertheless account for more than 98 percent of deployed UNPOL, making POC a fundamental part of what police are directed to do.¹⁶ POC is increasingly a priority for UNPOL, and UNPOL are seen as a key part of achieving POC.¹⁷

Figure 1. Current police deployments to UN peace operations






14 Alex J. Bellamy and Charles T. Hunt, “Twenty-First Century UN Peace Operations: Protection, Force and the Changing Security Environment,” *International Affairs* 91, no. 6 (2015).

15 UN Department of Peace Operations (DPO), “Policy on the Protection of Civilians in United Nations Peacekeeping,” November 2019.

16 As of December 2019, more than 9,000 UNPOL officers from more than seventy countries are deployed to twelve UN peace operations. See: UN Peacekeeping, “Troop and Police Contributors,” December 2019, available at <https://peacekeeping.un.org/en/troop-and-police-contributors>.

17 Charles T. Hunt, “Rhetoric versus Reality in Rise of Policing in UN Peace Operations: ‘More Blue, Less Green?’” *Australian Journal of International Affairs* 73, no. 6 (2019).

Figure 2. Types of UN police

 Individual Police Officers (IPOs)	 Formed Police Units (FPUs)	 Specialized Police Teams (SPTs)
<p>IPOs are law enforcement officers seconded by member states to serve in missions. They cover a broad array of activities but are particularly involved in monitoring, mentoring, advising, and developing the capacity of national counterparts as well as conducting community-oriented policing activities. IPOs are expected to have at least five years' experience, with proficiency in use of weapons, driving, and computers as well as knowledge of relevant criminal justice principles.</p>	<p>FPUs are company-sized (approximately 140-160-person) units that are armed and can operate in "higher risk environments." FPUs are authorized and cohesively trained to respond to situations of public disorder and support police operations against threats up to those that are military in nature (i.e., sustained use of firearms or heavy weaponry), at which point they hand over responsibility to the military force. They are often also mandated to protect UN staff and installations and can provide armed escorts. These units are intended to be self-sustaining—that is, apart from basic rations, fuel, land for sites, and generators, they should bring everything else with them and sustain themselves (e.g., food preparation, engineering, logistics). FPUs can also take the shape of police support units (PSUs) that primarily provide close protection for VIPs, as well as special weapons and tactics (SWAT), riverine, and even canine units.</p>	<p>SPTs comprise IPOs or cohesive units with specialist skills in a range of areas including forensic investigation, counterterrorism and serious organized crime, sexual and gender-based violence, and community-oriented policing.</p>

Across the portfolio of UN peace operations with POC mandates, different types of UN police, including individual police officers (IPOs), formed police units (FPUs), and specialized police teams (SPTs), have different but complementary roles (see Figure 2). They all undertake a wide range of activities that contribute to POC, some directly and with more immediate effects and others indirectly and with a longer time horizon for impact.

The role of UNPOL in POC is different in each mission depending on the mission's mandate, the political context, the security environment, and the sources and drivers of threats to civilians. In particular, the capacity and reach of host-state police, as well as the level of threat posed to civilians by the host government, are critical parameters that UNPOL need to take into account as they define their specific plans and tasks.

Until recently, there was a deficit in specific guidance for police implementing POC mandates. Guidelines and manuals aimed at IPOs and FPUs included only broad statements about roles and responsibilities related to POC. At the same time, more general guidance on peacekeeping that focused on or included POC—such as the 2008 Capstone Doctrine and 2015 POC policy—did not go into detail on expectations around UNPOL's contributions.¹⁸

This changed with the 2017 guidelines on "The Role of United Nations Police in Protection of Civilians," which elaborate a framework for police contributions to the implementation of POC mandates.¹⁹ They describe how UNPOL's operational and capacity-building activities align with all three tiers of the UN's operational concept for realizing POC mandates on the ground and with all four phases of POC activities (see Figure 3).²⁰

¹⁸ In 2017, the POC training needs assessment conducted by the UN Integrated Training Service concluded that field personnel did not have a clear understanding of the way POC should be translated into concrete tasks and needed more guidance and training.

¹⁹ UN DPKO/DFS, "Guidelines on the Role of United Nations Police in Protection of Civilians," August 2017.

²⁰ The UN Departments of Peacekeeping Operations and Field Support originally developed this three-tiered framework as an operational concept for POC in 2010. It was codified in the 2015 POC policy (para. 30), which was updated in 2019 (para. 40).

Figure 3. Three-tiered protection of civilians concept

Tier I Protection through dialogue and engagement	Tier II Provision of physical protection	Tier III Support to the establishment of a protective environment
<p>UNPOL at all levels—from heads of UN police components to officers operating at the local level—typically promote protection priorities directly with domestic stakeholders. Their relationships with senior figures in host-state police, as well as with ministers responsible for internal security, allow heads of police components to advocate for protection concerns to be addressed. UNPOL's community-oriented policing enables them to interact with local populations to preventively deescalate tensions, support communities to better protect themselves, and gather information to feed into the mission's situational awareness, risk assessments, and early warning, all of which make key contributions to POC.</p>	<p>UNPOL undertake operations that provide for the physical protection of civilians, either in partnership with host-state police or unilaterally. Most commonly, UNPOL provide operational support to national law enforcement agencies, such as in responding to serious disturbances of the public order or conducting joint patrols with host-state police or gendarmerie. However, where authorized to use force, UNPOL (generally FPU) can act unilaterally—in line with relevant directives on the use of force—to stop and temporarily detain those posing a threat to civilians. The presence of UNPOL, as well as their patrols and community-engagement activities close to UN bases, displacement camps, and other sites of civilian vulnerability, also contribute to deterring violence.</p>	<p>It is arguably through efforts to build the capacity of host-state law enforcement agencies that UNPOL make their more enduring contribution to POC. This can include training, providing equipment and resources, or rehabilitating police stations. The majority of missions with a POC mandate are also instructed, to varying extents, to reform, rebuild, and restructure national police services—sometimes from scratch—and provide strategic advice to strengthen the legislative and administrative frameworks for national police. Such police development efforts are seen as fundamental to the creation of a protective environment—providing security and tackling impunity (a huge source of violence), assisting in the restoration or extension of state authority, and helping governments realize their primary responsibility for protecting populations.</p>

The Contributions of UN Police to Protecting Civilians

Police have a range of strengths that complement their military and civilian counterparts in the realm of POC, as well as a number of comparative advantages. As one UN official put it, “[The] military are primarily trained to fight enemies and kill. Police are trained to save lives.”²¹ Some also argued that police can be more agile and responsive than the military force and civilians due to their specific training, skill set, posture, and approach.²² Collectively, these advantages have allowed UNPOL to contribute to implementing POC mandates as compellers, deterrents, partners, and enablers.

UNPOL as Compeller

FPU can make a show of force, and even use force, to prevent or halt violence against civilians where threats do not include the “sustained and large-scale use of firearms or military weaponry.”²³ FPU invariably include a twenty-person quick reaction force on twenty-four-hour standby that can respond to incidents, including those involving threats to civilians. Due to their training and equipment, police are better placed than their military colleagues to tackle criminality (including violence short of war) and to deal with its perpetrators.

Because FPU can retain command responsibility within peace operations in situations where violence does not involve the sustained use of

21 Interview with DPO official, New York, December 2019.

22 For example, it was argued that under the right conditions, police can change tack more quickly than the military force (in two to three hours versus two to seven days) and have more mobility than their colleagues in civilian substantive sections.

23 UN Police, “Policy on Formed Police Units in United Nations Peacekeeping Operations,” January 2017, para. 51. Even when individually equipped with handguns, bulletproof vests, and helmets, IPOs alone are generally not likely to constitute a dissuasive or protective force, even if a larger number of them are combined in one location.

firearms or military weaponry, they can, in some cases, conduct robust operations to protect civilians. For example, in an internally displaced persons (IDP) camp in Bria, CAR, in 2018, UNPOL made a series of targeted arrests of high-profile anti-Balaka leaders responsible for violations of international humanitarian law and other violent crimes.²⁴ Similarly, in Haiti in the mid-2000s, FPUs led anti-gang operations in Cité Soleil.²⁵ In addition to the immediate benefits of removing threats to civilians, these efforts can help protect civilians in the longer term by disrupting and degrading criminal actors with ties to national conflict dynamics.

UNPOL as Deterrent

The physical presence of both FPUs and IPOs through high-visibility short- and long-range (and sometimes overnight) patrols can deter violent acts by armed criminal groups. For example, in central Mali, patrols planned to coincide with market days have helped reduce the number of violent robberies on the journey to and from the market when people are laden with goods or proceeds from sales.²⁶

“The military are primarily trained to fight enemies and kill. Police are trained to save lives.”

UNPOL are often better placed to play this deterrent role than the military force. While the military is more likely, and more able, to respond once a crisis has erupted, police prioritize a proactive, even preemptive, approach. This is especially true when it comes to dealing with criminal groups and responding to threats to civilians such as conflict-related sexual violence.²⁷ For instance, IPOs ordinarily gather and analyze information related to safety and security that contributes to mission-wide early-warning mechanisms.

These skill sets and capabilities have proved valuable as missions increasingly respond to threats to civilians in densely populated urban areas or IDP camps.²⁸ Police notably have an advantage in retaining the civilian character of camps affording protection under international humanitarian law. For instance, in POC sites in South Sudan and IDP camps in CAR where UNPOL are responsible for maintaining order, regular patrols by FPUs—including random weapons searches and seizures—have deterred violent criminal behavior.²⁹ IPOs were also instrumental in maintaining order within POC sites in South Sudan through community-oriented policing.

UNPOL also serve as deterrents by interposing themselves as a buffer against threats to civilians. They have created weapons-free zones around sites where civilians are vulnerable, such as POC sites in South Sudan. On occasion, UNPOL have also interceded between civilians and potential perpetrators of violence. For example, FPUs stationed in Kinshasa intervened, albeit inconsistently, between Congolese police and political protesters during 2018 election-related demonstrations in the DRC.³⁰

Patrols conducted jointly with a mission’s force component or national security forces can have similar deterrent effect. The UN Multidimensional Integrated Stabilization Mission in Mali’s (MINUSMA) joint military-police Operations Folon and Oryx are one example, as is the UN Multidimensional Integrated Stabilization Mission in CAR’s (MINUSCA) Joint Task Force Bangui.³¹ In some missions, such as MINUSMA, UNPOL also conduct joint patrols with or support host-state police, including to maintain or restore public order.

24 Interviews with senior mission leaders and UNPOL officials in MINUSCA, Bria, CAR, August 2019.

25 Michael Dziedzic and Robert Perito, “Haiti: Confronting the Gangs of Port-au-Prince,” United States Institute of Peace, September 2008.

26 Interviews with UNPOL officials in MINUSMA, Bamako, Mali, August 2019.

27 Interviews with UNPOL officials in MINUSMA and MINUSCA, Bamako, Mali and Bangui, CAR, August 2019.

28 Louise Bosetti, Hannah Cooper, and John de Boer, “Peacekeeping in Cities: Is the UN Prepared?” UN University Centre for Policy Research.

29 The deterrent effect is limited, however, due to shortfalls in numbers and the scale of the sites. Interviews with IDP camp residents, Bria, CAR; Focus group discussions with POC site residents, Malakal and Bentiu, South Sudan, December 2018.

30 Interview with UNPOL officials in MONUSCO, Kinshasa, DRC, May 2018.

31 In some circumstances, such partnerships can diminish or compromise the comparative advantages of UNPOL, as discussed further below.

UNPOL as Partner

Relationships with a range of stakeholders and constituencies are central to UNPOL's efforts to protect civilians, and three groups in particular are important as partners. The first is national law enforcement agencies, which—where present—are meant to bear the primary responsibility for protecting civilians in both the short and the long term.

IPOs are often the mission's main interlocutors with the host-state police and therefore have both a presence and a network among them. By collocating and conducting joint patrols with national police, IPOs can deter them from malpractice. In places like the DRC, this approach has helped reduce harm against civilians that had been inflicted by historically abusive host-state police, although it has not always been effective or consistent.³² UNPOL also provide specialist expertise to national counterparts. For example, a specialized police team (SPT) in MINUSMA with expertise in forensics supported Malian investigators responding to intercommunity clashes in the center of the country.³³ UNPOL have used other specialized capacities to help national law enforcement agencies tackle specific types of crime such as sexual and gender-based violence.

Furthermore, through mentoring, advising, and training, UNPOL can ensure that host-state police take threats to civilians seriously. By collocating with the national police in field sites such as Bambari, Bangassou, and Kaga-Bandoro, UNPOL in MINUSCA were said to have made the Central African police more responsive to incidents and concerns related to POC at the local level.³⁴ The partnership with host-state police also allows missions to emphasize POC at critical junctures. For instance, ahead of the 2018 general elections in Mali, MINUSMA's police component engaged in a series of advocacy and training activities to ensure

the protection of civilians during election-related protests and proceedings.³⁵ Where the mission's head of police is colocated with the national police commissioner, as in Haiti, UNPOL can also provide strategic guidance at the leadership level.

Another example of an initiative to build the capacity of host-state police to be more responsive and POC-oriented is the UN Organization Stabilization Mission in the DRC's (MONUSCO) "Stratégie opérationnelle de lutte contre l'insécurité." Under this strategy, UNPOL are working with the Congolese police to put in place a toll-free telephone line so that the community can alert the national police of threats and elicit a response. To facilitate more timely and reliable responses, UNPOL have provided the national police with technical expertise and resources (including fuel and food rations). The strategy has been rolled out in a number of cities and has the added benefit of building trust in the host-state police, laying the foundation for the eventual handover to national authorities.³⁶

A second critical partnership for UNPOL on POC is with local populations. Community-oriented and intelligence-led approaches underpin all of UNPOL's efforts and are key to POC.³⁷ Community-oriented policing focuses on enhancing the relationship and interaction between the mission and the communities it serves, making communities equal partners in the goal of ensuring their security.³⁸ Through this approach, police can encourage the public to partner with them in preventing and gathering information about crime, providing advance warning of threats, improving the community's resilience to violence, and building mutual trust and respect. UNPOL are thus critical to the "people-centered approach" to peace operations called for in the 2015 report of the High-Level Independent Panel on Peace Operations (HIPPO).³⁹ UNPOL's proximity to and orientation toward local communities make them

32 Interviews with community-based organizations, Beni and Goma, DRC, May 2018.

33 Interview with Malian police officials, Bamako, Mali, August 2019.

34 Interviews with MINUSCA officials and Central African national law enforcement officials, Bangui, CAR, August 2019.

35 MONUSCO undertook similar activities in the DRC ahead of the 2018 presidential elections.

36 Interview with Congolese national police officials and civil society organization, Beni, DRC, May 2018.

37 UN DPKO/DFS, "Guidelines on Police Operations in United Nations Peacekeeping Operations and Special Political Missions," January 2016, para. 17.

38 UN DPKO/DFS, "Manual on Community-Oriented Policing in United Nations Peace Operations," 2018.

39 UN General Assembly and Security Council, *Uniting Our Strengths for Peace: Politics, Partnerships and People—Report of the High-Level Independent Panel on Peace Operations*, UN Doc. A/70/95-S/2015/446, June 17, 2015.

particularly important when POC is conceived broadly. As one interviewee stated, “POC is much more than tier II [provision of physical protection], and this is where police are so important, because they are much closer to the population.”⁴⁰

UNPOL are present in many places where missions have few or no other civilian components, making them the main non-militarized point of contact for locals. While it is not always clear that locals do or can differentiate between the police and the military, it is assumed and sometimes argued that people prefer to see police than military peacekeepers.⁴¹ UNPOL can build confidence and trust in populations that have suffered at the hands of abusive security forces, thereby laying the foundations for the resuscitation of this important element of the social contract and ushering in the eventual return of host-state police. For example, MINUSCA supported the return of national law enforcement agencies to the PK5 district of Bangui following a three-year absence through a community-oriented policing project.⁴²

In most mission settings, community-oriented policing privileges foot—rather than vehicular—patrols because they allow UNPOL to interact more with locals and access areas away from the main roads. This generates opportunities to reach otherwise inaccessible populations and gather intelligence that can provide early warning of threats to civilians and feed into responses.⁴³ The community-oriented approach is also manifest in UNPOL’s participation in and support of community-based protection mechanisms such as the *comités locaux de sécurité* in Mali and the community protection committees and joint protection committees in Abyei.⁴⁴

UNPOL’s closer relationship and better communication with locals also empower local populations by putting their views and perspectives at the center of assessments and planning related to POC.

This means that UNPOL, including through SPTs with expertise in community-policing techniques, are better able to understand localized and context-specific sources of security and insecurity. For example, UNPOL officers from many police-contributing countries (PCCs) may not be familiar with local cultural norms and practices, such as witchcraft in the CAR, that are fundamental to how people consider their everyday security.⁴⁵

The higher number of female officers in UNPOL than in missions’ military components also helps with community engagement, particularly in contexts where cultural norms make it difficult for women to talk to men—whether about sexual and gender-based violence or in general.⁴⁶ This can generate more opportunities for engaging with and empowering women as well as for gathering information to enhance situational awareness.

UNPOL’s closer relationship with these communities also gives them the opportunity to explain the scope and limits of the POC mandate and the efforts of the mission that indirectly support POC. These efforts include disarmament, demobilization, and reintegration, as well as the promotion of community reconciliation and social cohesion. In addition, more regular contact with locals allows UNPOL to carry out activities that can build rapport and “win hearts and minds,” such as the distribution of medicines to remote communities.

The relationships UNPOL strike up with key interlocutors in communities also allow them to play a role in mediating conflict at the local level. For example, UNPOL were instrumental in mediating the agreement of a pact between the rebels controlling the town of Bria in CAR and the residents of the town’s IDP camp, which allowed the camp’s residents to travel to the market. While other mission components such as the civil affairs division also played a role, this breakthrough was at least in part possible because of the presence of

40 Interview with head of civil affairs division in MINUSMA, Bamako, Mali, August 2019.

41 Interviews with UNPOL and military officials in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), MONUSCO (Goma, DRC, May 2018), and UNMISS, (Malakal and Bentiu, South Sudan, December 2018).

42 Interview with UNPOL official in MINUSCA, Bangui, CAR, August 2019.

43 Focus group discussions with IDP camp residents, Bria, CAR, September 2019.

44 Interview with chief of development in MINUSMA; Interview with police commissioner in UN Interim Security Force for Abyei, New York, November 2019.

45 Interviews with UNPOL officials in MINUSCA and focus group discussions IDP camp residents, Bria, CAR, September 2019.

46 Women made up 12.8 percent of police personnel and 4.2 percent of military personnel in UN missions as of December 2018. UN Security Council, *Women, Peace and Security—Report of the Secretary-General*, UN Doc. S/2019/800, October 9, 2019.

UNPOL as a third party that was known, trusted, and perceived as legitimate.⁴⁷ For the same reason, UNPOL can play a role in negotiating the release of people abducted from IDP camps or illegally detained by armed groups and in mediating disputes encountered during patrols such as incidents related to seasonal pastoral migration.⁴⁸ UNPOL's community-oriented approach makes them particularly valuable in helping deescalate intercommunal violence.

While the aim of police capacity-building efforts is invariably to extend or restore state authority, UNPOL have demonstrated flexibility, creativity, and cultural sensitivity in identifying who to work with and how to support them when this state authority is absent. This is particularly true in rebel-held territory (e.g., parts of CAR) and places where state authorities are absent (e.g., parts of Mali) or contested (e.g., Abyei). In these places, UNPOL have supported existing community-based protection mechanisms. For example, inside IDP camps in CAR or POC sites in South Sudan, UNPOL have trained and worked closely with community watch groups and customary courts to assist in maintaining order and adjudicating conflict at the local level.⁴⁹ Similarly, the UN mission in Abyei has partnered with local customary chiefs and other members of the community to set up community protection committees to provide informal policing. These initiatives have all helped protect civilians.

Finally, UNPOL work closely with other mission components to protect civilians as part of the mission-wide POC strategy. UNPOL conduct joint operations with the military such as through the Joint Task Force Bangui in CAR and participate in mission-wide POC mechanisms such as joint protection teams and joint assessment missions.

They also engage with the civil affairs division to support community alert networks, community liaison assistants, and the generation of community protection plans in the DRC. UNPOL have partnerships with other UN agencies and humanitarian NGOs that contribute to POC and that they support through information sharing and analysis of threats to civilians and POC activities.

UNPOL as Enabler

The police component can also act as an enabler for the rest of the mission's POC activities in three ways. First, UNPOL can facilitate the work of the military component. In particular, FPUs have proven useful as part of operations where the threat may be military in nature but where nonmilitary interventions are also needed. For example, police in MINUSCA's Joint Task Force Bangui protect populations and keep them from sensitive areas where fighting may be occurring.⁵⁰ In joint operations more generally, the military component usually needs to hand over any perpetrators detained to UNPOL, who are better trained for searching civilians and preserving evidence to support subsequent prosecution.⁵¹ UNPOL have also played this role in MINUSMA since the advent of long-range, overnight, joint patrols with the mission's military force in central Mali.

Second, when the security situation allows, UNPOL convoys can provide armed escorts for civilian components of a mission to conduct POC-related activities in places where their mobility is restricted.⁵² In Mali, for example, Malian civilians do not feel safe going inside UN "super camps," making community engagement by the mission's civilian component almost entirely contingent on UNPOL escorts.⁵³ When MINUSCA civil affairs officers were involved in brokering a local

47 Focus group discussions with armed group leaders and IDP camp residents, Bria, CAR, September 2019. UNPOL played a similar role in POC sites in South Sudan.

48 Interviews with MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), and UNMISS (Juba, South Sudan, December 2018) officials.

49 These partnerships are subject to vetting through the Human Rights Due Diligence Policy. Interviews with UNPOL officials and focus group discussions with POC site and IDP camp residents in CAR and South Sudan.

50 Interview with deputy force commander of MINUSMA, Bamako, Mali, August 2019.

51 See, for example: UN DPKO/DFS, "Interim Standard Operating Procedures on Detention in United Nations Peace Operations," January 2010; and "Guidelines on Police Operations in United Nations Peacekeeping Operations and Special Political Missions," January 2016. It was noted by interlocutors in MINUSMA that this is no longer the case in Mali.

52 The UN Department of Safety and Security's process for deciding whether a military or FPU escort is sufficient is sometimes unclear and varies from mission to mission.

53 Interviews with MINUSMA officials, Bamako, Mali, August 2019.

nonaggression pact in the turbulent PK5 district of Bangui in 2015, FPUs were on hand not only to provide an armed escort but also to contribute to the mediation effort.⁵⁴ UNPOL also afford escorts to partners outside the mission, such as UN agencies, funds, and programs and humanitarian NGOs, to assess the needs of communities and deliver aid. In parts of Mali, UNPOL also patrol around the installations of humanitarian NGOs. During mission transitions, UNPOL can increase their involvement in such activities when security conditions allow, permitting the military to draw down, as they did in Haiti.

Third, in many missions, UNPOL share information and collaborate with other substantive sections. They gather intelligence to feed into mission-wide security assessments, which can allow them to predict worsening human rights situations. More specifically, specialized police teams can offer expertise in areas such as forensics or the protection of evidence during joint investigations.⁵⁵ Because UNPOL tend to interact with local populations more frequently than other civilian components through regular patrolling, they can also assist women and child protection officers with the monitoring, analysis, and reporting arrangements on conflict-related sexual violence and the monitoring and reporting mechanism on grave violations against children. This support is particularly important in field sites where UNPOL are present but other civilian components do not have permanent staff (e.g., in Gao and Timbuktu in Mali, where there are no women and child protection advisers). Having dedicated focal points within the police component to interface with other civilian sections has proven to be important to ensure such efforts are coordinated.

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Challenges Facing UN Police in Protecting Civilians

While UNPOL are making myriad contributions to POC across the portfolio of missions through enforcement and deterrence as well as by partnering with and enabling others, a number of challenges prevent them from having greater impact.⁵⁶ This section identifies four clusters of challenges: (1) ambiguous mandates, policies, and guidance; (2) poor coordination and incoherence; (3) problematic partnerships; and (4) deficits in the capabilities, capacities, and tools UNPOL need to operate effectively.

Ambiguous Mandates, Policies, and Guidance

One challenge is the lack of clarity on the scope of UNPOL’s POC mandate, despite the recent development of policy and guidance. This includes confusion around the authority to act

and the precise meaning of “all necessary means” to protect in the absence of executive mandates.

Insufficient Guidance

The 2017 guidelines on the role of UNPOL in POC offer much-needed support to police peacekeepers on the ground.⁵⁷ These guidelines set parameters and expectations for UNPOL’s contributions to POC, emphasize their duty to protect, and dismiss grounds that could be used to justify inaction. Yet implementing the guidelines and adapting them to new and changing circumstances remains a challenge.

Field research showed that senior mission leaders,

⁵⁴ Interview with head of civil affairs division in MINUSCA, Bangui, CAR, August 2019.

⁵⁵ Interview with human rights division officials in MINUSMA, Bamako, Mali, August 2019.

⁵⁶ UN Office of Internal Oversight Services, “Inspection of the Performance of Missions’ Operational Responses to Protection of Civilians (POC) Related Incidents,” 2018, pp. 30–32.

⁵⁷ UN DPKO/DFS, “Guidelines on the Role of United Nations Police in Protection of Civilians,” August 2017.

police commissioners, and senior UNPOL officers are familiar with and feel positively about the UNPOL guidelines on POC. However, frontline IPOs and FPU members are less aware of their existence and are certainly not aware of the scope of their content.⁵⁸ As a result, some do not recognize that the POC mandate is a priority, and POC is still not sufficiently in the “bloodstream” of UNPOL on the ground.⁵⁹

Understanding is slowly increasing as to how police capacity building contributes to POC as part of wider criminal justice and security sector reform (SSR). When asked, mission officials involved in police reform, and SSR more generally, can often explain how these efforts contribute to creating a protective environment. However, this is not necessarily their initial or primary understanding of their work.⁶⁰ Thinking about SSR as part of POC is in its infancy and is still more rhetoric than reality.⁶¹ How these activities align with POC is therefore unclear and sometimes leads to confusion both over the concept of POC and over organizational issues such as funding and reporting.

The Paradox of a Non-executive Mandate to Use “All Necessary Means”

UNPOL mandates can create tension between the non-executive function of police and their duty to protect civilians. In particular, there is confusion within missions about the responsibility of UNPOL to use “all necessary means” to protect in the absence of full executive authority.⁶²

Like the military component, police are often authorized under Chapter VII of the UN Charter to use “all necessary means,” up to and including the use of deadly force, to prevent or respond to threats

to civilians. This is echoed in policy, with UNPOL’s POC guidelines stating that the use of force by police to prevent harm to civilians is expected, albeit as a last resort.⁶³ Combined, the mandate and policy set the expectations for UNPOL. However, the notion of “all necessary means” as a credo is alien to police. While military components are more comfortable with the idea of “doing anything it takes,” police, almost by definition, do not do things by “all necessary means”: they should have clearly defined limits on what is permissible.

In practice, UNPOL are (or feel) constrained without an executive mandate.⁶⁴ UN police contingents are necessarily parts of a larger system in their domestic context; they rely on a web of state authority, strength in numbers, and the ability to passively and actively collect information or intelligence through established protocols. In essence, outside of peace operations, an “executive mandate” is not the exception for police, it is the norm. Any other way of operating is outside their comfort zone. In mission settings, however, police are guided by narrower directives on detention, searches, and the use of force and by specific standard operating procedures detailing what FPUs and IPOs should and should not do to defend civilians. Moreover, local populations often think UNPOL do have an executive mandate and therefore wonder why they do not intervene and arrest obviously criminal actors. This misunderstanding adversely affects the relationship between communities and UNPOL.

Even though they are furnished with “all necessary means,” there have been instances when UNPOL did not intervene due to their belief that directives on the use of force (DUF) did not allow it. In Mali,

58 Interviews with UNPOL officers in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), MONUSCO (Goma, DRC, May 2018), and UNMISS (Juba, South Sudan, December 2019). Some interviewees referred to the challenges faced by many FPU members who do not speak the language of the mission and cannot read this guidance.

59 Interviews with UNPOL officers in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), MONUSCO (Goma, DRC, May 2018), and UNMISS (Juba, South Sudan, December 2019).

60 Interviews with UNPOL and POC advisers in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), MONUSCO (Goma, DRC, May 2018), and UNMISS (Juba, South Sudan, December 2019).

61 Fairlie Chappuis and Aditi Gorur, “Reconciling Security Sector Reform and the Protection of Civilians in Peacekeeping Contexts,” Stimson Center and Geneva Centre for the Democratic Control of Armed Forces, January 2015.

62 An “executive mandate” for UNPOL refers to situations where UNPOL are authorized to assume full policing responsibilities while the host-state police and other law enforcement agencies regain functional self-sufficiency. This includes conducting investigations, carrying out special operations, and maintaining public order. See: Renata Dwan, ed., *Executive Policing: Enforcing the Law in Peace Operations* (Oxford: Oxford University Press and Stockholm International Peace Research Institute, 2002).

63 UN DPKO/DFS, “Guidelines on the Role of United Nations Police in Protection of Civilians,” August 2017, para. 32.

64 “The role of UN police in protection is determined by whether or not they have an executive mandate, which makes UN police responsible for enforcing the law and maintaining public safety in a mission area.” Interview with senior UNPOL official in MINUSMA, Bamako, Mali, August 2019.

for example, interviewees spoke of occasions when non-state groups had been circulating with automatic weapons, posing a threat to civilians, but UNPOL were unsure whether they should disarm them or leave them alone.⁶⁵ Similar circumstances have led to UNPOL's inaction during violence among IDPs inside POC sites or between host-state forces and civilians in DRC and during bouts of intercommunal violence in Mali.

Irrespective of the Chapter VII authorization, UNPOL invariably understand that they can only act with the express consent and agreement of the host state or when national law enforcement agencies are absent.⁶⁶ Police leaders often highlight that their actions are limited to supporting host-state police and that they are prohibited from undertaking unilateral initiatives to protect civilians. In Mali, for example, senior UNPOL figures lamented that in order to intervene they are effectively required to seek the consent of the government even though all necessary means are theoretically at their disposal.⁶⁷ This severely limits what UNPOL believe they can do when the host state is the source of the threat.⁶⁸ A reluctance to collaborate with UNPOL on the part of some elements within host-state police and justice institutions further complicates the situation.⁶⁹ Such ambiguity over UNPOL's relationship with the host state in the mission mandate, mission concept, and other guidance gives rise to operational questions that create the potential for inaction.⁷⁰

All this makes it difficult for UNPOL to balance their non-executive functions with their duty to protect civilians. They are left unsure about what they can and cannot do to protect civilians. This

may be due to lack of awareness of or training on these and other POC guidance frameworks.⁷¹ Another line of argument, however, is that unclear directives on the use of force can be used as an excuse for inaction, or at least can create the perception that inaction will not be punished while incorrect action could lead to penalties as severe as repatriation.⁷² The result is a disconnect between expectations and practice.

Limitations of Quasi-executive Mandates

In some missions UNPOL have a quasi-executive mandate giving them limited powers to arrest and detain. In CAR, for example, MINUSCA is given extraordinary responsibilities under urgent temporary measures (UTM) to pursue, investigate, and arrest perpetrators of major crimes. Police in the UN Mission in South Sudan (UNMISS) also exercise a limited form of executive authority inside POC sites. These quasi-executive mandates create their own set of challenges.

UNPOL's powers under quasi-executive mandates are circumscribed to specific spaces or conditions. In CAR, for example, UN police can only act under urgent temporary measures in situations or places where the national police and the gendarmerie are entirely absent.⁷³ This prevents UNPOL from acting whenever national police are present, even when those police are obviously incapable of protecting civilians. As a result, a number of incidents have occurred where UNPOL have not responded to concerns over civilian safety.⁷⁴ This seems to contradict the directives on the use of force, which authorize UNPOL to stop and detain individuals in all situations in which the use of

65 Interview with MINUSMA officials, Bamako, Mali, August 2019.

66 Interviews with UNPOL officials in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), MONUSCO (Goma, DRC, May 2018), and UNMISS (Juba, South Sudan, December 2019).

67 Interview with UNPOL official in MINUSMA, Bamako, Mali, August 2019.

68 A POC mandate requires peacekeepers to respond to threats to civilians irrespective of the source of the threat.

69 Interviews with UNPOL officials in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019), and MONUSCO (Goma, DRC, May 2018).

70 Sofia Sebastián and Aditi Gorur, "U.N. Peacekeeping & Host-State Consent: How Missions Navigate Relationships with Governments," Stimson Center, March 2018.

71 While it is expected as part of pre-deployment training and a fixture of induction training (albeit only in a session of around thirty minutes), in-mission training on POC mandate is less prevalent.

72 Interviews with UNPOL officials and senior mission leaders in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

73 The most recent mandate for MINUSCA circumscribes urgent temporary measures to "within the limits of its capacities and areas of deployment, *at the formal request of the CAR authorities and in areas where national security forces are not present or operational...* to arrest and detain in order to maintain basic law and order and fight impunity and to pay particular attention in this regard to those engaging in or providing support for acts that undermine the peace, stability or security of the CAR" (emphasis added). UN Security Council Resolution 2499 (November 15, 2019), UN Doc. S/RES/2499, para. 33(e)(iii).

74 Interviews with MINUSCA officials, Bangui, CAR, August 2019.

force is authorized.

Even when UNPOL have acted to arrest and detain—under urgent temporary measures in CAR or inside POC sites in South Sudan—they are unable to conduct normal police procedures thereafter. For instance, they are not allowed to interrogate or question suspects, and ultimately the mission’s justice and corrections section has neither prosecutorial powers nor the authority to incarcerate criminals. In these cases, UNPOL (in collaboration with colleagues in the justice and corrections section) are required to hand over suspects to national authorities within forty-eight hours for further investigation and judicial proceedings.⁷⁵ However, this could go against UN guidance, which prohibits handing over detainees when there is a risk that they will not be given a fair trial, will be mistreated, or could even be summarily executed.⁷⁶ Even where these risks are not present, handing over detainees could make UNPOL complicit in enforcing a criminal code that may not adhere to international human rights standards on the treatment of detainees and the right to due process.

These quasi-executive mandates also create problems around the perception of UNPOL by local communities. In the IDP camp in Bria, CAR, for example, urgent temporary measures allowed UNPOL to arrest senior anti-Balaka figures, ostensibly on POC grounds, in 2018. However, UNPOL can barely go into the town of Bria, which is controlled by ex-Séléka forces, let alone arrest their members for erecting illegal roadblocks and extorting locals. Arresting anti-Balaka but not ex-Séléka figures is understandably perceived as partial behavior and risks politicizing UNPOL’s efforts, not to mention allowing armed groups to exercise extralegal justice. For instance, this case led the anti-Balaka to kidnap a number of UNPOL IPOs in retaliation, which in turn led UNPOL to distance themselves from the IDP community for

safety reasons, deteriorating their relationship and inhibiting their community-oriented approach.⁷⁷

Unclear Scope of the POC Mandate

Related to these challenges with non-executive and quasi-executive mandates is the question of the scope of UNPOL’s POC mandate. In theory, police peacekeepers are expected to respond to all “imminent threats of physical violence,” irrespective of the source and regardless of whether or not there is an armed conflict.⁷⁸ In practice, however, the scope and expectations of UNPOL’s POC activities is less clear. Who should they protect and from what? Should they respond to all forms of organized violence short of a military threat, essentially protecting populations from all criminal violence, whether conflict-related (e.g., in CAR) or not (e.g., in Haiti)? Similarly, should missions in general, and UNPOL specifically, respond to election-related violence, and if so, should they only respond to armed groups resisting the election process or should they also protect the civil and political rights of citizens from the abuses of national security agencies? While MINUSCA has recently made progress on this thinking ahead of elections scheduled for late 2020, it is ad hoc, and its connections to the POC mandate are nascent and yet to be institutionalized.⁷⁹

Poor Coordination and Incoherence

UNPOL’s effectiveness in protecting civilians is also diminished by poor coordination and incoherence among components within missions, among different UN entities, and between the UN system and external partners. Three challenges UNPOL face are coordinating with the military, aligning efforts on the rule of law and security sector reform (SSR), and integrating with other civilian sections of missions.

75 The maximum is seventy-two hours, including the time in transit for handover, unless clear exceptional circumstances and conditions are met. See: UN DPKO/DFS, “Interim Standard Operating Procedures on Detention in United Nations Peace Operations,” January 2010, paras. 73–75.

76 For example, in South Sudan, those seeking protection inside the POC sites often fear persecution and unfair treatment by government forces and the justice system on ethnic grounds.

77 Following UNPOL’s fight against members of the anti-Balaka group in Bria, two IPOs from the Bria station were abducted on the Bria airstrip (an area secured by MINUSCA’s military component) and detained for several days by members of an armed group. The abductors were identified and remain in possession of the IPOs’ weapons and phones.

78 UN DPKO/DFS, “Guidelines on the Role of United Nations Police in Protection of Civilians,” August 2017. See also: Haidi Willmot, Ralph Mamiya, Scott Sheeran, and Marc Weller, eds. *Protection of Civilians* (Oxford: Oxford University Press, 2016).

79 Interview with UNPOL official in MINUSCA, Bangui, CAR, August 2019. See also: UN Focal Point for Electoral Assistance, “Policy Directive on Principles and Types of UN Electoral Assistance,” May 2012.

Insufficient Coordination and Cooperation between Police and Military Components

Logistical challenges and conceptual differences arise whenever parts of the UN system need to work together.⁸⁰ These are particularly acute when it comes to cooperation between the police and military components of peace operations.⁸¹

Police have similar hierarchies and lines of authority as the military, so if and when police are under military command (e.g., during joint operations in Mali and CAR), UNPOL are familiar with the chain of command, or “vertical leadership.” However, “horizontal leadership”—cooperation and coordination between components—proves more difficult.⁸² These dynamics are exacerbated at the level of field sites, where military personnel outnumber police and civilians by even more than at mission headquarters.

UNPOL are often expected to work side-by-side with the military to protect civilians, particularly in non-permissive urban environments. This has resulted in the convergence of police and military roles in peace operations, leading to some overlap and requiring more cooperation. However, the military force and the police have long struggled to coordinate and ensure inter-operational harmony.⁸³ This challenge has only increased in the difficult environments where many peacekeepers now operate, particularly when it comes to joint operations.

A number of policies and guidelines describe the respective roles and responsibilities of the different components as well as the circumstances under

which police are required to hand over command and control of operations to the military force.⁸⁴ As per the FPU policy, police have command and control when POC-related incidents are not marked by “sustained and large-scale use of firearms or military weapons.”⁸⁵ The guidelines on police command state that “the police shall not transfer primary responsibility for resolving rule of law incidents to the military component unless the local threat reaches a level that is determined by the [head of the police component]’s delegate at the site of the incident to be beyond police capacity.”⁸⁶ Peacekeepers often pointed out that military personnel do not want to do policing, and police do not want to undertake military tasks. DPO has sought to reflect and codify the responsibilities to respond, both in general and during specific joint operations, through the concept of “blue box” (police) and “green box” (military) domains.⁸⁷ In practice, however, the boundaries become blurred, and the division of labor is not straightforward. This is particularly challenging when the nature of the threat (i.e., criminal or military) is not easy to determine or when a criminal threat can rapidly escalate into a military one.

In Bangui, CAR, for example, most threats deemed to be of a criminal nature can be handled by police. In particular neighborhoods such as the PK5 district, however, ex-Séléka forces have access to heavy military weapons, meaning the threat can swiftly become military in nature.⁸⁸ When this happens, joint operations under military leadership can expose UNPOL to firepower they are not equipped to defend against. This has led to occasions where military commanders have directed police to operate outside of their directives on the use of force and standard operating

80 Interview with mission support official in MINUSMA, Bamako, Mali, August 2019.

81 Cornelius Friesendorf, “International Intervention and the Use of Force: Military and Police Roles,” Geneva Centre for the Democratic Control of Armed Forces, 2012.

82 Interviews with deputy chief of staff for operations in MINUSMA (Bamako, Mali, August 2019) and deputy police commissioner of MINUSMA, Bangui, CAR, August 2019.

83 Bethan Greener and Bill Fish, “Police-Military Interaction in International Peace and Stability Operations,” Australian Civil-Military Centre, 2013; David Last, “Blending Through International Deployment: Police and Military Roles in Peacekeeping and Stabilisation Operations,” in *Blurring Military and Police Roles*, Marleen Easton, Monica den Boer, Jelle Janssens, René Moelker, and Tom Vander Beken, eds. (The Hague: Eleven, 2010).

84 See: UN DPKO/DFS, “Policy on Authority, Command and Control in United Nations Peacekeeping Operations,” February 2008; “Guidelines on Police Command in United Nations Peacekeeping Operations and Special Political Missions,” January 2016; “Guidelines on Police Operations in United Nations Peacekeeping Operations and Special Political Missions,” January 2016.

85 UN DPKO/DFS, “Revised Policy on Formed Police Units in United Nations Peacekeeping Operations,” January 2017, para. 19.

86 UN DPKO/DFS, “Guidelines on Police Command in United Nations Peacekeeping Operations and Special Political Missions,” January 2016.

87 UN DPO, “Combined Military Police Coordination Mechanisms in Peace Operations,” 2019, pp. 14–15.

88 Determining the nature of the threats given the access of supposedly criminal groups to military-grade weapons is also a challenge in other mission settings such as the DRC, Mali, and South Sudan.

procedures—something UNPOL are not authorized to do even when temporarily under military command.⁸⁹ While rare, such orders can exacerbate tensions between the two components.

Police have also been incorporated into specific operations that go against their approach and assessments. In April 2018, for example, MINUSCA's military and police components, along with the Central African military and law enforcement agencies, launched a joint operation to disarm and arrest urban criminal groups that posed a threat to the security of civilians in Bangui's PK5 district. In planning the operation, the commanders of the Joint Task Force Bangui dismissed policing approaches in favor of a militarized one.⁹⁰ The intervention resulted in the death and injury of both peacekeepers and civilians and ultimately reignited Muslim communities' fears of persecution by national security forces. The operation thus worsened the situation, prompting retaliatory violence and a call to action by armed factions that led to the ransacking of the police station. It has proven difficult for UNPOL to overcome the legacy of this operation, and they took a long time to return to the community to rebuild relationships.⁹¹

Interviewees in missions regularly pointed to “good” or “strong” leadership in both police and military components as critical to effective coordination and cooperation. Improvements in the working relationship are frequently attributed to a change in leadership in one component or the other.⁹² Such leadership is important both at the field-site level and at mission headquarters.⁹³ Even when “good” leaders are in place, however, they eventually rotate out, and the relationships on which effective police-military coordination

depend need to be rebuilt.

Guidance on “Combined Military and Police Coordination Mechanisms in Peace Operations” recently developed by DPO is an important step toward improving cooperation.⁹⁴ However, interviewees in missions emphasized the need for mission-specific, tactical-level standard operating procedures that clarify the roles and responsibilities of the military and police components, with a particular emphasis on how they should work together when protecting civilians from armed groups. For example, unarmed strategies employed by UNPOL to return to PK5 in Bangui since September 2019 required guarantees that UNPOL would not collaborate with the military.⁹⁵ This reveals the need for more guidance and good practices on ways to distinguish between the military and police in areas where they have previously cooperated closely.

The UN and other actors fall short of a holistic approach, or even unity of effort, when it comes to criminal justice reform.

A Non-holistic Approach to Rule of Law

Despite a clear and long-standing acknowledgment that efforts to reform police must be balanced with concurrent efforts to develop the judicial and corrections sectors, the UN and other actors fall short of a holistic approach, or even unity of effort, when it comes to criminal justice reform. This limits the potential for the national criminal justice architecture to contribute to POC by tackling impunity.

Within missions, lack of coordination between UNPOL and the justice and corrections section makes it difficult to achieve a systemic approach to promoting the rule of law.⁹⁶ Joint efforts tend to be loosely combined rather than effectively integrated,

⁸⁹ Conversely, if the military component temporarily falls under police command, the police commanding officer cannot give orders to the force going beyond the directives on the use of force. Interviews with UNPOL officials in MINUSCA, Bangui, CAR, August 2019.

⁹⁰ Interviews with UNPOL officials in MINUSCA, Bangui, CAR, August 2019.

⁹¹ UNPOL launched a community-oriented policing project that managed to build relationships and trust and support the return of Central African law enforcement agencies to PK5 in January 2020 and the handover of all armed groups' bases. PK5 was subsequently declared a weapons-free zone. Skype interview with UNPOL official in MINUSCA, Bangui, CAR, January 2020.

⁹² Interviews with senior mission leaders in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

⁹³ For example, interviewees mentioned that a particular style of UNPOL leadership was correlated with better outcomes in certain field sites.

⁹⁴ UN DPO, “Combined Military Police Coordination Mechanisms in Peace Operations,” 2019.

⁹⁵ Interview with executive assistant to police commissioner in MINUSCA, Bangui, CAR, August 2019.

⁹⁶ Interviews with UNPOL and justice and corrections section officials in MINUSMA (Bamako, Mali, August 2019) and MINUSCA (Bangui, CAR, August 2019).

operating according to different needs assessments, plans, reporting lines, and time frames.⁹⁷ In CAR, tensions arise between UNPOL and the justice and corrections section when the latter's standards for prosecution or handover to national judicial authorities are difficult for UNPOL to meet when making arrests under urgent temporary measures.⁹⁸ In other cases, policing approaches dominate to the detriment of justice and corrections.⁹⁹

The Global Focal Point on Police, Justice and Corrections was established in 2012 to enable a comprehensive approach to rule of law assistance across missions and other UN entities. This mechanism has helped improve strategic coordination and coherence among the parts of the UN system involved in promoting the rule of law through the reform, restructuring, and rebuilding of national criminal justice systems.¹⁰⁰ Furthermore, the expansion of the global focal point's scope to cover SSR writ large could improve coordination and coherence among a wider array of stakeholders involved in the transformation of security governance in post-conflict states. However, the coordination and division of labor between missions and other parts of the UN system remain dysfunctional. This dysfunction is even more pronounced when it comes to orchestrating regional bodies and bilateral donors. Even where peace accords provide clear direction on security and justice sector reform, missions perennially struggle to coordinate with external partners.

Mali is an excellent example of this. The UN is one of many players involved in SSR, including reform of the Malian armed forces and relevant administrative entities and oversight bodies. UNPOL, along with other components of MINUSMA (the justice and corrections section, the SSR unit, etc.), work in parallel with the EU capacity building mission and EU training mission, while numerous bilateral donors engage directly with the Malian

government. Interviews with these stakeholders revealed dysfunctional relationships across this group. For example, some bilateral donors contribute to the UN's trust fund but earmark funds for specific pet projects rather than following a coordinated plan.¹⁰¹ To some extent, this is also a problem in CAR, where the mission's SSR unit leads coordination efforts but does not have the leverage to coordinate effectively across all the partners, even if there are fewer partners than in Mali.¹⁰²

The lack of unity of effort or strategic coordination leads to overlap and competition among stakeholders with the same aims. More importantly, it leaves gaps. For instance, without capacity development of the courts and prisons, the criminal justice chain is incomplete—something that undermines efforts to tackle impunity, promote the rule of law, and build trust between locals and the state. As discussed above in the case of CAR, the incapacity of courts and prisons can further hamstring the work of missions with a quasi-executive mandate, setting in motion a vicious cycle where UNPOL no longer arrest perpetrators who threaten civilians, knowing they will most likely be released. Similarly, IDPs detained in temporary holding facilities in the POC sites of South Sudan have sometimes been expelled from the sites rather than handed over to South Sudanese authorities.

Inadequate Information Sharing within the Mission

Inadequate information sharing between UNPOL and civilian components of the mission is another impediment to coordination on POC. As discussed above, UNPOL can be an enabler for other substantive sections of missions through information sharing and analysis. However, UNPOL have sometimes stymied requests for data that could potentially inform the POC work of others.¹⁰³ To

97 Interviews with senior mission leaders in MINUSCA (Bangui, CAR, August 2019), MINUSMA (Bamako, Mali, August 2019) and MONUSCO, (Kinshasa, DRC, May 2018). See also: Center on International Cooperation, Folke Bernadotte Academy, and Norwegian Institute of International Affairs, "Review of the Global Focal Point on Police, Justice and Corrections," August 2018.

98 Interview with deputy special representative of the secretary-general of MINUSCA, Bangui, CAR, August 2019.

99 Interviews with Office of Rule of Law and Security Institutions officials, New York, December 2019.

100 Center on International Cooperation, Folke Bernadotte Academy, and Norwegian Institute of International Affairs, "Review of the Global Focal Point on Police, Justice and Corrections," August 2018.

101 Interview with UNPOL official in MINUSMA, Bamako, Mali, August 2019.

102 Interview with strategic planning unit official in MINUSCA, Bangui, CAR, August 2019.

103 Interviews with senior mission leaders in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

some extent, this is cultural. Police are trained to be wary of disclosing sensitive information about crimes and criminals. However, this approach to information security can prevent a more open and collaborative way of working.¹⁰⁴

UNPOL were seen as particularly reluctant to share information with colleagues in human rights divisions.¹⁰⁵ UNPOL understandably have sensitivities when it comes to releasing certain types of information such as that relating to the conduct of their counterparts in the host-state police. To address this problem, some missions have standard operating procedures to outline expectations and practices for information sharing, such as those developed between the human rights division and UNPOL in MINUSCA. Where such procedures are not in place, obfuscation can diminish a mission's overall ability to protect civilians.¹⁰⁶

Unless carefully implemented, the intelligence-led approach to UN policing can instrumentalize the relationship between the mission and locals for purely extractive purposes.

actors can diminish the comparative advantages of police if locals fear armed actors. Moreover, UNPOL's engagement with local populations can potentially do harm. Unless carefully implemented, the intelligence-led approach to UN policing can instrumentalize the relationship between the mission and locals for purely extractive purposes. Where missions are actively participating in the conflict, like in the DRC, or are perceived to be partial and favoring one party to the conflict over another (often the host government, like in CAR or Mali), even basic information sharing with UNPOL could expose communities to punishment for collaborating with the UN.¹⁰⁷ Civilians deemed to be collaborating with missions in both Mali and CAR have faced reprisal attacks.¹⁰⁸ Community engagement can also put civilians at risk of collateral damage. In Mali, in particular, the fact that

MINUSMA is regularly targeted by armed groups means that civilians can be imperiled when in close quarters with UN police.¹⁰⁹

While interviewees suggested that senior mission leaders understand these risks, it is less clear if UNPOL on the ground fully grasp the importance of the "do no harm" principle when interacting with local communities. This inhibits missions' efforts to mitigate harm to civilians and could undermine relations between UNPOL and communities, diminishing the contributions of community-oriented policing to POC.¹¹⁰

Risks of Supporting Incapable, Unwilling, or Predatory Host Governments

POC is primarily the responsibility of states. In the absence of a full executive mandate, UNPOL are

Problematic Partnerships

UNPOL rely on a series of relationships, including with local communities and host states, to effectively protect civilians. However, these interactions face a number of challenges.

The Potential Harm of Community Engagement

As discussed above, UNPOL are often a critical point of contact between communities and peacekeepers. UNPOL's engagement at the local level can shape community perceptions, potentially boosting the legitimacy of missions and ultimately facilitating POC.

However, missions' heavy reliance on FPU that are often difficult to distinguish from other military

104 Interviews with civilian substantive section officials in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

105 Interviews with human rights division officials in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

106 Interviews with civilian substantive section officials in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

107 In Mali, for example, armed groups that signed the 2015 peace agreement have made it clear to UNPOL that they see the capacity building provided to the Malian armed forces as problematic in the absence of similar support to them. Interview with chief of development in MINUSMA, Bamako, Mali, August 2019. See: Bellamy and Hunt, "Twenty-First Century UN Peace Operations"; and Charles T. Hunt, "All Necessary Means to What Ends? The Unintended Consequences of the 'Robust Turn' in UN Peace Operations," *International Peacekeeping* 24, no. 1 (2017).

108 Interviews with MINUSMA (Bamako, Mali, August 2019) and MINUSCA officials and focus group discussions with community members in Bria, CAR, September 2019.

109 Interviews with UNPOL officials in MINUSMA, Bamako, Mali, August 2019.

110 On the importance of civilian harm mitigation measures to POC, see: UN DPO, "Policy on the Protection of Civilians in United Nations Peacekeeping," November 2019, paras. 35, 86.

directed to work in support of host-state authorities to help them realize that obligation. However, a number of current missions run the risk of doing harm by providing national security agencies with operational support (e.g., joint patrols) and capacity building (e.g., training, equipment, and support to reform). In CAR, the DRC, Mali, and South Sudan, elements of the host-state law enforcement agencies have a track record of committing human rights violations, and the UN is at risk of being complicit in abuses and extending the authority of state institutions that do more to prey on populations than to protect them.

In South Sudan, for example, UNPOL worked to train and strengthen the South Sudanese national police for a number of years. When internal conflict broke out in 2013, however, elements of the national police committed grave human rights violations while others defected to the armed opposition. Capacity-building programming was cut back, but UNPOL had already bolstered the security actors that went on to target civilians to devastating effect.¹¹¹

The “Human Rights Due Diligence Policy on UN Support to Non-UN Security Forces” (HRDDP) is a useful tool to guide UNPOL’s engagement with police units and officers.¹¹² For instance, MINUSCA declined to support CAR’s Central Office for the Repression of Banditry (*Office central de répression du banditisme*) due to its record of human rights violations.¹¹³ Similarly, MINUSMA police delayed support to a section of the Malian police and gendarmerie in Timbuktu pending an HRDDP investigation. However, standing firm on the HRDDP—awaiting resolution of investigations into alleged abuse and instituting harm-mitigation measures—inevitably strains relationships with national counterparts and can delay much-needed capacity-building projects.¹¹⁴

This also raises a bigger political question about whether to support abusive law enforcement agencies under the leadership of predatory governments at all. For example, when and how should UNMISS resume building the capacity of the national police in South Sudan? The importance placed on police reform as a prerequisite for missions’ exit strategies will make such choices difficult.

When it comes to longer-term reform of the police, justice system, and broader security sector, missions face a common problem: host governments are not always interested in, capable of, or supportive of genuinely transformational security sector reform.¹¹⁵ Host governments have frequently neutered sensitive security and justice sector reform efforts, whether by indifference or flagrant intransigence. In Mali, for example, the military resists changes to laws that place the police under the Ministry of Defense, and the government generally underfunds law and justice sector reform.¹¹⁶ In CAR, the government lacks the capacity to overcome the military’s dominance over the internal security and justice architecture.¹¹⁷ In the DRC, the government has a long history of resisting reforms to the national law enforcement agencies and army—partly because doing so would alter the balance of power and control of resources in the eastern provinces.¹¹⁸

Such resistance or inertia tends to result in a more limited “train-and-equip” approach to SSR focused on building or rehabilitating police stations, providing vehicles and uniforms, and training new recruits. While increasing the presence and enhancing the basic capacities of national law enforcement agencies are important, genuine buy-in from host governments is the only way police reform can contribute to the transformative change required to undo the military’s dominance over the

111 This has also been the case, albeit to different degrees, in the DRC, where MONUSCO has provided support to Congolese national police responsible for exploitation in the east of the country, and in Mali, where MINUSMA has supported national police culpable for abuses as part of counterterrorist operations.

112 UN DPKO/DFS, “Human Rights Due Diligence Policy on UN Support to Non-UN Security Forces,” 2011.

113 Interview with UNPOL officials in MINUSCA, Bangui, CAR, August 2019.

114 Interview with chief of police development in MINUSMA, Bamako, Mali, August 2019.

115 As the former special representative of the secretary-general of UNMISS has argued, “The security sector is the lynchpin in these countries, not only for the protection of civilians, but also for peace itself.” Hilde Frafjord Johnson, “Protection of Civilians in the United Nations: A Peacekeeping Illusion?” in *United Nations Peace Operations in a Changing Global Order*, p. 149. Here, SSR refers to the idea of transforming the security and justice sector, including the military, law enforcement agencies, and judicial institutions, as well as the overarching governance architecture.

116 Interviews with MINUSMA officials, Bamako, Mali, August 2019.

117 Interviews with expert analyst on CAR and senior mission leaders in MINUSCA, Bangui, CAR, August 2019.

118 Interview with former senior MONUSCO official, New York, December 2019.

security sectors in many peacekeeping contexts. This is especially important if the ultimate aim is to transform the security services to be more people-centered and service-oriented so they can build trust and overcome their legacies of incompetence, corruption, and abuse.

Deficits in Capabilities, Capacities, and Tools

A final challenge inhibiting UNPOL's contributions to POC is the shortfall in the capabilities, capacities, and tools they need to operate effectively, have a positive influence on peace operations, and adapt and learn.

Insufficient and Mismatched Resources

The responsibilities given to UNPOL often exceed the resources at their disposal to achieve them—sometimes by a wide margin. In UNMISS, for example, UNPOL have been limited to one FPU, fewer than 100 IPOs, and only a few vehicles to conduct twenty-four-hour patrols and police the entry and exit points to the POC site in Malakal—home to more than 30,000 IDPs.¹¹⁹ These resources are insufficient to react to incidents involving threats to civilians, let alone to prevent them.¹²⁰ In the DRC, UNPOL's authorized strength is less than 2,000 officers to work with more than 150,000 national police officers.¹²¹ In Mali, UNPOL lack appropriate vehicles and equipment to operate given the threat environment.¹²²

In addition to these resource shortfalls, there is the perennial issue of police contributions not being “fit for purpose.” Police-contributing countries (PCCs)

The responsibilities given to UNPOL often exceed the resources at their disposal to achieve them—sometimes by a wide margin.

continue to second IPOs who lack the requisite competencies, and they sometimes send sick, infirm, or elderly police against UN regulations.¹²³ The UN Police Division has also struggled to recruit IPOs with profiles matching needs in the field, and FPUs rarely meet the statements of unit requirements.¹²⁴ Another structural issue, reinforced by the 2016 external review of the UN Police Division, is that recruitment of UNPOL distinguishes between “protection” officers (primarily members of FPUs) and “development” officers (primarily IPOs intended to support capacity building) even though all UNPOL contribute to POC.¹²⁵ The limited duration of UNPOL's deployment also makes it harder for them to gain the local knowledge and build the relationships necessary to do community-oriented and intelligence-led policing—an issue

exacerbated by logistics and human resources policies that further shorten the time units are actually available for operational duty.¹²⁶

The shortage of programmatic funding provided to UNPOL also undermines its efforts to establish a protective environment by building the capacity of host-state law enforcement agencies. In MINUSCA and MINUSMA, missions where UNPOL have a big responsibility to develop the capacity of the police and the wider criminal justice system, there is little dedicated budget for reforming the police or promoting community policing.¹²⁷ In many cases, national partners do not have even the most basic resources needed to operate, let alone perform effectively.¹²⁸ This renders UNPOL heavily reliant on funding for quick-impact projects from stabilization units or the equivalent. Resources that do exist are subject to an annual budget cycle so are

119 Presentation by UNPOL sector commander of UNMISS, on file with author.

120 Interviews with UNPOL officials in UNMISS, Malakal, South Sudan, December 2018.

121 See: UN Security Council, *Transitioning from Stabilization to Peace: An Independent Strategic Review of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, UN Doc. S/2019/842, October 25, 2019.

122 Interview with police commissioner of MINUSMA, Bamako, Mali, August 2019.

123 Interview with mission support officials in MINUSCA (Bangui, CAR, August 2019) and MINUSMA (Bamako, Mali, August 2019).

124 Skype interview with senior official in the UN Mission for Justice Support in Haiti, December 2019; interviews with UN DPO officials, New York, December 2019.

125 United Nations, “External Review of the Functions, Structure and Capacity of the UN Police Division,” May 2016, p. ix.

126 Due to leave and travel into and out of the deployment location, members of FPUs are only operational for around ten months of their twelve-month rotations.

127 Interviews with chiefs of police development pillar in MINUSMA (Bamako, Mali, August 2019) and MINUSCA (Bangui, CAR, August 2019).

128 For example, police often lack infrastructure (offices, police stations, etc.), personnel, office automation, vehicles, and fuel) to conduct police activities.

unpredictable and not conducive to the long-term planning and programming required for effectively reforming the police and broader security sector.¹²⁹ Resources are also mostly earmarked for a fixed work plan, making it difficult to move money around as needed.

While it is often suggested that UNPOL could be more agile than the military component, this is usually not the case in practice due to restrictions on the use of assets. Caveats from PCCs that prohibit the reassignment or rapid deployment of police to more insecure field sites without express permission from capitals undermine POC and can ultimately damage the UN's credibility. In 2015 in Mali, for example, a PCC placed restrictions on the deployment site for an FPU originally destined for Kidal until the security situation improved.¹³⁰ This prevented the FPU's full deployment, making it less able to respond to new hot spots. As the MINUSMA police commissioner said, "We must go where the threats are but cannot due to these sorts of restrictions."¹³¹

Restrictive policies and standard operating procedures can also prevent the flexible use of resources and inhibit UNPOL from deploying proactively to deter threats and respond to attacks on civilians. For instance, the way FPUs are currently composed and equipped makes it nearly impossible for platoon-sized sub-sections to deploy rapidly to hot spots where their presence could protect vulnerable civilians. Recently in CAR, it took more than a year to figure out the logistics of splitting an FPU so it could be redeployed to an IDP camp in Batangafo—eventually done to great effect.¹³² Although splitting units in this way comes with risks related to safety and security, as well as effectiveness, the current rigidity diminishes the potential for FPUs to rapidly react to threats to civilians.¹³³ Another example from Mali is the

mission-specific standard operating procedures for FPUs prohibiting them from staying overnight in military temporary operating bases, which could allow them to provide greater protection through longer-range patrols.

More generally, the lack of a statement of commitments on POC by PCCs means there remains only a fragile consensus on the expectations for UNPOL regarding POC. The Kigali Principles on the Protection of Civilians mention PCCs but are overwhelmingly focused on military components.¹³⁴ Ultimately, this makes it harder for heads of police components to get their units to prioritize POC in the allocation and employment of resources.

Sidelining from Planning and Decision Making

Police and their way of thinking continue to be subordinated in the military culture of UN peace operations, both in the field and at headquarters. At the Secretariat, the placement of the Police Division within the Office of the Rule of Law and Security Institutions and the lower rank of the police adviser compared to the military adviser within the hierarchy reflect the concern that police are not seen as the military's equals.¹³⁵ This can lead to police in UN headquarters having less influence over decision making and strategic planning that affect POC.

The imbalanced structure in headquarters trickles down to the field. For instance, the force commander is usually appointed at a higher grade than the police commissioner. This has ramifications for the relative weight of police thinking in field missions. UNPOL have also sometimes been discounted by special representatives of the secretary-general or underrepresented in management fora and in POC mechanisms such as the

129 Compare, for example, to the UN Development Programme's three-to-five-year planning time frame for similar engagements.

130 Interview with mission support officials in MINUSMA, Bamako, Mali, August 2019.

131 Interview with police commissioner of MINUSMA, Bamako, Mali, August 2019.

132 Interview with deputy special representative of the secretary-general for political affairs of MINUSCA, Bangui, CAR, August 2019. It is worth noting that resistance from PCCs can also explain delays in cases such as this.

133 For example, some point to reduced effectiveness due to the use of limited resource for self-defence of the base. Interview with police commissioner of MINUSMA, Bamako, Mali, August 2019. Others highlight the challenges to self-sustainability without key elements such as logistical support, electricity, medical support, and kitchen facilities. The military component of the Joint Task Force Bangui made the same argument (i.e., smaller sections of FPUs could do important discrete tasks during joint operations or patrols but cannot split due to restrictive standard operating procedures).

134 "The Kigali Principles on the Protection of Civilians," Kigali, Rwanda, July 31, 2018.

135 It should be noted, however, that UNPOL's work often more closely reflects that of civilian components (e.g., capacity building), so it does not necessarily make sense for them to be on the same level as the military. Interview with senior official in UN Police Division, New York, December 2019.

senior management group on protection.¹³⁶

Interviewees in missions talked about police being perceived as the “little sibling” of the military, with the military sometimes attempting to control or impose decisions on them.¹³⁷ As a result, police are frequently left out of or disempowered in planning processes, leaving the military to dominate these discussions. For example, interviewees were at pains to describe how Operation Oryx in MINUSMA was planned without much police or civilian input.¹³⁸ In CAR, despite the existence of joint-coordination mechanisms, UNPOL have not been involved in the process of translating the POC mandate into specific tasks and actions for the Joint Task Force Bangui.¹³⁹ In an extreme example, plans developed by the military component’s planning branch (U5), including tasks for UNPOL, were sent to headquarters in New York for approval before being sent to MINUSMA’s police component for input and implementation in Bangui.¹⁴⁰

This lack of voice is important because, as one interviewee put it, “The police perspective and focus is different—it’s an important view that is often missing, and to the detriment of missions.”¹⁴¹ Threats to populations from local militias, intercommunal violence, and criminality in particular are often seen through a military lens but could be better understood through a policing lens, with responses crafted based on police thinking. For instance, many of the more than 100 armed groups identified in eastern DRC may be better understood as criminal groups, which have different entry points for engagement.

The same power disparity can be seen in the

relationship between the field and headquarters, with police perspectives and requests being subordinated to those of the military. For example, a 2018 military capability study of MINUSMA was said to contain factual errors about the number of IPOs stationed in Bamako.¹⁴² While this culture is shifting slowly, military-centric reflexes endure both at headquarters and in the field.¹⁴³

In addition to decision making, police also have less of a voice than the military component in planning processes. Police are generally less familiar with planning needs and challenges in peace operations.¹⁴⁴ This is in part because UNPOL seek to mirror military structures in missions but do not have the same standard staff functions. As a result, IPOs deployed to mission headquarters with a police planning role rarely have the relevant planning acumen and lack a standard method or approach to draw on.¹⁴⁵ This leaves police in a similar position as most civilians when it comes to planning: they try to get their voices heard by military planners. While the 2017 manual on police planning provides guidance to address this deficit, including the POC dimension, most missions lack the capacity to implement it.¹⁴⁶ An exception to this is MINUSMA, where the inclusion of a police planning officer in an integrated strategic planning unit in the mission’s headquarters since mid-May 2019 was reported to have had a significant and positive impact.¹⁴⁷

UNPOL’s lack of a voice is a missed opportunity, as IPOs and FPU’s routinely gather information that could inform police planning but never feeds into the process. This leads to inadequate political and technical analysis of the context both before and

136 This was said to be the case, for example, in earlier iterations of the UN mission in CAR.

137 The problem is military actors want to control the work of police officers.” Interview with police commissioner of MINUSMA, Bamako, Mali, August 2019.

138 This is despite the fact that its predecessor, Operation Folon, was given as an example of good joint planning that included the police, showing that the reflex for military-led in planning is still strong and culturally embedded.

139 Interview with deputy force commander of MINUSMA, Bangui, CAR, August 2019.

140 Interview with UNPOL strategic planning official in MINUSMA, Bangui, CAR, August 2019.

141 Interview with chief of Joint Operations Center in MINUSMA, Bangui, CAR, August 2019.

142 This study formed the basis for the integrated operational team’s subsequent recommendations on the mandate renewal, including resourcing. It was also noted that a parallel police capability study was conducted but never published, leaving the integrated operational team’s recommendations to be based entirely on the former military capability study.

143 For example, MINUSMA’s police commissioner pointed to improvements in relationships with both the special representative of the secretary-general and the force commander.

144 Interviews with UNPOL and DPO officials, New York, December 2019.

145 “Military are used to a planning culture, while police tend to operate on more of a day-by-day basis, responding to what is going on in real time.” Interview with police planner in MINUSMA, Bamako, Mali, August 2019.

146 UN Police Division, “Manual on Mission-Based Police Planning in Peace Operations,” 2017.

147 Interviews with special representative of the secretary-general, police commissioner, and strategic planning unit officials in MINUSMA, Bamako, Mali, August 2019.

during the deployment of UNPOL, particularly in regard to POC. For example, UNMISS's police component did not initially focus on the "end state" for police or adequately assess the risk of the South Sudanese national police "going rogue." It is important to acknowledge, however, that it is particularly difficult for UNPOL to plan its police development programming far in advance when funding is unclear and precarious.

Police are also often discounted in planning for integrated operations. Interviewees from UNPOL said that there are legal frameworks to guide joint planning for integrated operations but that their military colleagues sometimes did not seem to know about or pay attention to them.¹⁴⁸ In Mali, for example, interviewees revealed frustration with the dominance of military planners who were more familiar with the planning rules and regulations of NATO in Afghanistan than of UN peace operations. Furthermore, mission-specific standard operating procedures for the planning of integrated operations do not always exist, and their quality varies.¹⁴⁹

The lack of police say in decision making and planning has ramifications for UNPOL's contributions to POC. At best, it means police commissioners do not have sufficient autonomy or decision-making authority to influence missions' responses to threats against civilians and cannot integrate police thinking into missions' decision making on POC. Their lack of say also gives senior UNPOL figures less leverage over their counterparts in the host-state police and interlocutors in the ministries overseeing internal security and justice. At worst, UNPOL's lack of a voice can lead them to become apathetic and to give up on taking a proactive approach to POC.¹⁵⁰

Inadequate Monitoring and Evaluation

POC is one of the most important yardsticks for

evaluating the success of peace operations. Yet there are currently only limited ways to meaningfully measure the effectiveness of missions' POC efforts in general or of UNPOL's specific contributions to POC.¹⁵¹

Existing approaches such as results-based budgeting focus on quantitative measures of outputs (e.g., the number of police deployed, patrols conducted, and training courses delivered per year).¹⁵² While reporting outputs is important for accountability purposes, it does not say anything meaningful about the quality of these activities or their effect on outcomes related to POC.¹⁵³ For instance, while high-visibility UNPOL patrols—particularly those of armed FPUs—may deter would-be abusers, the real impact of these activities is unknown.

Furthermore, the results-based budgeting approach, and UN planning processes in general, tend to be inflexible, as resources are allocated to specific outputs a year in advance. This makes it harder for UNPOL to adapt to unfolding events. UNPOL's measurement of results related to POC also does not factor in the longer time frames required for the reform of the police and justice sectors.

This deficit in monitoring and evaluation has three important ramifications. First, it means there is little evidence to guide missions in adapting or correcting the sequencing and prioritization of their work. Second, it leaves missions and their leaders without an evidence base for making decisions about the allocation of scarce resources. And third, it perpetuates a deficit in learning within and across missions in the longer term. Such learning is particularly important given the short-term nature of UNPOL deployments and UNPOL's fast-changing role in POC in recent years.

The recently promulgated Comprehensive

148 Interview with police commissioner of MINUSMA, Bamako, Mali, August 2019.

149 See: UN DPKO/DFS, "Policy on Authority, Command and Control in United Nations Peacekeeping Operations," 2008. Interview with senior UN Police Division official, New York, December 2019.

150 Interview with POC official in MINUSMA, Bamako, Mali, August 2019.

151 Aditi Gorur, "The Need for Monitoring and Evaluation in Advancing Protection of Civilians," *IPI Global Observatory*, October 2, 2019; William J. Durch, Madeline L. England, and Fiona B. Mangan, with Michelle Ker, "Understanding Impact of Police, Justice and Corrections Components in UN Peace Operations," Stimson Center, June 2012.

152 Interviews with UNPOL officials, New York, December 2019.

153 Namie Di Razza, "Reframing the Protection of Civilians Paradigm for UN Peace Operations," International Peace Institute, November 2017.

Performance Assessment System (CPAS) could address some of these gaps by bringing focus to the impact of missions.¹⁵⁴ Though primarily focused on tracking strategic-level implementation of mission mandates rather than the operational or tactical impact of activities, CPAS is developing ways of analyzing tasks undertaken to inform mission leaders—including the heads of police components—in targeting, reframing, and adjusting how they implement various activities.¹⁵⁵ However, CPAS does not include specific modalities for ascertaining the effects and comparative advantages of UNPOL’s POC efforts.

Conclusion and Recommendations

UNPOL have a great deal to contribute to the implementation of POC mandates. Through an established set of activities, they can protect civilians both directly and indirectly, and they have shown a capacity and willingness to innovate to meet new and emerging challenges. As the UN seeks to become more prevention-oriented, UNPOL are also well suited to pursue preventive approaches to POC.

Yet the protective role of UNPOL is generally undervalued and unnoticed. UN peacekeeping overly relies on militarized approaches and has trouble looking beyond short-term imperatives surrounding POC, both in the field and in some parts of the peace operations bureaucracy in New York. As a result, it risks overlooking the important contributions of the police and failing to grasp opportunities to enhance these contributions and better protect civilians. Much more can also be done to leverage the comparative advantages of UNPOL and to ensure that POC is a priority and is

in the “bloodstream” of all police on the ground.

Particularly in Haiti, as well as in Liberia and Côte d’Ivoire, the UN has seen a resurgence in the popularity of policing and rule of law efforts as a critical part of mission transitions and exit strategies.¹⁵⁶ Recent discussions around mandate design and renewal also reveal an appetite among member states and UN officials for more police-centric concepts and approaches.¹⁵⁷ In the context of dwindling resources and continued sensitivities around state sovereignty, there may be an emerging consensus that the future of peace operations lies in “more blue, less green,” or “peacekeeping lite.”¹⁵⁸

If police are to continue contributing to POC—let alone to do more—they will need more capabilities, guidance, and political support to close the gap between the growing expectations of what they should do and the reality of what they can deliver. The following are recommendations for the Security Council, Secretariat, peace operations, and member states to help UNPOL close this gap.

In the context of dwindling resources and continued sensitivities around state sovereignty, there may be an emerging consensus that the future of peace operations lies in “more blue, less green.”

Clarify the role of UN police in POC through mandates, policies, guidance, and training

1. **The UN Security Council should pass a dedicated resolution on UN policing to clarify its expectations for how UNPOL contribute to POC.**

There are limits to what the Security Council can achieve—particularly when divided. It is therefore not realistic to expect that the council can or should try to fix everything from the top down and micromanage peace operations by identifying the threats they should respond to or deciding how they should allocate resources. Nevertheless, to

154 See: Cedric de Coning and Emery Brusset, “Towards a Comprehensive Results-based Reporting and Performance Assessment Framework for UN Peacekeeping Operations,” Norwegian Institute of International Affairs, April 2018.

155 Interviews with CPAS expert and UNPOL officials responsible for CPAS rollout, New York, December 2019.

156 See, for example: UN Security Council, *Transitioning from Stabilization to Peace: An Independent Strategic Review of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, UN Doc. S/2019/842, October 25, 2019; and Adam Day, “UN Mission Transitions: Improving Security Council Practice in Mission Settings,” UN University Centre for Policy Research, 2019.

157 Interviews with DPO officials and UN Police Division officials, New York, December 2019. See, for example, statements by member states at recent briefings by UN police commissioners to the UN Security Council during police week. UN Security Council 8661st Meeting, UN Doc. S/PV.8661, November 6, 2019.

158 Hunt, “Rhetoric versus Reality,” pp. 619–621.

provide flexible and comprehensive political cover, and to allow UNPOL to plan and focus effectively, the council could pass a dedicated resolution on UN policing that clarifies:

- What it means for UNPOL to use “all necessary means” to prevent or respond to threats to civilians under a Chapter VII mandate;
- That UNPOL are expected to respond to POC incidents and threats, irrespective of their non-executive mandate or any default position that, under normal circumstances, they can only operate under the express consent of the host state; and
- The potential scope of the POC mandate for police operating in contexts both affected and not affected by armed conflict without undermining the commitment to delegate authority to the field.

2. Member states should adapt the Kigali Principles on the Protection of Civilians, or develop a statement of commitments akin to them, to better reflect commitments to POC by police-contributing countries.

The Kigali Principles lay out a set of pledges demonstrating member states’ commitment to the effective implementation of POC mandates in peace operations but are overwhelmingly focused on declarations relating to troop contributions and activities. Apart from two references to police-contributing countries (PCCs), the principles do not specifically refer to police POC activities or the challenges they face. Augmenting the Kigali Principles to include more on policing, or developing a parallel set of principles for PCCs, could help establish consensus among PCCs on what police should be expected to do to protect civilians. Any such declaration should detail expectations relating to the use of force and commitments to limit the application of national caveats, as well as pledges to improve pre-deployment training and provide appropriate equipment.

3. The UN Police Division should update its policies to reflect lessons from UNPOL’s recent ad hoc responses to threats against civilians.

First and foremost, the UN Police Division should update the 2017 POC guidelines for UNPOL to:

- Capture lessons from recent ad hoc and innovative efforts in the field such as temporary detention in POC sites and IDP camps, joint police-military planning and operations by the Joint Task Force Bangui, and election-related policing in the DRC and Mali;
- Expand guidance on POC for police under Chapter VII of the UN Charter to include the protocol for different scenarios and explain how to apply the directives on the use of force for the purposes of protecting civilians;
- Clarify the scope of POC for UNPOL (i.e., what types of threats they should or should not respond to, who to protect from what at different stages of the mission lifecycle) by addressing scenarios including elections and violence committed by the host state;
- Indicate if and when UNPOL need express permission from national authorities to proactively patrol and engage with local communities;
- Identify measures and contingency plans to mitigate harm during police operations and community-engagement activities, including the risk of reprisal attacks; and
- Elaborate how UNPOL’s contributions to tier III of POC (support to the establishment of a protective environment) are related to the restoration and extension of state authority and how to avoid doing harm or compromising the impartiality of missions through police capacity building, beyond the requirements of the Human Rights Due Diligence Policy.

Second, in the Strategic Guidance Framework, the Police Division should continue to elaborate on the roles and responsibilities, limits, and expectations of police regarding POC. More specifically, it should update:

- The 2014 “Policy on United Nations Police in Peacekeeping Operations and Special Political Missions” to elaborate on the role of and

expectations for UNPOL under tier II of POC (provision of physical protection) when they lack an executive mandate but are authorized to use “all necessary means”;

- The 2015 policy on police command to provide clearer advice on handover of command to the military component and how to operate within the limits of directives on the use of force even when under military command;
- The 2015 policy on police capacity building and development to clarify linkages between these efforts and tier III of POC (creating a protective environment), including the potential unintended harm of supporting abusive national police; and
- The 2018 manual on community-oriented policing and any future guidance on intelligence-led policing to include guidance on how to engage with local populations without exploiting them or exposing them to the risk of reprisals.

Third, future reviews of peace operations doctrine and guidance should continue to mainstream and focus on policing approaches to POC and their comparative advantages.

4. The UN Policy, Evaluation and Training Division or Police Division should develop a short reference guide on POC for UNPOL officers in the field.

The UN’s peace operations bureaucracy is better at promulgating policy than at implementing it systematically across all missions and down to the lowest level. Given the general lack of awareness of the twenty-five-page guidelines on POC for UNPOL and the limited amount of time for studying them in-mission due to the high tempo of operations, a “vulgarized” version would be useful for “people of action who want and need clear instructions.”¹⁵⁹ This could take the form of a user-friendly pocket reference guide translated into the languages of the major PCCs, similar to those developed for directives on the use of force.

5. The UN Integrated Training Service, PCCs and other member states, mission training cells, and police components should enhance and expand the place of POC in pre-deployment, induction, and in-mission training.

To ensure that the content of policies and guidance is well disseminated and understood by UNPOL, there is a need for continued training on POC for UNPOL at all levels. In addition to more extensive coverage of POC in pre-deployment training, the UN should dedicate resources to in-mission training that is mission-specific (including exercises based on scenarios in particular mission contexts) and updated regularly to account for changing conflict and peace dynamics. In line with the priorities of the UN Secretariat, where possible, this should be a joint training between the civilian, military, and police components. Member states can support this training by providing police trainers to deliver context-specific, comprehensive POC training together with military and civilian trainers. To mitigate the risk of poor leadership and ensure UNPOL are not subordinated to the military or underutilized by civilians, training for senior mission leaders should also be augmented or rebalanced to ensure that force commanders, special representatives of the secretary-general, and other leaders are sensitized on the roles and comparative advantages of UNPOL in POC.

Involve all UN police in POC and give them a voice in decision making and planning

6. The UN Police Division should restructure its recruitment to recognize that all UNPOL contribute to POC.

The UN needs its recruitment to be more protection-focused. Distinguishing between protection officers (primarily members of FPU) and development officers (primarily IPOs intended to support capacity building) reinforces a false binary between police capacity building and POC.¹⁶⁰ This approach to recruitment also perpetuates a culture where POC is thought of in terms of immediate physical protection (i.e., tier II) rather than as a holistic operational concept with long-term aspects

¹⁵⁹ Interview with FPU commander in MINUSMA, Bamako, Mali, August 2019.

¹⁶⁰ As recommended by the 2016 independent review of the Police Division. See discussion above.

including security sector and justice sector reform (i.e., tier III). While identifying IPOs with appropriate skill sets for development work is still vital, reorganizing the policing recruitment and personnel system to avoid separation and distinction could enable UNPOL to better contribute to POC across all three tiers. One way to formalize this, in line with the 2019 updated POC policy, would be to include POC in the terms of reference and individual work plans for all UNPOL officers, whether recruited as part of a unit or individually.

7. Member states (through the Special Committee on Peacekeeping Operations and Group of Friends of UN Police) and senior mission leaders should make concerted efforts to increase the influence of police on decisions related to POC.

To help UNPOL step out of the shadow of the military component and to strengthen the full spectrum of activities contributing to POC, the voice and influence of UNPOL should be elevated throughout the UN peace operations system. Given the hierarchical nature of the UN, consideration should be given to repositioning the police adviser (e.g., promoting them to assistant secretary-general) to give UNPOL more leverage to influence decisions at headquarters. Such a move need not require major changes to the reporting lines or institutional location of the UN Police Division within the Office of Rule of Law and Security Institutions. A seconded police officer inside the POC team in DPO's Policy, Evaluation and Training Division would also further enhance the contributions of UNPOL to ongoing POC work. Placing the same importance on the police concept of operations as on that of the military, possibly with a shared section on POC, would also elevate the role of police thinking in planning for POC.

These efforts at headquarters should be complemented by similar initiatives in the field, including an increase in the pay grade of the heads of police components to enhance their influence. Senior mission leaders should also ensure that heads of police components are included in all relevant senior management teams and entities dealing with POC (e.g., senior management groups on protec-

tion and their equivalents). Doing so would bring information gathered by UNPOL into mission analysis on POC and integrate UNPOL's perspective into longer-term POC planning. It would also hold heads of police components accountable for UNPOL's performance on POC. This involvement should filter down to the field-site level. Missions should ensure that UNPOL representatives are seconded to the joint operations center and joint mission analysis center or their equivalents in each field site (e.g., the field integrated operation centers in UNMISS) and that they participate in protection working groups, task forces, and joint protection teams.¹⁶¹

8. Member states should provide, and the UN Police Division should recruit, more capable police planners and integrate them into planning mechanisms.

To infuse integrated POC planning with the perspective of UNPOL, it is essential to address deficits in UNPOL's planning capacity and culture. The UN Police Division should recruit dedicated police planners for missions with a planning skill set. These planners should be deployed for a minimum of two years to allow them to engage in a full planning cycle and learn to iteratively improve. They should be included in integrated strategic planning units, as MINUSMA has done at its headquarters since mid-May 2019—a good example that could be replicated in other missions and potentially expanded to the field-site level.

Given the increased attention on police in missions' drawdown and exit strategies, the Police Division and head of the police component should also be fully involved in transition planning. This would ensure that the rule of law, including policing, are considered in the early stages of drawdown and withdrawal planning so that missions prepare to leave behind a sustainable protective environment.

Enhance partnerships between UN police, host states, and other mission components

9. The UN Police Division and PCCs should renegotiate the model memorandum of

¹⁶¹ This, for instance, is not the case in all twelve field sites in MINUSCA. Interview with chief of joint operations center in MINUSCA, Bangui, CAR, August 2019.

understanding to reflect the heightened expectations for missions to protect civilians.

As UNPOL are deployed to increasingly challenging environments and face inflated expectations relating to POC—particularly on the use of force as a last resort—the Secretariat and PCCs need to reach a new consensus on the role of police in POC. PCCs often have vastly different experiences with implementing POC mandates in different missions and thus provide officers with varying levels of preparedness for this task. It is therefore important that the UN and PCCs renegotiate the model memorandum of understanding to provide a more relevant baseline for recruitment by the UN Police Division.

10. The UN Security Council, UN Secretariat, and other relevant stakeholders should seek to agree on “compacts” with host states on the role of UNPOL in security sector reform.

To support the creation of protective environments and overcome missions’ fear of impinging on the sovereignty of host states, the UN should pursue “compacts” with host governments. Such compacts should (1) reiterate the Chapter VII authorization for UNPOL action to protect civilians without case-by-case host-state consent; and (2) commit to overhauling incompetent, corrupt, and often predatory security and justice institutions through genuinely transformative SSR. This kind of agreement would raise the political costs of noncompliance with SSR-related provisions of peace agreements by host governments and provide a basis for the council to impose sanctions and consider next steps. Compacts could be developed as part of all new mission mandates, mandate renewals, and transition planning where progress on reforming national security and justice agencies is key to the exit strategy.¹⁶² These compacts should not be beholden to the year-by-year mandate extension but should extend beyond the lifetime of the mission to provide the foundation for any UN follow-on presence continuing to support these longer-term reforms.

11. Member states should consider seconding police officers to other mission components.

Drawing on precedents in missions such as the UN Mission for Justice Support in Haiti (MINUJUSTH) and UN Organization Stabilization Mission in the DRC (MONUSCO), seconded police officers could be collocated with other mission components such as the justice and corrections section, human rights division, or POC unit to provide dedicated policing skills and perspectives to their work on POC. A less resource-intensive option would be to appoint UNPOL focal points to other substantive sections over a longer time frame. This would mitigate some of the transaction costs associated with the high turnover of personnel appointed as focal points and the associated loss of institutional knowledge.

12. The UN Department of Peace Operations should make police more central to the exit strategies of missions and request commensurate resources for police reform activities.

When mandated to lead on police development and SSR—as in CAR and Mali, and likely soon in South Sudan and other countries—UNPOL are involved in early peacebuilding efforts that are critical to missions’ exit strategies.¹⁶³ While they may not be the best placed for this job, as long as it is part of their mandate, UNPOL should be provided with a realistic programmatic budget to avoid sub-standard outcomes. The Secretariat should therefore build a compelling case to support requests for resources commensurate with UNPOL’s mandate. Given that resources are likely to remain scarce for the foreseeable future, the case should also be made for fewer resources to be earmarked so that UNPOL can use what is available to them according to what is needed rather than predetermined categories that may quickly become obsolete. The Global Focal Point on Police, Justice and Corrections should also facilitate joint planning of police reform and SSR between UNPOL, the UN Development Programme (UNDP), and international financial

162 On the initial mandating process, see: Adam Day, “To Build Consent in Peace Operations, Turn Mandates Upside Down,” UN Centre for Policy Research, January 2017. On compacts to guide transitions, see: UN Security Council, *Transitioning from Stabilization to Peace: An Independent Strategic Review of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, UN Doc. S/2019/842, October 25, 2019.

163 For example, police reform and promotion of community-policing activities in CAR, Mali, and likely soon in South Sudan.

institutions.

13. Member states should support a comprehensive approach to rule of law and security sector reform that is aligned with POC strategies.

Building on the recent expansion of the Global Focal Point on Police, Justice and Corrections to cover SSR, member states could draw on the assessed peacekeeping budget to create a dedicated post in missions to coordinate rule of law and SSR activities and better align them with the POC strategy. Such a post-holder could better integrate these activities into missions and work with senior mission leaders and the global focal point to improve cross-system coordination, including with the UN Peacebuilding Support Office, the Peacebuilding Fund, and a range of other agencies, funds, and programs (e.g., the UN Office on Drugs and Crime, the Office of the UN High Commissioner for Human Rights, UN Women). They could also be tasked with building working relationships and promoting coherence with external partners working alongside missions to support security and justice sector reform, including regional organizations, bilateral donors, and international financial institutions. In addition, they could ensure that these reform processes include efforts to tackle impunity and address past abuses, which are critical to protecting civilians in the long term.

Provide more appropriate and more flexible capabilities, capacities, and tools

14. The UN Police Division, PCCs, and missions should work together to revise and relax policies, standard operating procedures, and national caveats restricting the use of UNPOL personnel and assets for POC activities.

PCCs should reconsider the way they provide police. For example, they could move beyond a “one-size-fits-all” model for FPU’s toward different configurations capable of splitting into rapidly deployable, self-sustaining platoons. This would require a reset between the Secretariat and PCCs, which could be achieved through the renegotiated memorandum of understanding recommended

above and consolidated in adjusted statements of unit requirements. Furthermore, the mission support section should make new and existing policies and standard operating procedures less restrictive to enable mission leaders to think about creative ways of using current units such as splitting and converting FPUs to respond to needs or easing restrictions on FPUs to allow for more and longer-range patrols. While perhaps unrealistic to eradicate national caveats entirely, at a minimum member states and the Secretariat should have frank discussions about why they exist.

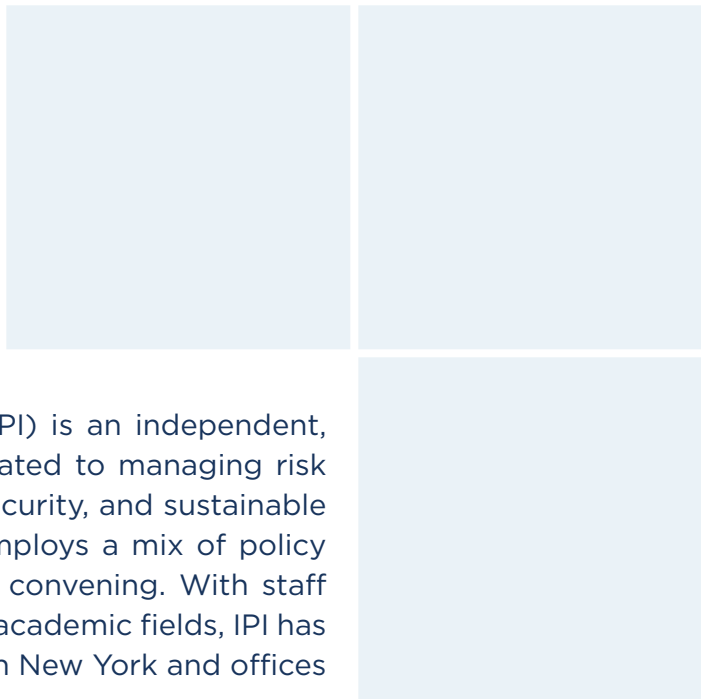
15. The UN Police Division, the Policy, Evaluation and Training Division, PCCs, the Security Council, and the Fifth Committee should improve monitoring and evaluation of UNPOL’s contributions to POC.

In line with the secretary-general’s Action for Peacekeeping initiative, police contributions to POC should feature more prominently in assessments of missions’ performance. To achieve the required “cultural shift” on monitoring and evaluation in peace operations and focus more on the efforts of UNPOL to protect civilians, all stakeholders should work in concert to provide them the capacities and tools to conduct more impact-focused, learning-oriented assessments. The Comprehensive Performance Assessment System (CPAS) provides a useful foundation. In addition to continuing to support missions (including their police components) in developing CPAS frameworks, key stakeholders at the UN and member states should help them deliver on its aims. Given that most mission police components have a dedicated planning and reporting officer at the professional level, additional posts are probably not necessary; it is more important to build the capacity of existing senior leaders and planning and reporting officers and to prioritize skills and knowledge related to monitoring and evaluation when recruiting for these roles. One way to integrate monitoring and evaluation into the everyday governance of UNPOL would be to align police components’ work plans with relevant CPAS outcomes and indicators, which would ultimately improve the data that feeds into CPAS at all levels.

In parallel, the UN should develop more sophisticated ways of assessing the impact of police on

POC, reaching beyond quantitative indicators. These efforts should seek to establish the immediate effects of POC activities, such as patrols by FPUs, according to those they are supposed to protect. Understanding this impact would enable senior mission leaders to make more informed decisions about if and where to send UNPOL on expensive, long-range patrols with or instead of the military. Such a system should also capture the

longer-term impact of police and justice sector reforms, including perceptions and changing levels of trust in national law enforcement by locals. Once this becomes a larger part of the culture of missions, such impact-focused performance measurement could serve as a basis for more pointed discussions with PCCs about accountability for underperformance or misconduct.



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