In 2018, the International Peace Institute (IPI) created a dedicated project on the protection of civilians (POC). While protection of civilians has become an essential paradigm for UN peace operations, implementing protection mandates on the ground—as well as linking them to political processes and exit strategies—is increasingly challenging. Through research, convening, and outreach activities, the POC project aims to support peace operations in strengthening their protection work with solid political strategies, clearer roles and responsibilities within missions, outcome-driven and tailored approaches, and enhanced accountability. It seeks to inform policy development and practice and support the UN Secretariat’s efforts to enhance the delivery of protection of civilians mandates by peace operations.

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The views expressed in this publication represent those of the author and not necessarily those of the International Peace Institute or the United Nations. IPI welcomes consideration of a wide range of perspectives in the pursuit of a well-informed debate on critical policies and issues in international affairs.

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Executive Summary

In contrast to recent transitions, the next wave of UN peacekeeping transitions is set to occur in contexts where civilians continue to face threats of physical violence. These transitions are likely to have major implications for the protection of civilians (POC), which should be a key consideration for the UN when planning these missions’ exit strategies.

As the mandate of a UN peacekeeping operation draws to an end and the UN reconfigures its presence, the strategic goals of POC will evolve. To ensure sound exit strategies, missions should revise their protection priorities and approaches as countries move from crisis management toward peacebuilding. This requires shifting from a military-dominated to a civilian-led approach to POC in coordination with humanitarian, development, and other peace actors. It also requires defining the target end state for POC—a difficult task due to political sensitivities and the technical challenges of assessing ongoing threats to civilians. In addition, exit strategies need to focus on enhancing national ownership and leadership of POC, as states ultimately have the primary responsibility for protecting their civilian population.

Beyond these strategic considerations, the UN also needs to reconfigure its operational approach to POC both during peacekeeping transitions and after a mission’s closure. Under tier 1 of the UN Department of Peace Operations’ (DPO) POC concept (protection through dialogue), the UN needs to prioritize political engagement with host states and ensure that the mission’s follow-on presence continues to address POC in its political strategy and has adequate capacity in areas such as human rights monitoring. Under tier 2 (provision of physical protection), transferring tasks to host-state authorities without falling off a “physical protection cliff” requires delicate negotiations and significant capacity building. Finally, tier 3 (establishment of a protective environment) increases in importance as the strategic goals of a mission shift toward enhancing national ownership of POC and addressing the root causes of threats to civilians.

Twenty years on from the Security Council first mandating a UN peacekeeping operation to protect civilians, the UN’s approach to POC is entering a new phase in which missions are being called upon not only to respond to threats to civilians but also to plan for their exit and a shift toward peacebuilding. To avoid the premature departure of UN peacekeeping operations when civilians continue to face threats, the UN should develop a system-wide strategy to ensure smooth and sustainable peacekeeping transitions.
Introduction

Among the many questions about the future of UN peacekeeping operations, a clear priority in the near term is how to develop the transition and exit strategies of several existing missions. Since 2017, long-standing peacekeeping operations have come to an end in Côte d’Ivoire, Liberia, and Haiti. Faced with budgetary pressures and dwindling political support for UN peacekeeping, in 2019, the UN secretary-general requested all missions to engage in transition planning processes. Under this directive, all peacekeeping missions are expected to develop a transition calendar and to articulate a transition plan twenty-four months prior to their withdrawal or reconfiguration.¹

Transition planning takes on added importance in contexts such as Darfur and the Democratic Republic of the Congo (DRC) where civilians continue to face serious threats of physical violence and the risk of mass atrocities. Despite these ongoing threats, the UN is preparing to draw down the African Union–UN Hybrid Operation in Darfur (UNAMID) by mid-2021 and has been mandated to develop a transition plan and an exit strategy for the UN Organization Stabilization Mission in the DRC (MONUSCO). This issue brief analyzes the implications of these transitions for the protection of civilians (POC) and looks at how the UN should consider such concerns and integrate them into its transition plans.

The year 2019 marked the twentieth anniversary of POC mandates in UN peacekeeping. Since the first POC mandate in 1999, POC has become the priority task of most missions. During this time, the UN Security Council has provided far clearer POC mandates, while the UN Department of Peace Operations (DPO) has developed its POC concept and accompanying guidelines, tools, and training for peacekeepers. This long-standing approach to POC now needs to be adapted and revised to take into account the realities of upcoming transitions in contexts where missions have not fully achieved their POC objectives.

This issue brief examines the shift from mission-driven POC strategies to nationally led POC plans to ensure the sustainability of POC gains and mitigate the risk of violence following a mission’s departure. It also explores the need for a UN system-wide approach to POC—one that involves all relevant UN entities—to reconfigure and manage this aspect of the UN’s engagement in crisis settings and the transition from peacekeeping to peacebuilding. The first section outlines how the strategic goals of POC will change during a transition, while the second section discusses in more detail how the operational approach to POC across the UN system will need to be adapted.

Revising the Strategic Goals of POC during Transitions

As the mandate of a UN peacekeeping operation draws to an end and the UN reconfigures its presence to support peacebuilding priorities, the strategic goals of POC will evolve. While protecting civilians should remain a priority throughout the sequencing of mandated tasks and the lifecycles of missions, what missions are trying to achieve will change.² The greatest challenge comes when the UN Security Council mandates the drawdown of a mission even though it has not yet fully achieved its POC mandate and civilians continue to face serious threats of violence.

UN Transitions and a New Phase of POC in Peacekeeping

The transition of UN peacekeeping operations is not new. In the last few decades, the UN has closed several missions and reconfigures its presence in post-crisis countries. In recent years, however, the evolution of the political and security situation in several peacekeeping contexts, as well as the

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¹ UN Secretary-General, “Planning Directive for the Development of Consistent and Coherent UN Transition Processes,” February 2019. The UN Transitions Project has also developed an explanatory note to provide guidance on the development of an integrated transition calendar.

Since 1999, when the UN mission in Sierra Leone was the first UN peace operation mandated to protect civilians from the imminent threat of physical violence, POC has been progressively institutionalized in UN peacekeeping. Despite some early resistance to the concept of POC and challenges experienced in the implementation of POC mandates, in 2009, the Security Council made clear that POC was a priority task of UN peacekeeping operations. The following year, the UN Department of Peacekeeping Operations (DPKO) developed its POC concept, and in 2015, it adopted its first official POC policy. All UN peacekeeping operations with POC mandates are required to develop a whole-of-mission POC strategy, and many have developed POC coordination mechanisms, guidelines, and tools. The UN personnel carrying out POC tasks have also become increasingly professionalized, and there has recently been a push to increase accountability for POC.

In many ways, though, the UN did not foresee how it would need to reconsider the task of protecting civilians when developing missions' exit strategies. The UN has tended to view POC as a day-to-day operational task associated with the crisis management and stabilization phases of peacekeeping. It has been less concerned with how missions leave a country while ensuring that the civilian population continues to be protected as part of a shift toward peacebuilding. In 2020, DPO launched its first-ever POC handbook, but of its 229 pages, only three paragraphs address transitions. DPO and other UN entities are now discussing how they can provide further guidance in this area.

A first consideration is that the UN’s approach to protecting civilians does not end when a UN peacekeeping operation closes. A sound exit strategy should reconfigure protection priorities and approaches as countries move from crisis management toward peacebuilding and other kinds of support are required. This requires close coordina-

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5 UN Secretary-General, “Planning Directive for the Development of Consistent and Coherent UN Transition Processes.”
tion among humanitarian, development, and peace actors to arrive at a common assessment of the risks facing civilians and a common vision of the priorities for protecting civilians throughout a transition and beyond.

Developing a whole-of-system approach is hampered, however, by the lack of a common conceptual framework on POC. The UN lacks a system-wide policy that covers all the ways it can intervene to protect civilians, which would go a long way toward providing greater conceptual clarity. DPO’s operation definition of POC is:

without prejudice to the primary responsibility of the host state, integrated and coordinated activities by all civilian and uniformed mission components to prevent, deter or respond to threats of physical violence against civilians within the mission’s capabilities and areas of deployment through the use of all necessary means, up to and including deadly force.¹¹

While this definition may remain valid for UN peacekeeping operations during their transition and exit, it is not one subscribed to by humanitarian, development, and human rights actors, not least because they do not have a role in providing physical protection. For example, the Inter-Agency Standing Committee, a forum for UN and non-UN humanitarian actors, defines protection as:

all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law (i.e., International Human Rights Law (IHRL), International Humanitarian Law, International Refugee Law (IRL)).¹²

There are also various terms such as “humanitarian protection,” “human rights,” and “rule of law,” that are closely associated, and overlap, with POC in a peacekeeping context but have separate definitions and meanings. Understanding these conceptual differences is the starting point for a common UN approach to protecting civilians during transitions.

Within a UN peacekeeping mission, the roles of the various mission components involved in POC will also shift during a transition and eventual exit. POC is most closely associated with protection by military peacekeepers from physical violence, but with the drawdown of troops, there should be a shift toward viewing POC more as a civilian-led responsibility with a change in strategies, tactics, and activities. The strategic goals of POC will evolve from responding to immediate threats of physical violence against civilians to addressing the structural causes of these threats. Missions must contend with multiple shifting priorities and adapt their POC strategy accordingly.

The Security Council has increasingly asked missions to develop exit strategies well before it mandates a transition, ideally early in the lifecycle of a mission. The pace and length of transitions and exit strategies of UN peacekeeping operations with POC mandates has varied significantly. For example, for the UN Mission in the Central African Reppublic and Chad (MINURCAT), the government asked the UN to discuss the modalities of the withdrawal in January 2020. The Security Council subsequently approved the mission’s exit in May and the exit was completed by December, leaving little time for transition planning.¹³ By contrast, the government of the DRC first called for UN peacekeepers to start withdrawing in November 2009, but it was only in 2019 that the Security Council formally requested MONUSCO to develop a transition plan with the Congolese authorities, which is still expected to take several years to implement.¹⁴ Given the protracted nature of most current conflicts, transi-

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tion planning is a long-term exercise, and missions are in a constant state of reconfiguration to adapt to their evolving operational contexts.

In revising and updating their POC strategies, UN peacekeeping operations should plan how to reconfigure their approach and transfer their mandated POC tasks ahead of their eventual withdrawal. This should involve close coordination with humanitarian, development, and other actors, which have their own complementary strategies for protecting civilians. For example, humanitarian country teams have protection strategies, and UN sustainable development cooperation frameworks address the related concepts of human rights and the rule of law. There are also a variety of coordination mechanisms for bringing together different actors. Ideally, there should be one whole-of-system, integrated strategy for protecting civilians to manage the shift in responsibility between different actors for specific POC tasks during transitions.

Defining the End State for POC

To adapt their approach to POC during transitions, peacekeeping operations need to define the target end state. With respect to POC, the end state should be when the risk to civilians no longer constitutes a threat to international peace and security that requires Security Council action (including potentially under Chapter VII of the UN Charter). While this is an intensely political matter, the Security Council needs to be satisfied not only that the risk to civilians has been reduced to an acceptable level but also that host-state authorities are able and willing to protect civilians. For example, the end state to be achieved prior to the drawdown of MONUSCO has been defined as reducing the threat posed by national and foreign armed groups to a level that can be managed by national authorities.16

Deciding when such a point has been reached in a given context is far from straightforward, however.

While some elements of a transition may be linked to concrete milestones, such as the holding of credible national elections, there are rarely such clear milestones for POC, with a few exceptions. For example, robust action to protect civilians by the UN operation in Côte d’Ivoire (UNOCI) helped end the post-election crisis in 2011, and the mission’s POC mandate was quickly reconfigured to address residual concerns such as protecting humanitarian workers and facilitating the return of internally displaced persons (IDPs) before the eventual drawdown of the mission in 2017. However, there are seldom such conclusive ends to armed conflicts, and the progression from peacekeeping to peacebuilding is not always linear. Far more common are contested political situations where peace remains elusive, the recurrence of conflict is likely, and civilians remain exposed to significant violence.17

Defining the end state with respect to POC in such contexts is extremely challenging. It requires assessing not only the level of the threat to civilians but also the nature and the perpetrators of violence. Understanding the role of state security forces is critical. In the context of nonmilitary threats to civilians such as intercommunal violence between armed militias, the state security forces could be expected to play an impartial role in protecting civilians. For example, in Darfur, much of the insecurity is attributable to banditry and sporadic criminal violence (though state security forces also play a role). With the departure of UNAMID in 2021, the Sudanese government has announced its intention to strengthen its security apparatus in the region to address ongoing attacks on civilians.18

In contrast, when armed groups are still actively contesting the state’s authority, it is less likely that state security forces could be expected to play such a protective role. For example, in the DRC, despite MONUSCO’s long-standing support to the Congolese authorities to neutralize armed groups in the east of the country, more than one hundred

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such groups continue to prey on civilians. The most challenging scenario is when state security forces themselves play a predatory role and are the principal threat to civilians. For example, in the DRC, the national armed forces and national police accounted for 61 percent of all human rights violations documented by MONUSCO’s joint human rights office in 2018. In such situations, it is extremely unlikely that peacekeeping missions will be able to achieve their POC mandate and entrust POC to state security forces.

Considering the unpredictable contexts in which UN peacekeeping missions operate and the challenges they face measuring progress in the implementation of their mandates, the UN Security Council introduced the concept of benchmarks in 2006 to help decide when it is appropriate to draw down missions. Progress toward benchmarks depends on a range of actors, many of which are beyond the control of a mission. The Security Council has, therefore, distinguished between “core” benchmarks that the mission has the ability to influence and “contextual” benchmarks that are beyond the control of the mission. However, missions have not been explicitly required to meet even core benchmarks for the Security Council to decide to begin drawing them down. For example, the benchmarks for MINURCAT’s transition out of Chad in 2010 included aspirational commitments by the host government (including in relation to protecting civilians), none of which were fully met by the time of the mission’s exit. Many benchmarks related to POC have focused on metrics such as the level of violence toward civilians, the ability of state security forces to provide protection, and the return of IDPs, none of which are likely to be met in the lifetime of a peacekeeping mission.

The Security Council can play an important role in setting the goals and target end state for POC during transitions. However, the decision to draw down UN peacekeeping operations often results as much from political dynamics in the Security Council and relations with the host government as it does from an objective assessment of the situation on the ground. For example, a strategic review of UNAMID in 2018 found that the security challenges in the region had not been addressed, yet the Security Council still decided to draw down the mission, with an initial planned end date of June 2020. There was a widespread view at the time that the call for UNAMID’s exit was driven more by budgetary concerns and a frustration with the mission than by the situation on the ground.

If the Security Council decides to draw down UN peacekeeping operations with POC mandates even when civilians continue to face serious threats, it could create credibility and reputational risks for the UN. The Security Council implicitly accepted that the transition would unfold even as civilians remained vulnerable and POC-related benchmarks had not been met.

If the Security Council decides to draw down UN peacekeeping operations with POC mandates even when civilians continue to face serious threats, it could create credibility and reputational risks for the UN. These missions were mandated to protect civilians precisely because the international community reached the conclusion that it could no longer stand by when states were unwilling or unable to protect their civilian population. If the departure of a peacekeeping mission is followed by a relapse into conflict, and if mass atrocities occur in the presence of other UN entities that lack the means to offer protection, serious questions will be asked about the UN’s commitment to its international obligation to protect civilians. With political

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21 Ibid., p. 10.
22 For examples of benchmarks related to POC endorsed by the Security Council, see the “Protection of Civilians Aide Memoire” online database of Security Council resolutions and statements at https://poc-aide-memoire.unocha.org/.
23 The completion of the UNAMID mandate was subsequently revised to December 2020.
support for the responsibility to protect (R2P) waning, the transfer of POC tasks could raise further questions about the international community’s willingness to take action to prevent serious violations of international humanitarian and human rights law. Greater clarity and consensus are needed on the minimum conditions and requirements that need to be met before missions’ POC mandates can come to an end. A risk-management approach should be adopted to mitigate against potential concerns should the situation not evolve as planned.

Beyond the political considerations involved in defining the end state for POC, there are also technical considerations related to assessing whether this end state has been reached. Monitoring of, reporting on, and analysis of threats to civilians have been significantly strengthened in recent years by UN peacekeeping operations and other protection actors. Metrics and data on civilian casualties and other POC concerns provide an evidence base for assessing whether the threat to civilians has subsided enough to warrant the Security Council approving the drawdown of UN peacekeeping operations with POC mandates. Reporting to the Security Council on children affected by armed conflict through the Monitoring and Reporting Mechanism (MRM) and on conflict-related sexual violence through the Monitoring, Analysis, and Reporting Arrangements (MARA) are also important sources of information, and the delisting of parties from these mechanisms is a critical milestone. The Comprehensive Planning and Performance Assessment System, which the UN is in the process of rolling out to measure the performance of peacekeeping missions, is another important source of information.

Drawing on this information, missions should produce an updated assessment of threats to civilians as part of transition planning, including the residual concerns that will need to be addressed after their departure. This analysis should be conducted together with the humanitarian protection cluster and even development actors, which will be responsible for continuing to respond to the risks identified. A key challenge, however, is that reductions in a mission’s geographic and operational footprint as it draws down reduce its capacity for monitoring, reporting, and early warning. For example, MONUSCO has invested in community alert networks (CAN), which rely on community members reporting threats to local UN military base—a reporting channel that is difficult to maintain as bases close, as seen recently following base closures in the region of Walikale. As a result, missions need to update their protection risk assessment while contending with potential information gaps. This requires the sharing of information and analysis with the humanitarian protection cluster, which, along with human rights organizations, will be the main source of information about ongoing threats to civilians once a mission departs.

Enhancing National Ownership and Leadership of POC

An overarching goal of the transition of UN peacekeeping operations with respect to POC is to enhance national ownership and leadership. The state has the primary responsibility for protecting its civilian population, and this duty is not lessened while a state is hosting a UN peacekeeping operation. A UN peacekeeping operation is not a replacement or substitute for this primary responsibility; it is complementary to, and sometimes independent of, the state’s responsibility. As DPO’s POC policy makes clear, “The mission will, as far as possible, support the host state’s protection efforts but may act independently to protect civilians when the host state is deemed unable or unwilling to do so or where government forces themselves pose a threat to civilians.”

This arrangement makes relations between missions and host governments extremely delicate, if not tense, when it comes to POC, and maintaining the government’s strategic consent to hosting a UN mission has at times been challenging. Reconciling the implemen-

27 The Global Protection Cluster has in the past had a workstream on coordinating with UN peacekeeping operations on POC. For more details, see: Global Protection Cluster, “Protection of Civilians,” available at https://www.globalprotectioncluster.org/themes/protection-of-civilians/.


tation of POC mandates with a host state’s own conduct with respect to protecting civilians has been especially challenging.\textsuperscript{30}

Nonetheless, in the context of transitions and exit strategies, UN peacekeeping operations need to pivot toward enhancing national ownership and leadership of POC. This requires them to shift their organizational mindset from thinking first about how they can independently implement their POC mandate and improve their POC strategy and activities to how they can support national authorities so that their presence is eventually no longer needed. Indeed, the independent strategic review of MONUSCO in 2019 found that, while the mission had taken important steps to improve its own response to protecting civilians, its actions had tended to diminish the primary responsibility of state authorities to assume responsibility for protection.\textsuperscript{31} During a transition, POC efforts need to switch from being mission-driven to being nationally owned.

This switch should not necessarily be viewed as a “handover” of responsibilities, given that state authorities never relinquish their primary responsibility to protect civilians. Indeed, such an approach was not well-received in the initial discussions about the transitions of MONUSCO and UNAMID, with host-state authorities quick to point out that they had always been responsible for security.\textsuperscript{32} Nonetheless, certain tasks will be transferred from the peacekeeping mission to state authorities during a peacekeeping transition. For example, in South Sudan, even though UNMISS has not yet been mandated to develop a transition plan, it recently transferred responsibility for the security of the POC sites located adjacent to UNMISS bases to the South Sudanese security forces—hopefully an important milestone in the achievement of its mandate.\textsuperscript{33}

This enhancement of national ownership and leadership of POC should not be at the expense of a mission’s independent capacity to respond to ongoing reports of civilians being at risk, as per its mandate. However, it does require a recalibration of what actions a mission should prioritize.\textsuperscript{34} Political engagement with, and technical support to, host-state authorities will increase in importance compared to operational responses to threats, even if missions cannot be expected to fulfill all the capacity-building requirements of national authorities. This shift in focus underlines the importance of planning for transitions along with the humanitarian and development actors that will remain engaged with state authorities on protection issues once a mission has left.

In recent years, UN member states have increasingly developed national policy frameworks on POC, outlining how they will apply their obligations under international humanitarian and human rights law in practice. In his reports to the Security Council on POC, the UN secretary-general has underlined the importance of such frameworks, and in his 2018 report, he outlined the minimum elements they should contain.\textsuperscript{35} These national policy frameworks can be a useful tool to manage the transfer of POC tasks from UN peacekeeping operations to host-state authorities. For example, in June 2020, in advance of the impending withdrawal of UNAMID from Darfur, the Sudanese government published and shared with the Security Council a national plan for POC—the first of its kind in the context of the transition of a UN peacekeeping mission. The plan included a clear commitment that

Sudan is different than it used to be. The previous regime targeted civilians in Darfur.

\textsuperscript{30} For an analysis of these challenges, see: Patrick Labuda, “With or Against the State? Reconciling the Protection of Civilians and Host-State Support in UN Peacekeeping,” International Peace Institute, May 2020.

\textsuperscript{31} UN Security Council, Letter Dated 24 October 2019 from the Secretary-General Addressed to the President of the Security Council, UN Doc. S/2019/842, October 25, 2019, p. 21.

\textsuperscript{32} Day, “UN Transitions,” p. 7.

\textsuperscript{33} For more detail, see: UNMISS, “UN Protection of Civilians Sites Begin Transitioning to Conventional Displacement Camps,” September 4, 2020.

\textsuperscript{34} See, for example: UN Doc. S/2020/1041, p. 30.

Now, the post-revolutionary Government is protecting civilians. The transitional Government will assume full responsibility for the protection of its civilian citizens.\textsuperscript{36}

The plan has nine main components related to POC, many of which overlap with the mandated tasks of UNAMID, and it therefore provides a clear framework for the transfer of some of the mission's tasks.\textsuperscript{37} In 2016, the government of Liberia’s plan for the transition of the UN Mission in Liberia (UNMIL) similarly outlined how national authorities planned to assume full responsibility for security following the departure of the mission.\textsuperscript{38}

To help set the expectations of state authorities regarding POC during transitions, the Security Council should underline the importance of such national policy frameworks as a measure of the state’s responsibility to protect its civilian population, though it should do so in a way that reinforces state sovereignty and does not overly encroach upon it.

The biggest challenges come when there is a disconnect or divergence between the vision and priorities of host-state authorities and of the UN peacekeeping operation, which might lead to the sidelining of POC after the transition. For example, in 2016, the Congolese government refused to consider human rights or political conditions for MONUSCO’s drawdown in the mission’s draft exit strategy and only accepted security conditions, with the negotiations proving inconclusive.\textsuperscript{39}

Similarly, during the transition of UNOCI in Côte d’Ivoire in 2017, the government blocked the establishment of a follow-on country office for the Office of the High Commissioner for Human Rights (OHCHR), as it felt this would send the wrong message to foreign investors about the country’s human rights situation.\textsuperscript{40} These examples point to the need to plan for transitions early and to build a common vision of POC with national authorities, or at least agreement about the minimum acceptable standards that will allow for the exit of the mission. Even when there is a common vision and national authorities outline their commitment to protecting civilians, they may lack the capacity to fulfill this vision, underlining the importance of long-term assistance to the state.

Given the crosscutting nature of POC, there is not always an obvious national government interlocutor on the issue. In the DRC, the government has established civil protection units at the provincial level, which have been a natural entry point for MONUSCO to engage and transfer many of the systems and tools it has developed for POC. However, missions usually must engage with a range of different government focal points on POC. In UN peacekeeping operations, POC units and advisers also tend to be inward-looking, focusing on coordination among mission components and technical support, and they rarely engage directly with state authorities on protection concerns.\textsuperscript{41}

The UN should, therefore, consider seconding staff to national authorities or collocating UN and national personnel to build national capacity on POC and a common vision for the transition. Missions could also invite representatives of state authorities to participate in their POC coordination mechanisms. For example, in some provinces in the DRC, MONUSCO has begun to invite state government officials to its POC working groups. MONUSCO is also considering how it might transfer responsibility for POC systems and tools such as community alert networks and community liaison assistants to state actors.\textsuperscript{42}

Civil society has an important role to play in enhancing national ownership of POC by holding state authorities to account for protecting civilians, and this role becomes even more important during transitions. The UN has increasingly focused on a “people-centered” approach to POC by strengthening its engagement with communities to build trust, gather information, and better understand

\textsuperscript{36} UN Security Council, Letter Dated 21 May 2020 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council, UN Doc. S/2020/429, June 1, 2020, p. 2.

\textsuperscript{37} The government of Sudan proactively reported to the Security Council on progress on the plan in October. See: UN Doc. S/2020/901.


\textsuperscript{39} Day, “UN Transitions,” p. 12.

\textsuperscript{40} Conor Foley and Ibrahim Wani, “Evaluation of Transitions from Human Rights Components in UN Peace Operations to Other Types of Field Presences,” OHCHR, June 2020.

\textsuperscript{41} Labuda, “With or Against the State?” p. 30.

\textsuperscript{42} UN Doc. S/2019/842, p. 46.
the local population’s protection needs—an approach that cuts across many of a mission’s POC tasks.43 During transitions, the goals of community engagement should evolve to focus on managing expectations about the departure of the mission and building the capacity of civil society organizations and structures to hold state authorities accountable for protection. Toward this end, some peacekeeping missions have established local protection committees, which can be fora for communities to express their protection needs during transitions to local authorities.

**Reconfiguring the Operational Approach to POC during Transitions**

Beyond these strategic considerations, the UN also needs to reconfigure its operational approach to POC, both during a peacekeeping transition and after a mission’s closure, in conjunction with other UN entities that remain. Operational considerations can be assessed across the three tiers of the POC concept, as defined by DPO: (1) protection through dialogue and engagement; (2) provision of physical protection; and (3) establishment of a protective environment.44 These tiers should be seen as falling along a continuum of engagement on POC in crisis settings, with the UN taking a whole-of-system approach to reconfiguring the roles and responsibilities of different entities to respond to challenges as the situation evolves.

Broadly speaking, there are two options for the reconfiguration of a UN presence upon the departure of a peacekeeping mission: a presence limited to the agencies, funds, and programs that make up the UN country team (UNCT); or, in addition to this country team, an unarmed special political mission (SPM), if the Security Council mandates one.45 The decision between these two options depends on the peacebuilding priorities in the host country and negotiations with national authorities, as well as the preference of the Security Council.

Neither the UNCT nor an SPM can assume the same POC role as a UN peacekeeping operation—particularly in relation to the provision of physical security for civilians. However, while there may be residual physical threats to civilians once a UN peacekeeping operation leaves, this ideally should not be the case, and POC priorities will change in a peacebuilding context. Beyond military-dominated approaches to POC, missions’ civilian-led activities that contribute to protecting civilians should come to the fore during transitions.46 As outlined in DPO’s POC policy, provision of good offices and conflict resolution, human rights monitoring and advocacy, security sector reform (SSR), support to the rule of law, and disarmament, demobilization, and reintegration (DDR) all contribute to protecting civilians.

There are many areas of overlap between these peacekeeping tasks and those carried out by SPMs and UNCTs. Planning efforts should focus on these areas to help ensure a smooth and sustainable transition. As part of transition planning, the UN should also assess capacity gaps to identify where it will need to strengthen its capabilities—potentially in conjunction with other partners—to address residual threats to civilians once a UN peacekeeping operation has left. Missions should also consider how they can hand over the POC tools they have developed to other actors as they draw down, potentially including through the transfer of assets and staff.

**Sustaining POC in UN Political Strategies**

While UN peacekeeping operations are most commonly associated with the physical protection of civilians, their political strategies also play an important role in protecting civilians under tier 1 of the POC concept (protection through dialogue and engagement). The UN’s efforts to prevent and resolve armed conflict can reduce threats to civilians, and its advocacy and dialogue with parties to conflict can encourage them to abide by their

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45 While not directly dealt with in this issue brief, regional and bilateral actors are also key partners during peacekeeping transitions.

obligations under international humanitarian and human rights law.

Nonetheless, there can be tension between the UN’s political objectives in a given context and the more immediate priority of protecting civilians. Some of the larger peacekeeping missions with a strong military presence have become viewed as too closely aligned with host governments or too caught up in their own operations to address the root causes of violence. In several UN peacekeeping operations with strong POC mandates, POC tasks have become disconnected from the overarching political strategy and have thus proved ineffective. The “primacy of politics” in UN peacekeeping is particularly relevant during UN transitions, which are inherently political processes.

As noted earlier, enhancing national ownership and leadership of POC is essential to a viable exit strategy that prevents a relapse into conflict. This requires the UN to continue engaging in dialogue and providing technical support to state authorities to help them fulfill their primary responsibility to protect civilians even after the mission has left. If the Security Council mandates an SPM following the drawdown of a UN peacekeeping mission, there can be continuity to this political engagement.

While SPMs are generally not mandated to use force, they can play an important role in protecting civilians. For example, following the drawdown of UNAMID, the Security Council has included POC in the mandate of the follow-on SPM, the UN Integrated Transition Assistance Mission in Sudan (UNITAMS), tasking it with supporting the government in implementing its national plan on POC.

It is not only in the context of UN transitions that SPMs have a role to play in protecting civilians. The UN Assistance Mission in Afghanistan (UNAMA) regularly reports on civilian casualties and supported the Afghan government in developing a National Policy on Civilian Casualty Protection. The SPMs in Iraq, Libya, and Somalia have also taken action to address serious threats to civilians. SPMs can become involved in protection activities such as human rights monitoring, local conflict resolution, early warning, support to the rule of law, and the reform of security institutions, albeit with fewer resources than UN peacekeeping operations. However, the role of SPMs in relation to POC remains unclear and has not been institutionalized to the same extent as for peacekeeping operations. The UN Secretariat has been reluctant to develop an approach to POC for SPMs, as it has wrongly equated this with them performing the same functions as peacekeeping operations, especially in terms of providing physical protection. As DPO has done for peacekeeping operations, so too should the Department of Political and Peacebuilding Affairs (DPPA) develop a policy that sets out the role of SPMs in relation to protecting civilians, including during the transition and exit strategies of UN peacekeeping operations.

In the absence of an SPM, it will be the UN RC/HC who leads the UN’s political engagement with host countries on POC following the departure of a peacekeeping operation—a role that has been strengthened by the reform of the UN development system that went into effect in 2019. RC/HCs are supported by the humanitarian protection cluster and OHCHR in analyzing threats to civilians and formulating an approach to advocating to host authorities. However, RC/HCs lose political capacity with the departure of a UN peacekeeping operation.

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51 The International Peace Institute will be publishing an issue brief on the role of SPM’s in relation to POC in early 2021.
53 UNAMA and UNITAMS are the two SPMs that have POC explicitly included in their mandates.
operation and are sometimes sidelined from key political discussions. They are unlikely to have the same kind of influence and leverage as SPMs that are mandated by the Security Council to engage governments on POC, potentially leaving a gap in capacity for the UN in terms of the political dimension of POC.

Human rights are likely to remain central to the UN’s political strategy and dialogue with host-state authorities throughout transitions and remain just as relevant as the UN’s strategic goal shifts toward peacebuilding. Most large UN peacekeeping operations have human rights divisions with a dual reporting line to DPO and OHCHR. With the departure of a mission, human rights tasks can be transferred to an SPM or an OHCHR country office, but this is not always assured, as in the case of Côte d'Ivoire. Even where this does occur, it leaves significant capacity gaps. OHCHR country offices have far fewer logistical and other resources and less political leverage than peacekeeping operations. In the event that a stand-alone OHCHR country office is not established, it is important that human rights be mainstreamed into the programs and activities of the UNCT and, where applicable, the follow-on SPM. Beyond SPMs and OHCHR offices, the humanitarian protection cluster will continue to monitor threats to civilians, including through the MRM and MARA, even as the mission phases out of these mechanisms. Both OHCHR and the protection cluster should receive additional resources following a peacekeeping transition to ensure that protection monitoring continues without gaps.

Managing the “Physical Security Cliff”

Perhaps the most critical part of the transition of missions with POC mandates relates to physical protection—tier 2 of the POC concept. The role of UN peacekeeping missions in providing physical protection is unique among UN entities, and transferring these tasks to host-state authorities requires delicate negotiations and significant capacity building.

It has been noted that countries going through UN transitions face a “financial cliff” as the resources of peacekeeping missions diminish and are not replaced at a commensurate level by international funding for peacebuilding priorities as international attention wanes and fatigue sets in. With respect to POC, countries undergoing UN transitions similarly have to contend with a potential “physical security cliff.” As the number of peacekeepers is scaled back, the UN can potentially leave a security vacuum that state security forces are unable or unwilling to fill, putting civilians at renewed risk of attack. For example, some MONUSCO base closures have been followed by increased activity by armed groups and increased threats to civilians. Similarly, there is concern that the removal of UNAMID police around IDP camps in Darfur may put civilians at risk of sexual violence. While managing the “physical security cliff” is likely to be one of the most challenging aspects of the transition of missions with POC mandates, there are no established best practices.

Ideally, threats to civilians should decrease to a point where UN military personnel are no longer needed to protect civilians before a mission withdraws. Toward this end, the drawdown of troop levels needs to be phased in line with the achievement of key security benchmarks. For example, the military component of UNMIL completed its transfer of security tasks to Liberian authorities in 2016, a full two years before the actual closure of the mission in 2018. This phased approach gave the mission time to assess the Liberian security forces to ensure they were able to provide security and to develop projects to continue building their capacity after its departure. By contrast, a hasty reduction in troop levels could put at risk the progress made in improving the protection of civilians. Even if military personnel are drawn down, UN police may continue to address criminal threats to civilians, as in the

54 Forti and Connolly, “Pivoting from Crisis to Development,” p. 5.
56 Foley and Wani, “Evaluation of Transitions from Human Rights Components in UN Peace Operations to Other Types of Field Presences.”
transition from the UN Stabilization Mission in Haiti (MINUSTAH) to the UN Mission for Justice Support in Haiti (MINUJUSTH). Exit strategies do not always follow such linear trajectories, however, and, as noted earlier, missions may depart even when POC benchmarks have not been met.

It is not only the departure of peacekeepers that needs to be managed as part of exit strategies; missions also need to reconfigure the role of their military component in providing physical protection as their geographic coverage and number of troops are reduced, often over the course of several years. This requires greater mobility for troops and quick-reaction capabilities, which may be cheaper than fixed bases. For example, over the last couple of years, MONUSCO has replaced its "protection by presence" approach with a strategy of "protection through projection," which relies on smaller, more mobile military units. It closed eight locations across the country in 2019 and no longer expects to be able to offer adequate protection to civilians in all priority areas, instead concentrating on the most insecure areas where civilians face the greatest risks. The mission has developed standard operating procedures to manage the process of closing these bases so as to properly communicate the change with local communities and minimize their protection concerns.

More research is required to understand which approaches to military drawdowns work best as part of exit strategies so that missions can continue to respond to the most critical threats to civilians while gradually phasing out of this role. To avoid critical gaps, missions could also consider the complementary role of other actors in physically protecting civilians. For example, the unarmed civilian protection approach that NGOs such as Nonviolent Peaceforce have pioneered could be a complement to the protection provided by UN military and police personnel.

As the number of UN peacekeepers decreases, the onus for protecting civilians will shift to state security forces. While all state security forces are responsible for protecting civilians, host-state authorities may develop specific units with this explicit role. For example, the Sudanese government has been developing a POC force of 12,000 personnel to provide protection in Darfur following the departure of UNAMID. Similarly, with the help of MINURCAT, Chadian authorities established the Département intégré de sécurité to provide security in the east of the country, which continued to be supported by the UN High Commissioner for Refugees (UNHCR) and UN Development Programme (UNDP) following the departure of the mission in 2010. Even once there are no longer UN troops on the ground, military and police advisers can continue supporting state security forces in fulfilling their POC responsibilities, including by advising on military doctrine and operational planning.

As UN support to state security forces increases during peacekeeping transitions, the UN Human Rights Due Diligence Policy (HRDDP) will become a more important tool for promoting POC. The HRDDP, which was adopted by the UN in 2011, requires UN entities to carry out a risk assessment prior to providing support to state security forces to ensure they do not contribute to human rights violations. Over the last ten years, most UN peacekeeping missions have been mandated to adhere to the HRDDP and have developed standard operating procedures to implement its key provisions. The HRDDP equally applies to SPMs and

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59 For more detail on the implications of this approach to POC see: Ibid.
60 UN Doc. S/2020/1041.
63 See: UN Doc. S/2020/901.
65 The HRDDP was formally adopted by the Security Council in 2013.
UN agencies, funds, and programs, which can use it to increase respect for human rights by state security forces they are supporting even after the departure of a UN peacekeeping mission.

Establishing a Protective Environment to Address the Root Causes of Threats to Civilians

The third-tier of the POC concept (establishing a protective environment) increases in importance during transitions as the strategic goals of a mission shift toward enhancing national ownership of POC and addressing the root causes of threats to civilians as part of broader peacebuilding efforts. Many of the activities undertaken by UN peacekeeping operations under this tier, such as SSR, rule of law support, and DDR should grow in prominence during transitions. These activities will continue under other UN entities and non-UN actors after the exit of a mission, and missions should therefore closely coordinate with all necessary partners in planning how to transition them.

The Global Focal Point for the Rule of Law (GFP) is an important mechanism to coordinate rule of law support by all relevant UN entities in crisis settings through the continuum from peacekeeping to peacebuilding. The GFP, a UN platform co-chaired by DPO and UNDP, is designed to strengthen the provision of rule of law assistance in crisis settings through technical expertise, knowledge sharing, resource mobilization, and joint programming. After a peacekeeping mission leaves, rule of law support may be included in the mandate of an SPM. In addition, while POC has not been a central part of UNDP assistance, its human rights-based approach to development assistance addresses many similar concerns. Furthermore, UNDP’s work on conflict prevention, peacebuilding, rule of law support, reconciliation, and support to state institutions overlaps with peacekeeping missions’ substantive priorities under tier 3 of POC, making it a natural successor to undertake much of a mission’s programmatic work. However, UNDP country offices have significantly less capacity than missions, and they often struggle to assume these responsibilities completely. For resource-intensive activities such as SSR and DDR, peacekeeping operations also need to develop strategic partnerships with other multilateral and bilateral development actors such as the World Bank and bilateral donors to effectively manage transitions.

As noted earlier, transition planning related to POC needs to start early and take a long-term approach to addressing the root causes of threats to civilians. While UN peacekeeping operations do not have the mandate or the capacity to address many structural causes of violence, they can keep these root causes in mind while working with other actors as part of a long-term peacebuilding strategy. The “triple nexus” approach, which aims to enhance collaboration between humanitarian, development, and peace actors, is particularly relevant during transitions. Given that addressing protection challenges in crisis settings requires long-term changes to the behavior of the parties to conflict and other structural changes, the nexus approach provides opportunities to enhance POC over the long term. This requires all relevant actors to arrive at a common assessment of risks and to identify interventions and programs that can address the root causes of threats to civilians. However, there is limited guidance about how the nexus approach should be applied in practice, particularly in relation to protection. Nonetheless, the Global Protection Cluster has begun to support its field clusters in implementing the nexus approach and plans to develop such guidance. It should engage with DPO and other actors as part of this process.

It is important that UN peacekeeping operations not only plan and coordinate their approach to POC with other UN entities but also begin to engage in joint programs to facilitate the transfer of responsibilities. A relatively recent innovation has been missions making their assessed budget available to other UN entities through joint programming, which has helped promote integration.

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67 For more detail, see the fact sheet on the GFP at https://peacekeeping.un.org/sites/default/files/gfp_factsheet.pdf.
68 Forti and Connolly, “Pivoting from Crisis to Development,” p. 10.
69 See, for example: Damian Lilly, “Protection and the Nexus: Tensions and Opportunities,” Overseas Development Institute, April 2020.
70 The Inter-Agency Standing Committee has recently developed guidance on one aspect of the nexus approach: the elaboration of collective outcomes. See: Inter-Agency Standing Committee, “Policy: Light Guidance on Collective Outcomes,” May 2020.
between missions and UNCTs on substantive issues. For example, in Darfur, UNAMID established state liaison functions, which involved the seconding of its personnel to UN agencies at the local level to facilitate the transfer of its mandated tasks. While this led to complicated reporting lines, it increased the protection capacity of humanitarian actors in Darfur. In 2019, UNAMID also made available $32 million for joint projects with the UNCT in the areas of the rule of law, human rights, and durable solutions. Ahead of the final drawdown of the mission in December 2020, UNAMID and the UNCT organized a series of joint protection missions to locations where the mission is exiting from but where civilians are expected to continue facing risks.

Conclusion

Twenty years on from the Security Council first mandating a UN peacekeeping operation to protect civilians, the UN’s approach to POC is entering a new phase in which missions are being called upon not only to respond to threats to civilians but also to plan for their exit and a shift toward peacebuilding. The premature departure of UN peacekeeping operations when civilians continue to face threats presents a potentially serious reputational risk to the UN that needs to be carefully managed. The UN should adapt its approach to POC to reflect this reality and should develop a system-wide strategy to ensure smooth and sustainable peacekeeping transitions. This requires UN peacekeeping missions to shift their strategic focus from the operational response to threats to civilians to the enhancement of national ownership of POC. In post-crisis settings, military-dominated responses to POC should give way to civilian-led approaches that prioritize a broader set of activities while maintaining POC as a central component of the UN’s political strategy. It is particularly important that the UN recognizes POC as a long-term endeavor that requires a broad set of interventions.

The UN should develop a system-wide strategy to ensure smooth and sustainable peacekeeping transitions.

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