

# SECURITY COUNCIL BACKGROUND GUIDE 2017

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# NATIONAL MODEL UNITED NATIONS



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### Abbreviations

<b>AMIS</b>	African Union Mission in Sudan
<b>AMISOM</b>	African Union Mission in Somalia
<b>APSA</b>	African Peace and Security Architecture
<b>ASF</b>	African Stand-by Force
<b>AU</b>	African Union
<b>C-34</b>	Special Committee on Peacekeeping Operations
<b>CAR</b>	Central African Republic
<b>CEWS</b>	Continental Early Warning System
<b>DFS</b>	Department of Field Support
<b>DPA</b>	Department of Political Affairs
<b>DPKO</b>	Department of Peacekeeping Operations
<b>EU</b>	European Union
<b>FARC</b>	Fuerzas Armadas Revolucionarias de Colombia
<b>GNA</b>	Government of National Accord
<b>GNC</b>	General National Congress
<b>HIPPO</b>	High-level Independent Panel on UN Peace Operations
<b>HoR</b>	House of Representatives
<b>HRC</b>	Human Rights Council
<b>ICC</b>	International Criminal Court
<b>ICTR</b>	International Criminal Tribunal for Rwanda
<b>ICTY</b>	International Criminal Tribunal for the Former Yugoslavia
<b>IDP</b>	Internally displaced person
<b>IHL</b>	International humanitarian law
<b>IOM</b>	International Organization for Migration
<b>IS</b>	Islamic State
<b>LPA</b>	Libyan Political Agreement
<b>MSF</b>	Médicins Sans Frontières
<b>NATO</b>	North Atlantic Treaty Organization
<b>NGO</b>	Non-governmental organization
<b>OCHA</b>	Office for the Coordination of Humanitarian Affairs
<b>OHCHR</b>	Office of the United Nations High Commissioner for Human Rights
<b>OPCW</b>	Organisation for the Prohibition of Chemical Weapons
<b>PAIDA</b>	Partnership on Africa's Integration and Development Agenda
<b>PBC</b>	Peacebuilding Commission
<b>PKO</b>	Peacekeeping operation
<b>PoC</b>	Protection of Civilians
<b>PotW</b>	Panel of the Wise
<b>PSC</b>	Peace and Security Council
<b>REC</b>	Regional Economic Community
<b>SC</b>	Security Council
<b>SEA</b>	Sexual exploitation and abuse
<b>SG</b>	Secretary-General
<b>SSR</b>	Security Sector Reform
<b>R2P</b>	Responsibility to Protect
<b>TCC</b>	Troop-contributing country
<b>TYCBP</b>	Ten-Year Capacity-Building Program
<b>UN</b>	United Nations
<b>UN-Women</b>	United Nations Entity for Gender Equality and the Empowerment of Women
<b>UNAMID</b>	African Union-United Nations Hybrid Operation in Darfur
<b>UNAMSIL</b>	United Nations Mission in Sierra Leone
<b>UNCT</b>	United Nations Country Team
<b>UNDP</b>	United Nations Development Programme
<b>UNHCR</b>	Office of the United Nations High Commissioner for Refugees
<b>UNICEF</b>	United Nations Children's Fund
<b>UNMAS</b>	United Nations Mine Action Service
<b>UNMISS</b>	United Nations Mission in the Republic of South Sudan
<b>UNOAU</b>	United Nations Office to the African Union
<b>UNSMIL</b>	United Nations Support Mission in Libya

## Committee Overview

### Introduction

After the devastating effects of two world wars, the international community decided to establish the United Nations (UN) as an intergovernmental organization with the primary responsibility of maintaining international peace and security, creating the conditions conducive to economic and social development, while advancing universal respect for human rights.<sup>1</sup> The Security Council was established as one of its six principal organs and was given the primary responsibility to preserve international peace and security.<sup>2</sup>

The **United Nations Security Council** is one of the six primary organs of the United Nations, mandated by the *Charter of the United Nations* to maintain international peace and security. The Council submits an annual report to the General Assembly.

The Security Council held its first session on 17 January 1946 at Church House in London.<sup>3</sup> After its first meeting, the Council relocated to its permanent residence at the UN Headquarters in New York City.<sup>4</sup> At that time, five permanent members and six non-permanent members comprised the membership of the Council.<sup>5</sup> However, over subsequent years, discussions regarding the structure of the Council began to take place.<sup>6</sup> In 1965, the number of non-permanent members increased to ten, and although membership has not changed since, discussions regarding a change in configuration take place frequently.<sup>7</sup>

During the Cold War, disagreements between the United States of America and the former Soviet Union blocked the Council from being an effective institution due to lack of agreement on even the most basic of issues.<sup>8</sup> However, over the last two decades, progress has happened, especially in the field of peacekeeping missions, which have improved to cover a wider range of issues, including facilitating a political process (including elections), protecting human rights, and assisting with disarmament.<sup>9</sup> Additionally, traditional challenges to international peace and security have shifted, forcing the Council to adapt to new scenarios, such as the challenge of addressing multiple humanitarian crises simultaneously, and in different regions of the world.<sup>10</sup> After 2000, terrorism, extremism, and other thematic, rather than country-specific issues, became priorities of the Council, as evidenced by the adoption of a range of resolutions and the establishment of several subsidiary bodies on cross-cutting issues.<sup>11</sup>

The Committee Overview will provide a comprehensive synopsis of the history, mandate, structure, functions and recent proceedings of the Security Council. The goal of the Overview is to provide a full understanding of the UN's main policymaking body in the area of international peace and security, and to provide delegates with a clear vision about the Council's mandate and powers. The text will outline the concrete functions of the Security Council, whose main goal is to maintain international peace and security.

### Governance, Structure, and Membership

The Security Council is the only UN body that has the power to adopt binding resolutions.<sup>12</sup> This means that when the Council adopts a resolution, Member States, in accordance with Article 25 of the *Charter of the United Nations* (1945), are obliged to accept and carry out the Council's recommendations and decisions.<sup>13</sup> The Security Council

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<sup>1</sup> *Charter of the United Nations*, 1945, Preamble.

<sup>2</sup> UN Security Council, *What is the Security Council?*, 2016.

<sup>3</sup> *Ibid.*

<sup>4</sup> *Ibid.*

<sup>5</sup> Hanhimäki, *The United Nations: A Very Short Introduction*, 2008, p. 32.

<sup>6</sup> *Ibid.*

<sup>7</sup> Bourantonis, *The History and Politics of UN Security Council Reform*, 2005, p. 10.

<sup>8</sup> Encyclopaedia Britannica, *United Nations Security Council*, 2014.

<sup>9</sup> UN Security Council, *Structure*, 2016.

<sup>10</sup> Council on Foreign Relations, *CFR Backgrounders: The UN Security Council*, 2015; Encyclopaedia Britannica, *United Nations Security Council*, 2014.

<sup>11</sup> Security Council Report, *September 2014 Monthly Forecast: Counter-Terrorism*, 2014.

<sup>12</sup> UN Security Council, *What is the Security Council?*, 2016.

<sup>13</sup> *Charter of the United Nations*, 1945, Art. 25.

also has a variety of other tools to address issues on its agenda.<sup>14</sup> For example, the President of the Security Council may issue press statements or presidential statements to communicate the position of the Council.<sup>15</sup> Although they are not legally-binding,<sup>16</sup> such statements are used to bring attention to important issues, and to make recommendations to solve conflicts.<sup>16</sup>

### *Membership*

The Security Council is comprised of five permanent members and 10 non-permanent members. The five permanent members of the Security Council are: China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.<sup>17</sup> Every year, the General Assembly elects five of the 10 non-permanent members for a two-year term.<sup>18</sup> Elections for non-permanent seats on the Council can be extremely competitive, with countries expressing interest years in advance.<sup>19</sup> Countries elected to serve on the Security Council are expected to represent the interests of their region; they usually have an influence at the international level and demonstrate leadership in specific areas of interest to their foreign policy.<sup>20</sup> Angola, Egypt, Japan, Malaysia, New Zealand, Senegal, Spain, Ukraine, Uruguay, and Venezuela are the current non-permanent members.<sup>21</sup> Security Council elections for non-permanent members are held in June, six months before the term starts.<sup>22</sup> This change allows Member States ample time to prepare for their new role.<sup>23</sup> The 10 non-permanent members represent countries from five groups: Africa, the Asia-Pacific Group, Latin America and the Caribbean, the Eastern European Group, Western European and Other.<sup>24</sup> For the upcoming term, Italy and the Netherlands will be splitting one of the European seats, with each holding the seat for one year.<sup>25</sup> This decision was reached after they both failed to achieve a two-thirds majority after five rounds of voting.<sup>26</sup> As is customary in Security Council elections, after multiple rounds of voting, compromise is often sought in order to fill the seat.<sup>27</sup>

### *Presidency*

Each member of the Security Council holds the presidency of the Council for one month, rotating according to alphabetical order.<sup>28</sup> Security Council meetings can be held at any time when convened by the President and by the request of any Member State.<sup>29</sup> Under Article 35 of the Charter, the President shall call a meeting if a dispute or situation calls the Council's attention.<sup>30</sup> According to Rule 6 of the Provisional Rules of Procedure, all concerns that are brought to the attention of the Secretary-General (SG) are drafted in an agenda that is approved by the President of the Security Council.<sup>31</sup>

### *Participation*

Any Member State of the UN may attend the Council's sessions if the body decides to extend an invitation.<sup>32</sup> Member States are invited if the Security Council is discussing an issue that directly concerns the interests of the

<sup>14</sup> UN Security Council, *Functions and Powers*, 2016.

<sup>15</sup> NGO Working Group on Women, Peace and Security, *Mapping Women, Peace and Security in the United Nations Security Council: Report of the NGOWG Monthly Action Points, 2009-2010*, 2010, p. 11.

<sup>16</sup> *Ibid.*, p. 15.

<sup>17</sup> UN Security Council, *Current members*, 2016.

<sup>18</sup> *Ibid.*

<sup>19</sup> UN DPI, *Ahead of Security Council elections, General Assembly President explains how a country can get a non-permanent seat*, 2016.

<sup>20</sup> Bourantonis, *The History and Politics of UN Security Council Reform*, 2005, p. 6.

<sup>21</sup> UN Security Council, *Current members*, 2016.

<sup>22</sup> UN General Assembly, *Revitalization of the work of the General Assembly (A/RES/68/307)*, 2014, p. 4.

<sup>23</sup> UN DPI, *Ahead of Security Council elections, General Assembly President explains how a country can get a non-permanent seat*, 2016.

<sup>24</sup> UN General Assembly, *Rules of procedure*.

<sup>25</sup> *Italy, Netherlands ask to share Security Council seat*, Al Jazeera, 2016.

<sup>26</sup> *Ibid.*

<sup>27</sup> UN DPI, *Ahead of Security Council elections, General Assembly President explains how a country can get a non-permanent seat*, 2016.

<sup>28</sup> UN Security Council, *Provisional rules of procedure*, 2016.

<sup>29</sup> UN Security Council, *Repertoire of the practice of the Security Council*, 2016.

<sup>30</sup> *Charter of the United Nations*, 1945, Art. 35.

<sup>31</sup> UN Security Council, *Provisional rules of procedure*, 2016.

<sup>32</sup> *Ibid.*

Member State.<sup>33</sup> Invited Member States do not have the right to vote, but are allowed to submit proposals and draft resolutions.<sup>34</sup> Furthermore, those Member States can inform the Council about a current crisis in their region.<sup>35</sup> However, such proposals may only be put to a vote at the request of a member of the Council.<sup>36</sup>

### *Subsidiary Organs*

The Security Council has many subsidiary bodies established under Article 29 of the Charter, including: the International Criminal Tribunal for the Former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), sanctions committees, and ad hoc committees, such as the Ad Hoc Sub-Committee on Namibia.<sup>37</sup> The Peacebuilding Commission (PBC) is a body that reports jointly to the General Assembly and the Security Council.<sup>38</sup> Additionally, Security Council Member States participate in various working groups, which discuss the topics of concern of the Security Council.<sup>39</sup> These working groups consist of some or all of the Security Council Member States, and focus on regional issues, as well as improving the working methods of the Security Council itself.<sup>40</sup> The Security Council is also responsible for determining if, when, and where a Peacekeeping operation is needed.<sup>41</sup> A Peacekeeping operation is created through an adopted Security Council resolution, and the Security Council must monitor the operation through reports issued by the SG, as well as specific Security Council meetings.<sup>42</sup>

### *Voting*

Every Member State of the Security Council has one vote.<sup>43</sup> Votes on all matters require a majority of nine Member States.<sup>44</sup> However, if one of the five permanent members of the Security Council votes “no” on a matter of substance, such as a draft resolution, it does not pass.<sup>45</sup> This is known as the “veto power.”<sup>46</sup> In the 1950s, Security Council Member States, in particular the former Soviet Union, made frequent use of their veto power, but its usage declined in the 1960s, rising again in the 1970s and 1980s.<sup>47</sup> In the last decades, the use of the veto power has been on a comparatively low level.<sup>48</sup> In recent years, the Council has adopted many resolutions by consensus and has only been divided on a very limited number of issues; a prominent example being the case of Syria.<sup>49</sup>

### ***Mandate, Functions, and Powers***

The mandate of the Security Council is to maintain international peace and security, and to take action whenever peace and security are threatened.<sup>50</sup> The Council’s authority is particularly relevant with respect to the UN’s four primary purposes, as specified in the *Charter of the United Nations*: maintaining international peace and security; developing friendly relations among nations; cooperating in solving international problems; promoting respect for human rights, as well as being a center for harmonizing the actions of nations.<sup>51</sup> Chapters VI and VII of the *Charter of the United Nations* specifically concern the Security Council and the range of actions that can be taken when settling disputes.<sup>52</sup> Although the main goal is always to dissolve the disputes, Chapter VI aims to achieve this by

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<sup>33</sup> *Charter of the United Nations*, 1945, art. 31.

<sup>34</sup> UN Security Council, *Provisional rules of procedure*, 2016.

<sup>35</sup> UN Security Council, *Provisional rules of procedure*, 2016.

<sup>36</sup> *Ibid.*

<sup>37</sup> UN Security Council, *Structure*, 2016.

<sup>38</sup> *Ibid.*

<sup>39</sup> UN Security Council, *Repertoire of the practice of the Security Council*, 2016.

<sup>40</sup> *Ibid.*

<sup>41</sup> United Nations Peacekeeping, *Role of the Security Council*, 2016.

<sup>42</sup> *Ibid.*

<sup>43</sup> *Charter of the United Nations*, 1945, art. 27.

<sup>44</sup> *Ibid.*

<sup>45</sup> Hanhimäki, *The United Nations: A Very Short Introduction*, 2008, p. 52.

<sup>46</sup> *Ibid.*

<sup>47</sup> Security Council Report, *In Hindsight: The Veto*, 2013; Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

<sup>48</sup> Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

<sup>49</sup> Security Council Report, *In Hindsight: Consensus in the Security Council*, 2014; Security Council Report, *In Hindsight: The Veto*, 2013.

<sup>50</sup> UN Security Council, *What is the Security Council?*, 2016.

<sup>51</sup> *Charter of the United Nations*, 1945, art. 1.

<sup>52</sup> *Ibid.*

peaceful means, whereas Chapter VII explores further actions that can be taken.<sup>53</sup> As noted in Chapter VI, the role of the Security Council is to determine the severity of the dispute brought before the body and the impact of the dispute internationally.<sup>54</sup> Any Member State is able to report a dispute to the Security Council.<sup>55</sup> The Security Council is responsible for making recommendations to broker peace that take into considerations the previously attempted measures by the parties involved.<sup>56</sup> Under Chapter VII, the Security Council has the authority to implement provisional measures aimed to deescalate the situation.<sup>57</sup> If the provisional measures are ignored or are unsuccessful, the Security Council may decide to call upon military forces to act on behalf of the UN.<sup>58</sup> Non-military actions that can be implemented include blockades or economic interruptions. The *Charter of the United Nations* provides the Security Council with a number of powers in order to guarantee international security:

- **Sanctions:** Pursuant to Article 41 in the Charter, the Council can call its members to apply economic sanctions and other measures not involving the use of force to prevent or end violence.<sup>59</sup> These include economic sanctions, financial penalties and restrictions, travel bans, severance of diplomatic relations, and blockades, among others.<sup>60</sup> It may further mandate arms embargos, enforce disarmament, or call upon international criminal mechanisms to become active.<sup>61</sup>
- **Diplomatic Tools:** The Council has a mandate to investigate any dispute or situation that might lead to aggressions between states or other non-state groups or within states' national territories.<sup>62</sup> In order to do so, it may "recommend methods of adjusting such disputes or the terms of settlement; formulate plans for the establishment of a system to regulate armaments; determine the existence of a threat to the peace or act of aggression and recommend what action should be taken."<sup>63</sup>
- **Military Action:** Besides the above-mentioned diplomatic instruments, the Council may also take military action against a state or other entity threatening international peace and security and may further decide on the deployment of troops or observers.<sup>64</sup> Article 39 of the Charter states that the Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression.<sup>65</sup> Due to the voting structure, some regions of the world are underrepresented and others use their veto to block draft resolutions.<sup>66</sup> Again, Syria serves as an example, where the international community did not have the power to act because the Russian and Chinese vetoes.<sup>67</sup> The Security Council may also decide upon the deployment of new UN peacekeeping operations to be led by the Department of Peacekeeping Operations, as well as the extensions of their mandates and subsequent modification or drawdown of any troops.<sup>68</sup>
- **Partnerships:** The Council also cooperates with a number of international and regional organizations as well as non-governmental organizations (NGOs) to implement its decisions.<sup>69</sup> Cooperation between the Security Council and UN-related organizations, such as the Organisation for the Prohibition of Chemical Weapons and the International Atomic Energy Agency, is significant; but partnerships with independent

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<sup>53</sup> Ibid.

<sup>54</sup> Ibid., art. 34.

<sup>55</sup> Ibid., art. 35.

<sup>56</sup> Ibid., art. 36.

<sup>57</sup> Ibid., art. 40.

<sup>58</sup> Ibid., art. 41.

<sup>59</sup> Ibid.

<sup>60</sup> Biersteker, T., et al, *The Effectiveness of United Nations Targeted Sanctions*, 2013; UN Security Council, *United Nations Security Council: About*, 2014.

<sup>61</sup> Cousens & Malone, *Conflict Prevention in The UN Security Council: From the Cold War to the 21st Century*, 2004, p. 111.

<sup>62</sup> UN Security Council, *Functions and Powers*, 2016.

<sup>63</sup> *Charter of the United Nations*, 1945.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> *Charter of the United Nations*, 1945; Security Council Report, *In Hindsight: The Veto*, 2013; Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

<sup>67</sup> Security Council Report, *In Hindsight: The Veto*, 2013; Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

<sup>68</sup> UN DPKO, *Forming a New Operation*.

<sup>69</sup> UN Security Council, *Repertoire of the practice of the Security Council*, 2016.

intergovernmental organizations such as the North Atlantic Treaty Organization and the African Union are also of paramount importance for addressing a broad range of issues such as terrorism, disarmament, nuclear nonproliferation, extreme violence from non-state actors, among others.<sup>70</sup>

### ***Recent Sessions and Current Priorities***

2016 is an important year for not only the Security Council, but for the UN as a whole. The current SG will retire from his position, with the body electing a successor.<sup>71</sup> The presidents of the Security Council and the General Assembly mutually called for candidate nominations in December 2015, most coming from Eastern Europe.<sup>72</sup> The Security Council has an important role in the selection of the SG.<sup>73</sup> The Security Council holds periodic straw polls to assess each candidate.<sup>74</sup> When the Security Council agrees on a viable candidate, the candidate is recommended to the General Assembly, who then confirms the appointment through a resolution.<sup>75</sup> Although the Security Council, unlike some UN bodies, does not have a set of predefined priorities, it has recently focused its attention on certain countries and regions, such as Sudan, South Sudan, Mali, Libya, Iran, and the Central African Republic (CAR).<sup>76</sup> The Security Council has established a committee with a mandate specifically concerning the CAR.<sup>77</sup> While playing a role in the successful elections that took place in early 2016, the Security Council was also instrumental in implementing an arms embargo upon the CAR.<sup>78</sup> The main goal of this embargo is to curb the smuggling and sale of weapons in the country.<sup>79</sup>

In 2013, the Security Council established the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA).<sup>80</sup> The mandate of MINUSMA is to stabilize the population throughout the country, while also reestablishing state authority.<sup>81</sup> The Security Council has taken an active role in the implementation of MINUSMA, and is working to eliminate all armed rebel groups with ties to terrorism.<sup>82</sup> Recently, the Security Council has renewed the mandate of MINUSMA, in order to aid the group in combating the continuous acts of terrorism within Mali's borders.<sup>83</sup> Furthermore, in 2011, through Resolution 1996, the Security Council created the United Nations Mission in the Republic of South Sudan (UNMISS), with the goal of ensuring peace in South Sudan as it continued the process of state-building.<sup>84</sup> The current violent situation in South Sudan has resulted in the Security Council calling for a complete ceasefire in the country, with the hope of protecting all civilians and their property.<sup>85</sup> The UN Under-Secretary-General for Peacekeeping has called for the Security Council to impose an arms embargo on South Sudan, following the multiple deaths of civilians and UN personnel surrounding the UNMISS compounds.<sup>86</sup>

The Security Council condemns all acts of terrorism, and aims to aid states in combating terrorist threats, in ways that align with the *Charter of the United Nations*.<sup>87</sup> In Somalia, Al-Shabaab, a terrorist group linked to Al-Qaeda, has been violently campaigning to install an Islamic State.<sup>88</sup> The African Union Mission in Somalia (AMISOM), mandated by the Security Council to combat Al-Shabaab, works to re-establish areas and populations devastated by

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<sup>70</sup>UN Security Council, *Structure*, 2016; UN Security Council, *Middle East (S/RES/2118 (2013))*, 2013.

<sup>71</sup> Kovanda, UN Secretary-General Election, *Global Policy Watch*, 2016.

<sup>72</sup> *Ibid.*

<sup>73</sup> Security Council Report, *July 2016 Monthly Forecast*, 2016.

<sup>74</sup> *Ibid.*

<sup>75</sup> WFM-IGP, *UN Secretary-General*.

<sup>76</sup> UN Security Council, *Highlights of the Security Council Practice 2014*, 2015.

<sup>77</sup> UN Security Council, *The situation in the Central African Republic (S/PV.7734)*, 2016, p. 6.

<sup>78</sup> *Ibid.*, pp. 6-7.

<sup>79</sup> *Ibid.*, p. 7.

<sup>80</sup> UN Security Council, *The situation in Mali (S/RES/2100(2013))*, 2013, p. 5.

<sup>81</sup> *Ibid.*, p. 7.

<sup>82</sup> UN Security Council, *The situation in Mali (S/RES/2295(2016))*, 2016, p. 5.

<sup>83</sup> UN Security Council, *Security Council Press Statement on Mali*, 8 August (SC/12473-AFR/3424-PKO/599), 2016.

<sup>84</sup> UN Security Council, *Reports of the Secretary-General on the Sudan (S/RES/1996(2011))*, 2011, p. 3.

<sup>85</sup> UN Security Council, *Reports of the Secretary-General on the Sudan and South Sudan (S/RES/2304(2016))*, 2016, p. 2.

<sup>86</sup> UN Security Council, *Security Council Must Consider Impose Arms Embargo on South Sudan, United Nations Peacekeeping Chief Tells Security Council (SC/12445)*, 2016.

<sup>87</sup> UN Security Council, *Security Council Press Statement on Al-Shabaab Attack in Somalia*, 15 January (SC/12205-AFR/3304), 2016.

<sup>88</sup> Masters & Sergie, Al-Shabab, *Council on Foreign Relations*, 2015.

the terrorist organization.<sup>89</sup> In resolution 2297 dated 7 July 2016 on “The Situation in Somalia,” the Security Council calls upon the Joint AU-UN Review to continue to support AMISOM and its efforts.<sup>90</sup> In Latin America, Colombia has been battling internally since 1964 with a rebel group called Fuerzas Armadas Revolucionarias de Colombia (FARC).<sup>91</sup> In 2016, the Security Council authorized the creation of an unarmed political mission in Colombia, to be used as a resource during the ceasefire and peace discussions between the government and FARC leaders.<sup>92</sup> As of August 2016, an agreement was reached, and the UN Mission in Colombia will continue to oversee the laying down of arms as it progresses.<sup>93</sup>

Furthermore, the five permanent Member States of the Council, together with Germany (P5+1) and Iran, signed an international agreement on Iran’s nuclear program in Vienna on 14 July 2015.<sup>94</sup> The Joint Comprehensive Plan of Action represents a historic international agreement that places limitations on Iran’s nuclear program, curbs its progress towards developing a nuclear weapon.<sup>95</sup> Additionally, the Security Council has authorized the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW) to work with Libya to safely destroy all chemical weapons, while reporting directly to the Security Council on the progress of this action.<sup>96</sup>

### ***Conclusion***

As the international community faces increasing asymmetrical threats from non-state actors and transnational organized crime, the Security Council has tried to adapt to new working methods.<sup>97</sup> The current situation in Somalia, Mali, and CAR showcase the Security Council’s inability to completely guarantee peace and security in all regions of the world.<sup>98</sup> But they also represent the systemic divides among Council members.<sup>99</sup> This lacking capacity can be partially explained by the Council’s controversial decision-making process, specifically the veto power of the five permanent members.<sup>100</sup> However, as the Security Council represents the only body within the UN that has the power to adopt binding resolutions, it is still the entity of utmost importance for the maintenance of international peace and security.<sup>101</sup>

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from: <http://www.un.org/en/documents/charter/index.shtml>

*As the fundamental principles of the Security Council are written down in the Charter of the UN, this document should be the first resource to consider. Article 23, which sets the membership structure and articles 23 to 26, which discuss its basic functions and powers, are of particular importance for understanding both the structure and function of the Security Council. In addition, articles 27 to 32 explain the Council's voting procedure and its overall structure. The Charter can be particularly helpful for delegates in understanding the powers and limitations of the body. Delegates will find Chapters VI and VII most helpful when researching the mandate of the Security Council, and also while at the conference simulating the body.*

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<sup>89</sup> AMISOM, *AMISOM mandate*, 2016.

<sup>90</sup> UN Security Council, *The situation in Somalia (S/RES/2297(2016))*, 2016, p. 4.

<sup>91</sup> Encyclopaedia Britannica, *FARC Colombian Militant Group*, 2016.

<sup>92</sup> UN Security Council, *Identical letters dated 19 January 2016 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General and the President of the Security Council (S/RES/2261(2016))*, 2016, p. 2.

<sup>93</sup> UN DPI, *Security Council reiterates commitment to Colombian peace process*, 2016.

<sup>94</sup> UN Security Council, *Non-proliferation (S/RES/2231(2015))*, 2015.

<sup>95</sup> *Ibid.*

<sup>96</sup> UN Security Council, *The situation in Libya (S/RES/2298(2016))*, 2016, p. 2.

<sup>97</sup> UN Security Council, *Structure*, 2016; UN Security Council, *1540 Committee*, 2015.

<sup>98</sup> Security Council Report, *September 2014 Monthly Forecast – Syria*, 2014.

<sup>99</sup> Security Council Report, *The Permanent Members and the Use of the Veto: An Abridged History*, 2013.

<sup>100</sup> *Ibid.*

<sup>101</sup> *Charter of the United Nations*, 1945, art. 24.

*The Council on Foreign Relations provides a comprehensive introduction into the structure and work of the Security Council and therefore constitutes a good starting point for more detailed research. The website discusses the Council's powers and possibilities in taking coercive actions and addresses broadly discussed issues as criticism to the Security Council's structure as well as possible reforms. In addition, the website contains links on further resources on the Security Council and recent international security issues as, for example, the Global Governance Monitor, which evaluates the international regime for armed conflict.*

Cousens, E., & Malone, D. (2004). Conflict Prevention, *The UN Security Council: From the Cold War to the 21st Century*. Boulder, Colorado: Lynne Rienner Publishers, Inc.

*This volume provides readers with a very detailed overview of the Security Council and its past and present challenges. Written on a high academic level, this book touches upon a large number of the Council's themes, institutions, and operations, explaining the Council's structure in depth. As it discusses major operations on four continents, the document can be a useful tool for detailed analysis on various international security crises.*

Hanhimäki, J. M. (2008). *The United Nations: A Very Short Introduction*, New York, New York: Oxford University Press.

*While giving a brief overview of the history, structure, mandate and perspective of the UN in general, this volume also includes a comprehensive section on the Security Council, as well as a separate chapter on peacekeeping and peacebuilding. The book offers a succinct explanation of the Council's political and operational constraints, including the veto power principle. It further provides delegates with a general overview of the importance of the Security Council for international security from its creation until now. Due to its comprehensive language, this book may serve delegates as a first starting point for further research on the Security Council as well as on international power relations.*

Security Council Report. (2016). *Security Council Report* [Website]. Retrieved 17 July 2016 from: <http://www.securitycouncilreport.org/>

*On the Security Council Report website, there is a separate page for each month that describes the action plan for the Security Council meetings that will take place. Every month the website is updated monthly to reflect the current agenda of the Security Council. Delegates will be able to review these pages throughout the year, beyond what is discussed in the guide. It will be helpful throughout the position paper process and even in the month of the conference. Delegates will also find links to UN source documents on this website, which will be helpful during their research.*

United Nations, Department of Public Information. (2016, February 11). *Speakers Differ over Use of Sanctions as Security Council Considers Working Methods of Its Subsidiary Bodies (SC/122338)* [Meetings Coverage]. Retrieved 17 July 2016 from: <http://www.un.org/press/en/2016/sc122338.doc.html>

*The Security Council published a press release that detailed the concerns of Member States regarding sanctions imposed by the Council. In this source, delegates will find the exact concerns of these Member States, and some recommendations on how to solve them. Member States that have sanctions imposed upon them were invited to the meeting, even though most are not current members of the Security Council. Delegates will be able to see how the sanctions affect Member States, as well as how the Security Council works during meetings. This document states that although it seems that sanctions have been successful in curbing the effects of Al-Qaeda, some Security Council representatives feel that the temporary sanctions may become permanent, causing more harm than good.*

United Nations, Security Council. (2016). What is the Security Council? [Website]. Retrieved 24 August 2016 from: <http://www.un.org/en/sc/about/>

*This website gives an overview of the Security Council's history, its mandate, and its basic functions and powers. It should be considered one of the most important resources and a foundation for delegates' further research, since it provides detailed information on how the*

*Security Council works in practice. The website contains the body's provisional rules of procedure and a section on frequently asked questions. The latter is particularly useful when it comes to understanding the Council's functions and powers. Delegates will find on this website detailed information about the Council's recent sessions as well as other worth noting outputs.*

United Nations, Security Council, 7731st meeting. (2016). *The situation in Somalia (S/RES/2297(2016))* [Resolution]. Retrieved 28 August 2016 from: [http://www.undocs.org/S/RES/2297\(2016\)](http://www.undocs.org/S/RES/2297(2016))

*This is a resolution that was recently adopted by the Security Council regarding the current situation in Somalia. This resolution condemns the attacks and civilian deaths caused by Al-Shabaab, and support the efforts made by AMISOM in their attempts to create a safer environment for the Somalian people. By reading this resolution, delegates will see that although the Security Council has the authority to impose sanctions or deploy peacekeeping operations, there are many other actions that can be taken as well. This resolution shows the wide scope that is the mandate of the Security Council, and the delegates will gain a greater understanding of the body as a result.*

United Nations, Security Council, 7754<sup>th</sup> meeting. (2016). *Reports of the Secretary-General on the Sudan and South Sudan (S/RES/2304(2016))* [Resolution]. Retrieved 28 August 2016 from: [http://www.undocs.org/S/RES/2304\(2016\)](http://www.undocs.org/S/RES/2304(2016))

*This resolution, recently adopted by the Security Council, condemns all acts of violence against civilians and UN personnel in South Sudan. The resolution calls for the implementation of the ceasefire that was recently declared, and also extends the mandate of UNMISS. By reading this resolution, delegates will get an understanding of the ways that the Security Council operates when it becomes involved in solving major conflicts. Specifically, this resolution will show the delegates the steps that need to be taken to achieve peace in a conflicting region.*

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- Security Council Report. (2013). *The Permanent Members and the Use of the Veto: An Abridged History*. Retrieved 20 September 2016 from: <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SCR-veto-insert-2.pdf>

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## I. Protection of Civilians in the Context of Peacekeeping Operations

### *Introduction*

The origins of United Nations (UN) peacekeeping date back to 1948 when UN military observers were first deployed to the Middle East.<sup>102</sup> At that time, the primary goal of peacekeeping was to maintain ceasefires and address inter-state conflicts, through a monitoring and reporting function.<sup>103</sup> With more than 60 years in existence, peacekeeping has gained a multidimensional character and now encompasses a wide range of activities, including the protection of civilians (PoC).<sup>104</sup> Nevertheless, it was not until 1999 that the Security Council declared PoC as central to its peacekeeping mandates and gave the first ever PoC mandate to the UN Mission in Sierra Leone (UNAMSIL).<sup>105</sup> The seminal *Report of the Panel on United Nations Peace Operations* (Brahimi Report) (2000) presented a thorough review of the UN peace operations and stipulated that PoC must be an intrinsic part of peacekeeping.<sup>106</sup>

Despite progress in terms of prioritizing PoC in mandates for peacekeeping operations, the implementation of such mandates has not always been successful.<sup>107</sup> The *Report of the High-level Independent Panel on UN Peace Operations* (HIPPO Report), published in June 2015, identified a growing gap between expectations and delivered results by peacekeeping operations in relation to PoC.<sup>108</sup> In addition, the multidimensionality and complexity of the missions brings with it significant issues including sexual and other crimes committed by peacekeeping personnel while being on duty in the host countries.<sup>109</sup> These acts, as well as the occasional inability of peacekeepers to protect civilians, exemplified by the experiences in Somalia, Rwanda, and Srebrenica during the 1990s, have undermined the UN's credibility in the past and caused the UN to approach PoC more systematically.<sup>110</sup> The following sections will evaluate the current stand of PoC in peacekeeping missions' mandating, planning, as well as implementation of protection mandates, followed by a presentation of the three tiered approach to protecting civilians, as developed in the operational concept on PoC, and a brief review of accountability mechanisms in peacekeeping.

### *International and Regional Framework*

In accordance with the *Charter of the United Nations* (1946), the Security Council is mandated to adopt resolutions establishing UN peacekeeping operations, and Chapters VI, VII, and VIII constitute the legal basis for UN peacekeeping.<sup>111</sup> Furthermore, international humanitarian, human rights, and refugee law form an important integral part of the normative framework for UN peacekeeping.<sup>112</sup> UN peacekeeping operations are conducted in accordance with the *Universal Declaration of Human Rights* (1948) and the UN peacekeeping personnel is bound to these human rights standards by international law.<sup>113</sup> The protection of fundamental rights of civilians, victims, and non-combatants is also the cornerstone of the international humanitarian law (IHL), which is reflected in the Geneva Conventions of 1949, particularly the *Fourth Geneva Convention relative to the Protection of Civilian Persons in*

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<sup>102</sup> UN Peacekeeping, *History of Peacekeeping*.

<sup>103</sup> Holt, *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*, 2009, p. 93; UN Peacekeeping, *The early years*.

<sup>104</sup> UN Peacekeeping, *Peace and security*.

<sup>105</sup> UN Peacekeeping, *Protection of civilians*; UN Security Council, *Establishment of the UN Mission in Sierra Leone (UNAMSIL) (S/RES/1270 (1999))*, 1999.

<sup>106</sup> UN General Assembly & UN Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/55/305-S/2000/809)*, 2000, p. 11.

<sup>107</sup> International Conference on the Protection of Civilians, *The Kigali Principles: A commitment to the Protection of Civilians*.

<sup>108</sup> UN General Assembly & UN Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/70/95-S/2015/446)*, 2015.

<sup>109</sup> *Ibid.*, p. 14.

<sup>110</sup> UN DPKO & UN DFS, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, pp. 36-38; UN Peacekeeping, *Success in peacekeeping*.

<sup>111</sup> *Charter of the United Nations*, 1945, Ch. V, Art. 24; Dag Hammarskjöld Library, *Security Council & Peacekeeping*.

<sup>112</sup> International Committee of the Red Cross, *Civilians protected under international humanitarian law*, 2010; UN DPKO & UN DFS, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, pp. 14-16.

<sup>113</sup> UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948; UN DPKO & UN DFS, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 14.

*Time of War*, and the two Additional Protocols (AP I and II) of 1977.<sup>114</sup> While the Geneva Conventions and AP I focus on PoC in international armed conflicts, Common Article 3 of the Geneva Conventions and AP II cover non-international armed conflict, establishing the minimum standards to follow concerning the treatment and protection of civilians.<sup>115</sup> IHL obliges parties to the conflict and individual combatants to conduct their military operations in conformity with fundamental humanitarian rules and treat civilians humanely.<sup>116</sup> The civilian population must be protected against all forms of violence, including murder, torture, and other cruel and degrading treatment, and wounded, sick, and shipwrecked people must be aided and cared for in all circumstances.<sup>117</sup> Special protection under IHL is guaranteed to women, children, as well as journalists, refugees, and medical and humanitarian personnel.<sup>118</sup>

Despite the comprehensive legal framework and internationally recognized rules for PoC in armed conflicts, civilians remain at high risk during armed conflicts.<sup>119</sup> Consequently, the first report by the Secretary-General on PoC in armed conflict was submitted to the Council in 1999, followed by resolution 1265 on the “Protection of Civilians in Armed Conflict,” which called for the enhancement of PoC in armed conflicts.<sup>120</sup> Since then, the Security Council adopted four additional resolutions concentrating on the “Protection of Civilians in Armed Conflict” in which the Council reiterated its desire to deepen its efforts in addressing civilian protection in UN peacekeeping mandates.<sup>121</sup>

To address the mismatch of available capacities and expectations of PoC, the *Framework for Drafting Comprehensive PoC Strategies in UN Peacekeeping Operations*, Brahimi Report, and HIPPO report provided landmark reviews of peace operations, putting PoC as central to UN peacekeeping, and made concrete recommendations to enhance the effectiveness of UN peace operations.<sup>122</sup> The HIPPO report recognized the necessity to formulate clear, realistic, and achievable mandates to manage expectations about what UN peacekeeping operations are able to achieve regarding PoC and offered a number of reforms and suggestions on how to better implement protection mandates on the ground.<sup>123</sup> Accordingly, the HIPPO report advised the Security Council to intensify the focus on PoC in its mission planning and analysis and recommended applying phased and sequenced mandates, which can be revised and changed depending on the situation on the ground.<sup>124</sup>

Both the Brahimi and the HIPPO reports have led to a number of peacekeeping reforms.<sup>125</sup> The Department of Peacekeeping Operations (DPKO), the Department of Field Support (DFS), and the UN Office for the Coordination of Humanitarian Affairs (OCHA), which are responsible for setting the core PoC policy guidelines, produced several reports serving as an important foundation for the PoC concept in UN peacekeeping, including the study on

*Protecting Civilians in the Context of UN Peacekeeping Operations* (2009), the *Framework for Drafting*

<sup>114</sup> *Geneva Convention relative to the Protection of Civilian Persons in Time of War (2nd part)*, 1949; *Geneva Convention relative to the Treatment of Prisoners of War*, 1949; *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 1977; *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, 1977.

<sup>115</sup> International Committee of the Red Cross, *The Geneva Conventions of 1949 and their Additional Protocols*, 2010.

<sup>116</sup> *Ibid.*

<sup>117</sup> International Committee of the Red Cross, *Summary of the Geneva conventions of 12 august 1949 and their additional protocols*, 2012, p. 3.

<sup>118</sup> *Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)*, 1977.

<sup>119</sup> Davies, *Reclaiming protection of civilians under international humanitarian law: Reflections from the Oslo global conference*, 2015.

<sup>120</sup> UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1265 (1999))*, 1999.

<sup>121</sup> UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1296 (2000))*, 2000; UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1674 (2006))*, 2006; UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1894 (2009))*, 2009; UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/2222 (2015))*, 2015.

<sup>122</sup> Gorur & Sharland, *Prioritizing the Protection of Civilians in UN Peace Operations*, 2016; OCHA, *Framework for Drafting Comprehensive Protection of Civilians Strategies in UN Peacekeeping Operations*, 2011.

<sup>123</sup> UN General Assembly & UN Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/70/95-S/2015/446)*, 2015, p. 44.

<sup>124</sup> *Ibid.*

<sup>125</sup> Oxfam Australia, *Chronological Evolution of the Protection of Civilians (POC) 1991-2012: Key documents*, 2013.

*Comprehensive Protection of Civilians Strategies in UN Peacekeeping Operations* (2011), and the *Operational Concept on the Protection of Civilians in UN Peacekeeping Operations* (2010).<sup>126</sup> However, despite these reform efforts, the implementation of the PoC mandates has not always been successful.<sup>127</sup> Accordingly, in May 2015, the Kigali International Conference on the Protection of Civilians took place, which brought together the biggest troop-and financial-contributing countries to discuss ways of a more effective implementation of protection efforts on the ground.<sup>128</sup> As a result, the contributing countries adopted the *Kigali Principles on the Protection of Civilians* (2015), in which they pledged to improve the preparedness of the peacekeeping staff by pre-deployment trainings and to deliver on their responsibility to protect civilians in accordance with the mandate.<sup>129</sup>

### ***Role of the International System***

Having the power to adopt resolutions with explicit PoC mandates, the Security Council provides the initial framework and guidance for the subsequent peacekeeping operations on the ground.<sup>130</sup> The Security Council also monitors peacekeeping and PoC activities through regular reports from the Secretary-General.<sup>131</sup> Since 1999, the Council has regularly held open debates on PoC, mostly on the ministerial level, and has produced seven cross-cutting reports on PoC in armed conflict.<sup>132</sup> Besides formulating country-specific PoC mandates for UN peacekeeping operations, the Security Council covers PoC as a thematic agenda item as well.<sup>133</sup> This is reflected in its resolutions on the “Protection of Civilians in Armed Conflict” and in other resolutions that address particularly vulnerable groups during armed conflict, such as women and children, as well as journalists, media professionals, health care workers, and humanitarian personnel.<sup>134</sup>

The Special Committee on Peacekeeping Operations (C-34), established by General Assembly resolution 2006(XIX) of 18 February 1965 with the aim of reviewing all peacekeeping-related issues, is the primary policymaking body for peacekeeping and plays an indispensable role for the PoC agenda.<sup>135</sup> Its periodic reviews and recommendations are of great importance to the General Assembly, Security Council, DPKO, and DFS.<sup>136</sup> In its latest report of 2015, C-34 noted accusations of continued serious misconduct by UN staff and related personnel, including but not limited to human rights violations and sexual exploitation of civilians, and strongly recommended the screening of personnel prior to their deployment in peacekeeping operations.<sup>137</sup>

Another key player in evaluating the status of peacekeeping is the Secretary-General who reports annually to the Council on peacekeeping-related issues and gives impetus for improvements and reforms.<sup>138</sup> His latest action in this regard was the 2015 report on “The future of United Nations peace operations” (A/70/357), in which he reiterated that PoC must be considered a mission-wide task and that UN protection efforts must be coherent.<sup>139</sup> To this end, he emphasized “empowering the field” through effective pre-deployment trainings, quick recruitment and timely deployment of civilian, military, and police personnel, and regular assessment of mission progress.<sup>140</sup>

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<sup>126</sup> Ibid.

<sup>127</sup> UN DPKO & UN DFS, *New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, 2009, p. 20.

<sup>128</sup> International Conference on the Protection of Civilians, *The Kigali Principles on the Protection of Civilians*, 2015.

<sup>129</sup> Ibid., pp. 4-6.

<sup>130</sup> UN Peacekeeping, *Role of the Security Council*.

<sup>131</sup> Ibid..

<sup>132</sup> Security Council Report, *Cross-Cutting Report: Protection of Civilians in Armed Conflict*, 2015.

<sup>133</sup> UNMISS, *Mandate*.

<sup>134</sup> UN Security Council, *Protection of Civilians in Armed Conflict S/RES/2222 (2015)*, 2015; UN Security Council, *Protection of the wounded and sick, medical personnel and humanitarian personnel in armed conflict (S/RES/2286 (2016))*, 2016; UN Security Council, *Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones S/RES/1502 (2003)*, 2003.

<sup>135</sup> UN General Assembly, *Statement by the President at Opening of 2015 Session of the Special Committee on Peacekeeping Operations (C34) on 17 February 2015*, in *New York*, 2015.

<sup>136</sup> Hanrahan, *The United Nations Special Committee on Peacekeeping Operations: From 1965 to 2005*, 2007, pp. 30-31.

<sup>137</sup> UN General Assembly, *Report of the Special Committee on Peacekeeping Operations (A/69/19)*, 2015, pp. 15-16.

<sup>138</sup> UN Peacekeeping, *Reports*.

<sup>139</sup> UN General Assembly & Security Council, *The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-level Independent Panel on Peace Operations (A/70/357)*, 2015, p. 5.

<sup>140</sup> Ibid.

In order to implement new incentives regarding peacekeeping, C-34 and the Security Council work very closely with DPKO and DFS, which are responsible for planning, deploying, and managing peacekeeping operations in the areas of logistics, communication, as well as financial and human resources.<sup>141</sup> The 2009 study on “Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges” found that DPKO lacks a codified concept of PoC and that specific protection components are missing in the planning process, resulting in the absence of a clear vision for the implementation of PoC tasks.<sup>142</sup> Consequently, the DPKO Peacekeeping Best Practice Unit and the PoC Coordination Team have undertaken substantial efforts around establishing better system-wide guidance and training materials for mission personnel on PoC.<sup>143</sup>

DPKO works together with uniformed police and military officers and civilian personnel.<sup>144</sup> Military personnel has the mandate to prevent and respond to threats of physical violence against civilians.<sup>145</sup> Furthermore, in today’s multidimensional peacekeeping operations, it strives to provide a secure and stable environment for other mission components.<sup>146</sup> Police personnel may further enhance PoC by undertaking preventive measures, ensuring public order, restoring rule of law, and protecting civilians from imminent threat.<sup>147</sup> Furthermore, the UN Police provides host states with “critical support in terms of advice and training,” including strengthening the capacity of domestic police.<sup>148</sup> Civilian support is also an indispensable component of peacekeeping operations, complementing activities of the military and police and deterring violence in conflict zones.<sup>149</sup> The physical presence of nonpartisan and unarmed peacekeepers is vital for the success of PoC.<sup>150</sup> Moreover, DPKO units that contribute to PoC, such as the Child Protection Unit, Women’s Protection Unit, and Gender Unit, deploy field-based child protection advisers, gender advisers, and women’s protection advisers to mainstream the protection of women and children as an integral part of all peacekeeping missions.<sup>151</sup> Finally, the DPKO provides human rights officers and senior PoC advisers with protection mandates who monitor the situation on the ground and coordinate implementation of PoC strategies.<sup>152</sup>

The Office of the High Commissioner for Human Rights (OHCHR) is focused on strengthening human rights in peacekeeping operations.<sup>153</sup> In line with the Rights Up Front initiative, which was launched in 2013 to address situations of serious and large-scale violations of human rights, OHCHR monitors and assesses potential human rights risks and reports on human rights violations, boosting early warning throughout the UN system and enabling more effective responses.<sup>154</sup> At the strategic level, OHCHR cooperates with DPKO and the Department of Political Affairs (DPA) to ensure the inclusion of human rights components in PoC policies and guidance.<sup>155</sup>

In order to improve PoC in armed conflicts, the UN collaborates with relevant regional and other intergovernmental organizations in this regard.<sup>156</sup> Security Council resolution 2167 of 2014 on “Regional organizations and peacekeeping” is the most recent effort to stress the importance of partnerships in peacekeeping.<sup>157</sup> The African

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<sup>141</sup> UN DPKO & UN DFS, *e-Guide to the United Nations Departments of Peacekeeping Operations and Field Support – A Resource for New Staff at Headquarters*, 2015, p. 95.

<sup>142</sup> Holt, *Protecting Civilians in the Context of UN Peacekeeping Operations*, 2009, pp. 99-102; Giffen, *Enhancing the Protection of Civilians in Peace Operations: From Policy to Practice*, 2011, pp. 7-8.

<sup>143</sup> UN Peacekeeping, *Peacekeeping Resource Hub – Policy & Guidance*.

<sup>144</sup> UN Peacekeeping, *Protection of civilians*.

<sup>145</sup> M decins Sans ronti res, *Voices of the people: "Security is the most important thing". Findings from MSF survey in the Malakal UN Protection of Civilian site*, 2016.

<sup>146</sup> UN DPKO & UN DFS, *e-Guide to the UN Departments of Peacekeeping Operations and Field Support*, 2015, p. 63.

<sup>147</sup> Holt, *Protecting Civilians in the Context of UN Peacekeeping Operations*, 2009, p. 123.

<sup>148</sup> UN DPI, *Police Often Seen as ‘Face’ of United Nations Peacekeeping Operations, Under-Secretary-General Says in Briefing to Security Council (SC/12119)*, 2015.

<sup>149</sup> UN Volunteers, *The power of volunteerism*; Wallis, *Nonviolent Peaceforce*, 2010.

<sup>150</sup> Julian & Schweitzer, *The Origins and Development of Unarmed Civilian Peacekeeping*, 2015, p. 1; UN DPKO & UN DFS, *New Partnership Agenda: Charting a New Horizon for UN Peacekeeping*, 2009, p. 19.

<sup>151</sup> UN DPKO & UN DFS, *e-Guide to the UN Departments of Peacekeeping Operations and Field Support*, 2015, pp. 26-33.

<sup>152</sup> UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict (S/2016/447)*, 2016.

<sup>153</sup> OHCHR, *What we do*.

<sup>154</sup> OHCHR, *Strengthening human rights in peace operations*; UNDG, *Human Rights up Front Initiative*.

<sup>155</sup> OHCHR, *Strengthening human rights in peace operations*.

<sup>156</sup> UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1674 (2006))*, 2006, p. 5.

<sup>157</sup> UN Security Council, *Enhancing the relationship between the United Nations and regional and subregional organizations, in particular the African Union (S/RES/2167 (2014))*, 2014.

Union (AU) has become a key actor and contact partner for civilian protection in peacekeeping operations in Africa.<sup>158</sup> The AU has successfully endeavored to mainstream PoC within the African peace and security architecture and was the first regional organization that developed operational-level guidance on PoC in peacekeeping operations.<sup>159</sup> Similarly, since 2010, the European Union (EU) has been operating with “Revised Guidelines on the Protection of Civilians in Common Security and Defense Policy Missions and Operations,” in which it adopted the operational concept on PoC developed by the UN and strengthened the role of PoC in EU missions and operations.<sup>160</sup> The UN also cooperates with the EU and the AU on the ground by establishing hybrid missions, benefitting from the provision of the resources and capabilities it needs for peacekeeping and PoC.<sup>161</sup>

### ***Protection through Political Processes***

Political strategies can contribute to resolving conflicts and, by appealing to governments to fulfill their primary responsibility to provide security and protection for their populations, enhance the long-term security of civilians and should therefore underlie and guide mission mandates.<sup>162</sup> However, mission activities to support political solutions and PoC do not always present complementary and mutually reinforcing mandated tasks and prioritizing a speedier political agreement may sometimes even increase immediate risks to civilians.<sup>163</sup> As the HIPPO report noted, protection mandates and political solutions must be interlinked and the support of political solutions should always be the mission’s ultimate objective, guiding all remaining peacekeeping tasks.<sup>164</sup> Nevertheless, as the Security Council stated in resolution 1894 of 2009 on “Protection of civilians in armed conflict,” PoC should maintain the highest priority over other mission activities, especially where violence against civilians takes place.<sup>165</sup>

### ***Providing Protection from Physical Violence***

Physical protection from imminent threat is the most visible form of PoC during peacekeeping operations and is thus an important indicator for measuring the success of a mission in protecting civilians.<sup>166</sup> Operations with the mandate to protect civilians under imminent threat of physical attack or physical violence focus on a range of diverse tasks, including preventive deployment of peacekeepers and other monitoring and early warning measures.<sup>167</sup> If serious human rights violations are underway, peacekeeping missions may be mandated to use “all necessary means” to deter hostile acts against civilians, including direct military action.<sup>168</sup> Despite this, the UN has faced repeated criticism for being unable to protect civilians from widespread violence due to slow deployment and inaction.<sup>169</sup> The latest wave of criticism erupted in 2016 after the UN Mission in the Republic of South Sudan (UNMISS) failed to protect the civilians residing in the PoC site in Malakal.<sup>170</sup> A special investigation conducted by a UN independent high-level board of inquiry found out that there was confusion over command and poor coordination between various civilian and uniformed peacekeepers.<sup>171</sup> Due to incidents such as the one in Malakal, there is a growing need for the Security Council to authorize robust mandates.<sup>172</sup> However, the implementation of such robust mandates is often hampered by inadequate coordination among various mission components, failure of troops to take actual

<sup>158</sup> African Union et al., *Draft Guidelines for the Protection of Civilians by African Union Peace Support Missions*, 2010.

<sup>159</sup> Ibid.

<sup>160</sup> Council of the European Union, *Revised Guidelines on the Protection of Civilians in CSDP Missions and Operations*, 2010.

<sup>161</sup> European Parliament, *EU-UN cooperation in peacekeeping and crisis management*, 2015.

<sup>162</sup> UN DPKO & UN DFS, *Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations*, 2010, p. 4.

<sup>163</sup> Gorur & Sharland, *Prioritizing the Protection of Civilians in UN Peace Operations*, 2016, p. 21.

<sup>164</sup> UN General Assembly & UN Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/70/95-S/2015/446)*, 2015, pp. 26-27.

<sup>165</sup> UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1894 (2009))*, 2009.

<sup>166</sup> Harston, *Protection of Civilians*, 2016, p. 14.

<sup>167</sup> UN DPKO & UN DFS, *Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations*, 2010, pp. 4-5.

<sup>168</sup> Ibid.

<sup>169</sup> UN General Assembly & UN Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/70/95-S/2015/446)*, 2015, p. 9.

<sup>170</sup> M decins Sans ronti res, *Voices of the people: "Security is the most important thing". Findings from MSF survey in the Malakal UN Protection of Civilian site*, 2016, p. 2.

<sup>171</sup> UN DPI, *South Sudan: Special investigation into Malakal violence completed, says UN*, 2016.

<sup>172</sup> Hultman, *Robust Peacekeeping: A Desirable Development?*, 2014.

action, lack of consent of the host government, and improper understanding of the rules of engagement by the personnel.<sup>173</sup>

### ***Establishing a Protective Environment***

The establishment of a protective environment is needed to ensure that the physical security of civilians as well as their human rights are guaranteed and includes measures such as child protection, prevention and combating of sexual and gender-based violence, and establishment of a safe and secure environment for the delivery of humanitarian aid.<sup>174</sup> In addition, building a protective environment involves providing support and assistance to host government authorities and strengthening of national institutions in the areas of security sector and rule of law.<sup>175</sup> Rule of law plays a key role for the physical security of civilians and the Security Council should therefore aim to ensure that this aspect is better incorporated into the work of peacekeeping operations through formulating clear, country-specific mandates and providing a synergy between the rule of law and PoC objectives.<sup>176</sup>

### ***Accountability***

During an open debate in the Security Council on PoC 10 June 2016, Secretary-General Ban Ki-moon presented his latest report on “Protection of civilians in armed conflict” in which he underlined the need for a renewed focus on accountability mechanisms in peacekeeping.<sup>177</sup> He further stated that human rights violations and sexual violence against civilians remain widespread and stressed that improving compliance with the fundamental norms of IHL and human rights law is “a prerequisite for improving protection of civilians.”<sup>178</sup> In this sense, the Secretary-General called for better monitoring and reporting of human rights violations and for strengthening national and international accountability mechanisms, including proper investigation and prosecution of committed crimes.<sup>179</sup>

Sexual exploitation and abuse (SEA) committed by UN personnel against civilians, including children, is a grave concern for the whole peacekeeping system.<sup>180</sup> Noting that the number of allegations of SEA perpetrated by UN personnel, especially military personnel, has increased, the report of the Secretary-General specified that by means of enhanced transparency and accountability, acts of sexual violence can be better addressed and prevented.<sup>181</sup> In a similar vein, on 11 March 2016, the Security Council adopted resolution 2272 on “United Nations peacekeeping operations,” in which it welcomed the Secretary-General’s continued efforts to strengthen his zero-tolerance policy that rules out impunity for personnel committing SEA.<sup>182</sup> It further stressed the importance of SEA pre-deployment training and called upon personnel contributing countries to hold the perpetrators accountable.<sup>183</sup>

Not only allegations of misconduct, but also the failure by peacekeepers to fulfill their responsibility of protecting civilians undermines the credibility of the UN.<sup>184</sup> States contributing troops or funds to peacekeeping operations pledged in the Kigali Principles that they would investigate and, where necessary, prosecute its personnel in the

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<sup>173</sup> Sloan, *UN Peacekeeping in Darfur: A ‘Quagmire’ That We Cannot Accept*, 2014; UN DPKO & UN DFS, *Protection of Civilians: Implementing Guidelines for Military components of United Nations Peacekeeping Missions*, 2015, p. 15.

<sup>174</sup> UN DPKO & UN DFS, *Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations*, 2010, p. 5.

<sup>175</sup> Harston, *Protection of Civilians*, 2016, p. 15; UN DPKO & UN DFS, *Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations*, 2010, p. 5.

<sup>176</sup> UN DPKO & UN DFS, *Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations*, 2010, p. 6; UN Rule of Law Unit, *The Rule of Law in the UN’s Intergovernmental Work*.

<sup>177</sup> UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict (S/2016/447)*, 2016.

<sup>178</sup> *Ibid.*, p. 4.

<sup>179</sup> *Ibid.*

<sup>180</sup> *Ibid.*, p. 7.

<sup>181</sup> UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General (A/70/729)*, 2016.

<sup>182</sup> UN General Assembly, *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General (A/70/729)*, 2016, p. 14; UN Security Council, *Sexual exploitation and abuse by United Nations peacekeepers (S/RES/2272 (2016))*, 2016.

<sup>183</sup> UN Security Council, *Sexual exploitation and abuse by United Nations peacekeepers (S/RES/2272 (2016))*, 2016.

<sup>184</sup> UN Peacekeeping, *Success in peacekeeping*.

event that they were unwilling or unable to protect civilians.<sup>185</sup> Accordingly, an independent special inquiry was launched to investigate UN peacekeepers' failure to respond appropriately to an attack on Juba residential compound in South Sudan.<sup>186</sup> The Council must strive to improve global mechanisms of accountability by including corresponding clauses in its peacekeeping resolutions and civilian protection mandates.<sup>187</sup>

### ***Conclusion***

Civilians account for the vast majority of casualties in today's armed conflicts.<sup>188</sup> The UN has recognized that the PoC is a core responsibility of the UN peacekeeping and strives to bring together the Security Council, the General Assembly, the Secretariat, especially by DPKO and DFS, as well as other national and international protection actors in order to provide better protection to civilians.<sup>189</sup> Successful PoC requires concerted and coordinated action among all protection actors and it has to adapt constantly to evolving environments, changing nature of conflicts and other challenges.<sup>190</sup> Furthermore, PoC must be mainstreamed into developing of protection strategies and overall planning of the peacekeeping operations and a better implementation of protection mandates must be ensured.<sup>191</sup> Last but not least, compliance with international humanitarian, human rights, and refugee law must be improved and accountability for violations must be consistently pursued.<sup>192</sup>

### ***Further Research***

PoC has become an integral part of UN peacekeeping, but several challenges still exist. Bearing this in mind while conducting research, delegates should consider questions such as: How can the integration of PoC components into peacekeeping strategies be improved? How can PoC mandates be better implemented on the ground? How can the cooperation of diverse protection actors be strengthened? What is the importance of peacekeeping partnerships? How can be ensured that the three tiers contained in the *DPKO/DFS Operational Concept on PoC in UN Peacekeeping Operations* are indeed mutually reinforcing? How the accountability for violations of international humanitarian and human rights law can be enhanced?

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African Union et al. (2010). *Draft Guidelines for the Protection of Civilians by African Union Peace Support Missions*. Retrieved 27 August 2016 from: <http://www.peaceau.org/uploads/draft-au-poc-guidelines-english.pdf>

*This draft guideline was designed to improve PoC in AU peacekeeping operations. It lists essential factors for mainstreaming PoC in the African peace and security architecture and explains how mission-specific protection strategies can be developed. Bearing in mind that conflicts across the globe differ greatly, making it hard to find general solutions, this draft gives a great example of how civilians can be protected in specific cases and thus provides an example of which other cases might benefit. Furthermore, the guideline introduces the tiered approach towards PoC that could be used for various cases around the world. Accordingly, this document provides important examples for delegates when they are looking for possible solutions for PoC in different environments and thus serves as a great supplement to the general literature on the topic under discussion.*

Holt, V., et al. (2009). *Protecting Civilians in the Context of UN Peacekeeping Operations: Successes, Setbacks and Remaining Challenges*. Retrieved 15 July 2016 from: <https://docs.unocha.org/sites/dms/Documents/Protecting%20Civilians%20in%20the%20Context%20of%20UN%20>  
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<sup>185</sup> International Conference on the Protection of Civilians, *The Kigali Principles on the Protection of Civilians*, 2015, p. 6.

<sup>186</sup> Burke & Pilkington, *UN under pressure over 'failure to act' during South Sudan rampage*, 2016.

<sup>187</sup> UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict (S/2016/447)*, 2016, p. 15.

<sup>188</sup> Harston, *Protection of Civilians*, 2016, p. 18.

<sup>189</sup> Gorur & Sharland, *Prioritizing the Protection of Civilians in UN Peace Operations*, 2016; UN Security Council, *Protection of Civilians in Armed Conflict (S/RES/1674 (2006))*, 2006, p. 2.

<sup>190</sup> Harston, *Protection of Civilians*, 2016, p. 20.

<sup>191</sup> UN General Assembly & UN Security Council, *Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/70/95-S/2015/446)*, 2015.

<sup>192</sup> UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict (S/2016/447)*, 2016.

[Peacekeeping%20Operations.pdf](#)

*This independent study conducted jointly by DPKO and OCHA focuses explicitly on PoC in peacekeeping operations. It stresses not only the considerable progress that has been achieved over the years, but particularly the setbacks and shortcomings of peacekeeping. It accentuates that current peacekeeping operations are still lacking systematic and consistent civilian protection on the ground. Accordingly, the study contains specific recommendations for improvement addressing a wide range of UN protection actors, including the Security Council, which seek to enhance PoC. Not only does this study provide a great overview of challenges of protecting civilians, but it serves as an example of how to make concrete recommendations to tackle and overcome these challenges. It also contains four detailed case studies, which show delegates various strategies on protection at the field level.*

International Conference on the Protection of Civilians. (n.d.). *The Kigali Principles: A commitment to the Protection of Civilians*. Retrieved 18 August 2016 from: <http://civilianprotection.rw>

*This website covering the 2015 Kigali International Conference on the Protection of Civilians and the resulting Kigali Principles focuses on how the international community can implement PoC mandates in peacekeeping operations more effectively and how it can achieve better-coordinated protection efforts on the ground. The conference took place in Rwanda, the fifth largest contributor of UN peacekeepers worldwide, and brought together the top personnel contributing as well as top financial contributing countries to UN peace operations. The Kigali Principles on the Protection of Civilians contain the pledges of these countries to improve civilian protection. The webpage contains a short as well as a long version of the Kigali Principles, complemented by statements of the speakers at the conference and further background information, which provides delegates with an idea of how concrete policies on PoC are adopted in practice.*

United Nations, Department of Peacekeeping Operations & United Nations, Department of Field Support. (2008). *United Nations Peacekeeping Operations: Principles and Guidelines* [Report]. Retrieved 17 July 2016 from: [http://www.un.org/en/peacekeeping/documents/capstone\\_eng.pdf](http://www.un.org/en/peacekeeping/documents/capstone_eng.pdf)

*This landmark document, also called UN Capstone Doctrine, draws on analysis contained in the Brahimi Report of 2000. It reflects the multidimensional nature and the unprecedented scale and scope of today's UN peacekeeping operations and tries to draw lessons from former operations.*

*This internal DPKO/DFS publication serves primarily as a guide for all military, police and civilian personnel serving at UN Headquarters as well as deployed in the field and helps them understand the basic principles of peacekeeping. Consequently, it strives to professionalize the management and conduct of peacekeeping operations. For delegates, this report provides a detailed background on the major principles guiding the planning and conduct of UN peacekeeping operations, including PoC.*

United Nations, General Assembly, Seventieth session. (2016). *Special measures for protection from sexual exploitation and sexual abuse: Report of the Secretary-General (A/70/729)*. Retrieved 18 August 2016 from: <http://undocs.org/A/70/729>

*This report of the Secretary-General provides data on allegations of sexual exploitation and abuse in the UN system in 2015 and addresses gaps in the current system. The report noted a regrettable increase in the number of allegations of sexual violence perpetrated by peacekeeping personnel. After providing a comprehensive overview of all reported cases of sexual exploitation and abuse in 2015, including detailed charts and tables, the report offers ways of how to strengthen measures for protection from sexual exploitation and abuse and how to better implement the Secretary-General's zero-tolerance policy. The document also contains a report of the external independent panel reviewing the UN response to allegations of sexual violence and other serious crimes by members of foreign military forces not under UN command in the Central African Republic. Since this report focuses on a very concrete challenge to PoC and peacekeeping in general, it provides delegates with an example of how current problems are recognized and addressed by the UN.*

United Nations, General Assembly, Fifty-fifth session & United Nations, Security Council, Fifty-fifth year. (2000).

*Comprehensive review of the whole question of peacekeeping operations in all their aspects (A/55/305–S/2000/809)*

[Report]. Retrieved 25 August 2016 from: <http://undocs.org/A/55/305>

*As the title suggests, this report analyzes peacekeeping operations in all their aspects from mandating and planning of peacekeeping operations to their deployment. Accordingly, one of its parts is devoted to PoC. The report notes that mandates for civilian protection must be matched by adequate resources needed to protect civilians and that expectations on the peacekeeping missions must be better managed in the future. Since this recent report discusses topics relevant to peacekeeping in general, such as “UN capacities to deploy operations rapidly and effectively,” “structural adjustments required in DPKO,” and “peace operations and the information age,” it presents a useful complementary source for delegates if they need to delve more into the whole problematic of peacekeeping.*

United Nations, General Assembly, Seventieth session & United Nations, Security Council, Seventieth year. (2015).

*The Future of United Nations Peace Operations: Implementation of the Recommendations of the High-level Independent Panel on Peace Operations (A/70/357)* [Report]. Retrieved 17 July 2016 from: <http://undocs.org/A/70/357>

*In October 2014, Secretary-General Ban Ki-moon established a 17-member High-level Independent Panel on UN Peace Operations and ordered them to conduct a comprehensive assessment of current UN peace operations. The report “The Future of United Nations Peace Operations” draws on the Panel's report and its proposed recommendations. First, it mentions the most profound problems and challenges linked to peacekeeping. Building on these challenges, the report sets out priorities for further action and proposes short-term measures as well as long-term strategic reforms of the peacekeeping system based on three pillars: renewed focus on prevention and mediation; stronger global-regional partnerships; and finding new ways of making UN peace operations more effective, efficient, and accountable. This report is a valuable source for delegates to garner a better understanding of the current challenges of peacekeeping operations. Moreover, they can critically review the priorities set by the Secretary-General for future peacekeeping actions and search for possible gaps and opportunities of further improvement.*

United Nations, Office for the Coordination of Humanitarian Affairs. (2011). *Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies in UN Peacekeeping Operations*. Retrieved 16 August 2016 from: <http://www.refworld.org/pdfid/523998464.pdf>

*The Framework aims to facilitate drafting of PoC strategies and so contribute to a more effective implementation of PoC mandates authorized by the Security Council. It divides the roles among protection actors, clarifies their responsibilities within the mission, describes various tasks and activities of the mission, and analyzes resources and capacities needed for a successful implementation of the PoC mandate. It guides the creation of a strategy from the first considerations prior to drafting an actual strategy to monitoring and reporting on implementation of PoC mandates, covering issues such as analysis of PoC risks, roles and responsibilities of protection actors, and coordination with other protection partners. This Framework, which builds upon the Operational Concept on the Protection of Civilians in UN Peacekeeping Operations, is a mandatory lecture for all DPKO/DFS personnel as well as staff of other UN entities involved in the peacekeeping missions. It provides a template upon which PoC strategies should be drafted. Thank to this source, delegates can get an impression of how PoC in peacekeeping operations is first planned and then, in the ideal case, implemented on the ground.*

United Nations Peacekeeping. (n.d.). *What is Peacekeeping?* [Website]. Retrieved 15 July 2016 from: <http://www.un.org/en/peacekeeping/operations/peacekeeping.shtml>

*This website highlights all important aspects regarding peacekeeping operations. It provides helpful answers to questions such as how peacekeeping is to be defined, what are its principles, what is the legal basis for peacekeeping, what are the mandates, and what is the role of the Security Council and other UN bodies in this regard. In addition, it gives a brief overview of the history of peacekeeping, its reform efforts as well as the current operations. Since peacekeeping*

*operations are organized as global partnerships between the UN and Member States, regional organizations, and other UN partners, the webpage also lists various options of such partnerships.*

*This website provides delegates with a broad overview of most relevant aspects of the topic under consideration and presents thus a good starting point for further research.*

United Nations, Security Council. (2016). *Report of the Secretary-General on the protection of civilians in armed conflict (S/2016/447)*. Retrieved 18 August 2016 from: <http://undocs.org/S/2016/447>

*This latest report of the Secretary-General on the protection of civilians in armed conflict, submitted within the newly introduced annual reporting cycle, reviewed the current state of PoC and provided recommendations aimed at making the PoC policies more consistent and systematic in the future. The report first examines what the state of protection is across conflicts and lists the most frequent threats to civilians, such as conflict-related sexual violence, violations against children, and the usage of explosive weapons in populated areas. Then it addresses the importance of humanitarian access and illustrates on concrete examples the daily struggle of many humanitarian organizations trying to reach civilians in need. Finally, it mentions the progress, achievements, as well as opportunities and makes several concrete recommendations. Delegates should have a look at this document to understand what the current state of PoC is and where there is still room for improvement.*

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## II. The UN-AU Partnership on Peace Operations

*It has long been recognized that the United Nations is not equipped to handle every crisis in the world on its own. It is acknowledged that a partnership between the United Nations and regional and other intergovernmental organizations should be developed if peace and security are to be maintained.*<sup>306</sup>

### **Introduction**

Since the end of the Cold War, the United Nations (UN) has increased its efforts to maintain peace and security through peacekeeping missions in complex scenarios, such as police missions, human rights monitoring missions, and multidimensional operations.<sup>307</sup> Currently, the UN deploys over 100,000 personnel (military and civilian) with a budget of 7.87 billion USD.<sup>308</sup> Since 1948, 69 peacekeeping operations (PKOs) have been deployed by the UN Security Council, 56 of them since the end of the Cold War.<sup>309</sup> In order to be able to manage the growing need for peace operations, the UN has developed more structured cooperation with regional and subregional organizations.<sup>310</sup> There are currently 16 missions worldwide, nine of which are located in Africa.<sup>311</sup> As 87% of all peacekeepers are stationed on the African continent, the UN's partnership with the African Union (AU) has become essential.<sup>312</sup> This guide will firstly explain the basic international and regional framework of PKOs, including the developments of the last decades.<sup>313</sup> It will further elaborate on the role of the international system, focusing on the African Peace and Security Architecture (APSA), and will conclude with a discussion of opportunities for cooperation, challenges, and a case study.<sup>314</sup>

### **International and Regional Framework**

Peacekeeping missions are not mentioned in the *Charter of the United Nations* (1945) however, they have become an important instrument of the UN.<sup>315</sup> Chapters VI, VII and VIII of the Charter provide the legal basis for peacekeeping.<sup>316</sup> The mandates for PKOs do not usually refer to a specific chapter of the Charter, as the legitimization for it lies somewhere between Chapters VI and VII.<sup>317</sup> Chapter VI, Article 38 allows the Security Council to make a recommendation for the peaceful settlement of a conflict to the involved parties if they consent to it.<sup>318</sup> This Article allows the Security Council to recommend the deployment of a PKO.<sup>319</sup> In recent years, the Security Council has used Chapter VII as a basis for operations that were deployed into post-conflict areas where peace was unstable, such as the UN Operation in Burundi from 2004 to 2006, where the Security Council determined the situation to be a threat for international peace and security and thus chose to act under its Chapter VII provisions.<sup>320</sup> The reason for this is that Chapter VII provides an action-oriented approach to conflict settlement, including military measures.<sup>321</sup> In 2000, the *Report of the Panel on UN Peace Operations* (Brahimi Report) was published, assessing the developments in PKOs over the past decade.<sup>322</sup> It called for substantial peacekeeping reform

<sup>306</sup> UN General Assembly and UN Security Council, *A regional-global security partnership: Challenges and opportunities: Report by the Secretary-General (A/61/204-S/2006/590)*, 2006.

<sup>307</sup> UN DPKO, *Post Cold-War surge*, 2016.

<sup>308</sup> UN DPKO, *Peacekeeping Fact Sheet*, 2016.

<sup>309</sup> UN DPKO, *History of Peacekeeping*, 2016.

<sup>310</sup> UN DPKO, *Cooperation between the United Nations and Regional Organizations/ Arrangements in a Peacekeeping Environment – Suggested Principles and Mechanisms*, 1999, p.5.

<sup>311</sup> UN DPKO, *Current Peacekeeping Operations*, 2016.

<sup>312</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 1.

<sup>313</sup> UN DPKO, *Post Cold-War surge*, 2016.

<sup>314</sup> African Union, Peace and Security Council, *The African Peace and Security Architecture (APSA)*, 2012.

<sup>315</sup> UN DPKO, Department of Field Support, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 13.

<sup>316</sup> UN DPKO, *Mandates and the legal basis for peacekeeping*, 2016.

<sup>317</sup> UN DPKO and DFS, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 14.

<sup>318</sup> *Charter of the United Nations*, 1945, Chapter VI.

<sup>319</sup> UN DPKO and DFS, *United Nations Peacekeeping Operations: Principles and Guidelines*, 2008, p. 14

<sup>320</sup> *Ibid.*

<sup>321</sup> *Ibid.*, p. 15.

<sup>322</sup> United Nations Conferences Meetings and Events, “Brahimi Report” *Report of the Panel on United Nations Peace Operations*.

and stressed the importance of sustainable resourcing of missions.<sup>323</sup> The report highlights that a significant challenge for PKOs are untrained troops.<sup>324</sup> Furthermore, the most recent report from the *High-Level Panel on Peace Operations* (2015) called for four necessary changes in peacekeeping: stronger commitment to political solutions, the utilization of all types of peace operations to respond more accurately to different crises, a shift of focus for both the secretariat and the field staff on the people they protect, and a stronger global-regional partnership for the UN.<sup>325</sup> This, moreover, is in line with the targets of Sustainable Development Goals 16 and 17, promoting peaceful societies and global partnerships.<sup>326</sup>

Along with the AU, the European Union (EU) and the North Atlantic Treaty Organization (NATO) have been close partners of the UN in conducting PKOs.<sup>327</sup> The partnership with the EU is the most institutionalized, as the two organizations have created several cooperative mechanisms, such as high-level meetings between the UN Secretary-General and the High Representative of the EU for Foreign Affairs and Security Policy, and joint Security Council briefings.<sup>328</sup> The framework for the cooperation between the UN and the AU has its roots in Chapter VIII of the UN Charter, which provides the legal basis for partnerships with regional organizations, stating that dispute settlement should, if possible, be performed by regional arrangements.<sup>329</sup> In cases when it is necessary, the UN can mandate a regional organization to conduct a peace operation under its command.<sup>330</sup>

### ***Role of the International System***

Since the foundation of the UN Liaison Office to the Organization of African Unity in 1990 with the purpose of extending the UN's support, the two organizations have formalized their partnership in various fields.<sup>331</sup> The cooperation between the UN and the AU is based on a Ten-Year Capacity-Building Program (TYCBP), signed in 2006 between the UN Secretary-General and the Chairperson of the AU Commission.<sup>332</sup> The program focuses on capacity-building for the AU in the fields of “institution-building, human resources development and financial management, peace and security, human rights; political legal and electoral matters; social, economic, cultural, and human development; as well as food security and environmental protection.”<sup>333</sup> The program was created to improve the capabilities of the AU and its Regional Economic Communities (RECs), as well as their collaboration with the UN.<sup>334</sup> The latest review of the TYCBP noted that significant achievements have been made, but recommended a stronger integration of local partners.<sup>335</sup> The TYCBP will end in 2016, and is set to be succeeded by the Partnership on Africa's Integration and Development Agenda (PAIDA), which is a collaboration between the UN, the AU, RECs and the African Development Bank.<sup>336</sup> PAIDA will have seven principles: ownership and leadership by the AU, respect for Africa's policy space, faithfulness to commitments made, consultation and coordination, accountability, strategic partnership, and proactive engagement.<sup>337</sup> It will address a wide range of topics including climate change, education, and health.<sup>338</sup>

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<sup>323</sup> Ibid.

<sup>324</sup> Ibid.

<sup>325</sup> UN General Assembly, *The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations: Report of the Secretary-General (A/70/357 – S/2015/682)*, 2015, p. 10.

<sup>326</sup> UN Sustainable Development Knowledge Platform, *Sustainable Development Goals*, 2016.

<sup>327</sup> Artinano, *Peace Operations Partnerships: The UN Security Council and (Sub-) Regional Organizations*, 2012, p. 1.

<sup>328</sup> Security Council Report, *EU-UN Cooperation*, 2016.

<sup>329</sup> *Charter of the United Nations*, 1945, Chapter VIII.

<sup>330</sup> Ibid.

<sup>331</sup> African Union Commission, *United Nations Liaison and Representational Offices*.

<sup>332</sup> UN General Assembly, *Enhancing AU-UN Cooperation: Framework for the ten-year Capacity Building Programme for the African Union (A/61/630)*, 2006

<sup>333</sup> Ibid.

<sup>334</sup> Office of the Special Adviser on Africa, *The Ten-Year Capacity Building Programme (TYCBP) for the African Union*.

<sup>335</sup> UN ECA, *United Nations Ten-Year Capacity Building Programme (TYCBP) for the African Union*, 2014.

<sup>336</sup> Office of the Special Adviser on Africa, *The Ten-Year Capacity Building Programme (TYCBP) for the African Union*.

<sup>337</sup> Office of the Special Adviser on Africa, *Partnership on Africa's Integration and Development Agenda*.

<sup>338</sup> Ibid.

On the operational level, the UN and the AU have cooperated on five peace operations: Burundi, Central African Republic, Mali, Somalia and Darfur (Sudan).<sup>339</sup> They cooperate through a bridging model, where the AU establishes a PKO, which later transitions into a UN mission.<sup>340</sup> These have overall been successful, although some challenges remain: not all troops fulfill UN training requirements, and the AU still faces financial restrictions.<sup>341</sup> In 2015, the AU published a *Common African Position on the UN review of Peace Operations*,<sup>342</sup> declaring the need for further institutionalization of the partnership to generate more joint policies and practices. It also stressed that the UN and the AU should increase the joint evaluation of their cooperation, and improve their efforts in the field of mediation.<sup>343</sup>

The Secretary-General also cooperates closely with the Security Council and provides regular reports on the status of the missions.<sup>344</sup> The role of the General Assembly includes approving and securing the financing of PKOs, as well as observing them through its Fourth Committee and the Special Committee on Peacekeeping Operations.<sup>345</sup> The Department of Peacekeeping Operations (DPKO) is the main executive agency within the UN system for the conducting of peace operations.<sup>346</sup> The Department of Field Support (DFS) provides the PKOs with administrative, operational and logistical support, providing staff and resources.<sup>347</sup>

#### *African Peace and Security Architecture*

The APSA is a network of organizations, structures, and mechanisms that have the aim of securing peace and security on the African continent.<sup>348</sup> The APSA was created by the *Protocol Relating to the Establishment of the Peace and Security Council of the African Union* in 2002, and institutionalized the AU's maintenance of peace and security.<sup>349</sup> The central organ for coordinating measures is the Peace and Security Council (PSC), which was modeled after the UN Security Council.<sup>350</sup> The main goals of the PSC are to advocate peace, security and stability in order to avoid disputes, to rebuild and strengthen post-conflict societies, and to create a common defense policy for the AU.<sup>351</sup> To achieve these goals, the PSC is authorized to deploy PKOs, to advise the Assembly of the AU to impose sanctions on, or intervene in a Member State, in accordance with the principles of the *Constitutive Act of the African Union*.<sup>352</sup> The PSC consists of 15 members, ten of which are elected for a two-year period, and five for a three-year period in order to ensure continuity.<sup>353</sup> These members are elected by the Assembly and can be reelected.<sup>354</sup> The election of a member guarantees both equal representation of the various regions and recognition for those countries' commitment to the goals of the AU.<sup>355</sup>

The PSC Protocol also established a net of support structures for the PSC, including the:

- Commission
- Panel of the Wise (PotW)
- Continental Early Warning System (CEWS)
- African Stand-by Force (ASF)

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<sup>339</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 7.

<sup>340</sup> Ibid.

<sup>341</sup> Ibid., p. 13

<sup>342</sup> African Union, Peace and Security Council, *The Common African Position on the UN review of Peace Operations*, 2015.

<sup>343</sup> Ibid.

<sup>344</sup> UN DPI, *What we do: Maintain International Peace and Security*.

<sup>345</sup> Ibid.

<sup>346</sup> UN DPKO, *Department of Peacekeeping Operations*, 2016.

<sup>347</sup> UN DPKO, *Department of Field Support*, 2016.

<sup>348</sup> African Union, Peace and Security Council, *The African Peace and Security Architecture (APSA)*, 2012.

<sup>349</sup> Ibid.

<sup>350</sup> African Union, *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, 2002.

<sup>351</sup> Ibid., p. 5.

<sup>352</sup> Ibid., p. 6.

<sup>353</sup> Ibid., p. 7.

<sup>354</sup> African Union, *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, 2002, p. 7.

<sup>355</sup> Ibid., p. 7.

- Special Fund.<sup>356</sup>

The Commission's functions are not specified in the PSC Protocol, even though the tasks of its chairperson are addressed in Article 10, which gives the Chairperson of the Commission the right to propose topics concerning potential conflicts to the PSC or the PotW.<sup>357</sup> One of the most important tasks the Commission carries is to build and station peace operations.<sup>358</sup> The PotW is composed of five highly renowned African personalities, who have contributed to peace and security and who advise the Commission and the PSC, by reporting to the PSC and through it to the Assembly.<sup>359</sup> It is also authorized to conduct activities based on its own decisions or upon request by the PSC.<sup>360</sup> The CEWS is a living database, which collects and analyzes information on conflict management and resolution gathered in the field by regional partners.<sup>361</sup> It consists of a monitoring and an observation center, which cooperate closely with the UN and the RECs.<sup>362</sup> The ASF is a unique structure as it is the implementation force of the PSC; it can be used to conduct peace operations, such as observing and monitoring missions.<sup>363</sup> The ASF is composed of Member State troop contingents, assembled according to African Union Peace Support Standard Operating Procedures.<sup>364</sup> The Special Fund, also known as the Peace Fund, is the financial pillar of the PSC support structures.<sup>365</sup> It consists of funds from the AU's budget and contributions from Member States, civil society and other contributors.<sup>366</sup> Although it was planned for in the PSC Protocol, it was not created until July 2016.<sup>367</sup>

#### *UN-AU Cooperation Mechanisms*

The PSC and the Security Council meet annually for joint consultative meetings in order to improve information-sharing and enhance the effectiveness of PKOs.<sup>368</sup> These meetings still evidence various challenges, such as the differences in decision-making processes within the two organizations and the incoherent cooperation with regional mechanisms such as the RECs.<sup>369</sup> The AU created a Permanent Observer Mission to the UN in 2014 to address these challenges and foster dialogue and actions.<sup>370</sup> Additionally, the UN Secretariat and the AU Commission have increased their cooperation by creating a UN-AU Joint Task Force on Peace and Security in 2008, which allows the organizations to plan joint long-term strategies and programs.<sup>371</sup> In 2010, the UN also established the UN Office to the AU (UNOAU), to plan further cooperation for maintaining peace in Africa.<sup>372</sup>

#### *Opportunities for UN-AU Collaboration on Peace Operations*

There is still a great need to develop common practices and policies in the collaboration between the UN and the AU.<sup>373</sup> Existing mechanisms, such as the ASF, need to be additionally strengthened.<sup>374</sup>

#### *African Stand-by Force*

The ASF reached its full capacity at the end of 2015.<sup>375</sup> It consists of five different regional troop contingents, organized by the RECs.<sup>376</sup> The ASF currently consists of about 25,000 troops divided in brigades by the Economic

<sup>356</sup> African Union, Peace and Security Council, *The African Peace and Security Architecture (APSA)*, 2012.

<sup>357</sup> African Union, *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, 2002, p. 14.

<sup>358</sup> *Ibid.*, p. 15.

<sup>359</sup> *Ibid.*, p. 16.

<sup>360</sup> *Ibid.*, p. 16.

<sup>361</sup> *Ibid.*, p. 17.

<sup>362</sup> *Ibid.*

<sup>363</sup> *Ibid.*, p. 19.

<sup>364</sup> *Ibid.*, p. 18.

<sup>365</sup> *Ibid.*, p. 27.

<sup>366</sup> *Ibid.*

<sup>367</sup> African Union, Peace and Security Council, *The African Union adopts the AU Peace Fund*, 2016.

<sup>368</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 3.

<sup>369</sup> *Ibid.*

<sup>370</sup> *Ibid.*, p. 4.

<sup>371</sup> *Ibid.*

<sup>372</sup> *Ibid.*

<sup>373</sup> *Ibid.*

<sup>374</sup> Rees, *What next for the African Standby Force?*, 2015.

<sup>375</sup> *Ibid.*

<sup>376</sup> Olouch *Deadline for African Standby Force now 2015*, The East African, 2013.

Community of West African States, the Economic Community of Central African States, the Southern African Development Community, the East African Standby Force and the North African Regional Capability.<sup>377</sup> These regional structures allow the AU to mandate them within their own jurisdiction before generating a larger mission.<sup>378</sup> However, there are still disputes between the AU and the RECs on collective missions, as some prefer these to be conducted under UN leadership.<sup>379</sup> The task of the ASF will be in the field of peacekeeping operations, it was conceived as a force deployable in cases of genocide and war crimes, as well as to prevent wars in cases where the UN cannot respond quickly.<sup>380</sup> Even though it lacks experience the ASF could become a very important resource for UN-AU peacekeeping operations, as the UN has no rapid deployable military staff.<sup>381</sup>

#### *Capacity-Building and Training*

The AU troops in joint PKOs have often lacked adequate training and equipment.<sup>382</sup> In his 2015 assessment report of the recommendations by the High-level Independent Panel on Peace Operations, the UN Secretary-General urged the Security Council to provide additional support to African troop-contributing countries (TCCs) in their efforts to train and equip their troops, so that they could meet UN standards and thus make transitioning missions easier.<sup>383</sup> Another of the challenges addressed in the report is the lack of rapid mission mobility and the resulting operational ineffectiveness.<sup>384</sup> In order to improve this, the Secretary-General recommends regular check-ups with TCCs through the DPKO, to recognize deficiencies at an early stage.<sup>385</sup> He further recommends the establishment of training partnerships at bilateral and regional levels to increase coherence among peacekeepers with UN standards and practices.<sup>386</sup> In addition, the establishment of a train-the-trainer center is proposed to increase the amount of specialists available for training regional troops.<sup>387</sup>

#### *Policy Development*

AU-UN joint policy development is conducted through various structures, such as the annual joint consultative meetings, a joint task force, and desk-to-desk exchanges.<sup>388</sup> During the tenth-annual joint consultative meeting in May 2016, the Security Council and the PSC assessed their relationship.<sup>389</sup> An agreement was reached to convene on an informal basis more regularly in order to discuss topics like corruption, the situation in the Western Sahara and illicit arms flows.<sup>390</sup> In recent years, the DPKO and the AU Commission have been successful in developing Security Sector Reform (SSR), an initiative developed to improve the security organs (police and military) of states, in order for them to be able to sustain peace and security on their own.<sup>391</sup> In 2009, together with other actors of the UN system, the EU and the African Security Sector Network founded the first continental policy framework on SSR, supported by the establishment of an implementation project, which is now applied by AU Member States and RECs.<sup>392</sup> It was funded with \$2.4 million and includes operational directions through training and the production of guiding publications.<sup>393</sup>

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<sup>377</sup> Institute for Security Studies, *Understanding the African Standby Force, rapid Deployment and Amani Africa II*, 2015, p. 2.

<sup>378</sup> *Ibid.*, p. 3.

<sup>379</sup> *Ibid.*

<sup>380</sup> Rees, *What next for the African Standby Force?*, 2015.

<sup>381</sup> *Ibid.*

<sup>382</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 10.

<sup>383</sup> UN General Assembly, *The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations: Report of the Secretary-General (A/70/357 – S/2015/682)*, 2015, p. 20.

<sup>384</sup> *Ibid.*

<sup>385</sup> *Ibid.*, p. 21.

<sup>386</sup> *Ibid.*

<sup>387</sup> *Ibid.*

<sup>388</sup> UN DPA, *United Nations- African Union cooperation*, 2014.

<sup>389</sup> African Union, Peace and Security, *African Union Peace and Security Council co-chair's briefing on the informal meeting between the AUPSC and the United Nations Security Council to the media/press*, 2016.

<sup>390</sup> *Ibid.*

<sup>391</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 15.

<sup>392</sup> *Ibid.*

<sup>393</sup> *Ibid.*

### *Challenges Associated with Working with the AU*

The UN's cooperation with the AU is marked by many challenges, the most significant being the financing of joint PKOs.<sup>394</sup> Several models for financial support have been developed over the years, but they often fail to meet the requirements of PKOs, especially in the process of transition.<sup>395</sup> Transitioning PKOs from AU to UN leadership also proved to create obstacles for the efficiency and the sustainability of missions.<sup>396</sup>

#### *Financing*

Financing has been a critical challenge for UN-AU joint peacekeeping, as Regional Organizations that undertake their own peace operations are required to provide their own funds.<sup>397</sup> Especially in the case of the AU, the amount of monetary resources has been unpredictable due to irregular inflow of funds.<sup>398</sup> Commitments to AU missions in the past were unfulfilled, thus leading to complications during the “re-hatting” of PKOs from AU to UN missions.<sup>399</sup> Although the AU's Peace and is an essential part of the APSA, it has proven to be inefficient, as Member States did not meet their funding goals, causing a need for additional funds from UN and other external sources.<sup>400</sup> An important source of funding is the EU African Peace Facility, which was established in 2014 through the 2014-2016 Action Programme for the African Peace Facility, providing 750 million Euros to support PKOs by the AU and RECs.<sup>401</sup> These contributions have been very useful in increasing the predictability of the AU's budget.<sup>402</sup> Bilateral contributions from AU Member States, as well as from the United States of America and the People's Republic of China have also contributed to the financial stabilization of AU PKOs.<sup>403</sup> Both states are planning to establish mechanisms similar to the EU African Peace Facility to further support the AU.<sup>404</sup> Another monetary mechanism created to finance the activities of UN organizations are UN trust funds.<sup>405</sup> The most successful models for financing PKOs have been combinations of UN trust funds, bilateral contributions, and other contributions, although they are more difficult to obtain, as they involve additional parties.<sup>406</sup>

#### *Leadership Command and Transitioning of Missions*

One of the main difficulties with the transitioning of missions is the lack of resources and the possible deterioration of the situation.<sup>407</sup> If the troops of the first mission are withdrawn before the next mission can be deployed, the crisis area is left unsupported.<sup>408</sup> There remains a need for standardized practices for sustaining missions in transition.<sup>409</sup> One option is the deployment of a third party, as the EU did in operation ARTEMIS in 2003, by supporting UN troops in the Democratic Republic of Congo.<sup>410</sup> In order for transitioning troops to be more effective,<sup>411</sup> the Secretary-General has proposed a regular evaluation of the progress of missions being organized.

<sup>394</sup> Ibid., p. 12.

<sup>395</sup> Ibid., p. 13.

<sup>396</sup> Ibid.

<sup>397</sup> Ibid., p. 12.

<sup>398</sup> Ibid.

<sup>399</sup> Ibid.

<sup>400</sup> Ibid., p. 13.

<sup>401</sup> European Commission, *African Peace Facility*, 2016.

<sup>402</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 13.

<sup>403</sup> Ibid.

<sup>404</sup> Ibid.

<sup>405</sup> United Nations Trust Fund for Human Security, *Trust Fund Achievements Around the World*.

<sup>406</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 14.

<sup>407</sup> UN General Assembly & UN Security Council, *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95 – S/2015/446)*, 2015, p. 65.

<sup>408</sup> Ibid.

<sup>409</sup> Ibid.

<sup>410</sup> European External Action Service, *ARTEMIS/DRC*, 2015.

<sup>411</sup> UN General Assembly, *The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations: Report of the Secretary-General (A/70/357 – S/2015/682)*, 2015, p. 16.

### **Case Study: The AU-UN Hybrid Operation in Darfur (UNAMID)**

The background for this mission is a civil war that began in Sudan in 2003 between the government, its army, and various non-state actors, due to ethnic and economic tensions.<sup>412</sup> The conflict spurred great atrocities against civilians, such as rape of women and girls and mass murders.<sup>413</sup> As the situation deteriorated, it caused many thousands of casualties and almost two million displaced persons.<sup>414</sup> In 2006, a peace agreement, the Doha Declaration, was signed with the involvement of the AU.<sup>415</sup> In 2007, the Security Council adopted resolution 1769 on “Sudan,” mandating UNAMID to replace the African Union Mission in Sudan (AMIS), which had been deployed in March 2004.<sup>416</sup> The original mandate included the support of the peace process through the protection of civilians, humanitarian assistance, observance of ceasefire agreements, economic development, promoting the rule of law, and monitoring Sudan’s borders.<sup>417</sup> The operation included the military staff already deployed by the AU through AMIS and additional peacekeepers, totaling 19,555 troops.<sup>418</sup> The resolution further appointed a joint AU-UN Special Representative for Darfur as head of the mission.<sup>419</sup> In a first step, the Security Council strengthened AMIS, so that the transition period would take place without complications, and UNAMID could be operational by December 2007.<sup>420</sup> Since its deployment, UNAMID has faced several challenges, including breaches of ceasefires, attacks from several conflict parties, difficulties in fulfilling its humanitarian tasks, poorly trained troops, and a lack of funds, which have caused the mandate to be prolonged continuously until 2017.<sup>421</sup> A recent report highlighted that the funding had been increased, but that there are still outstanding debts to the UN.<sup>422</sup> Representatives from UNAMID and the Sudanese government have met to attempt to resolve these issues, but only with limited success.<sup>423</sup>

### **Conclusion**

The AU has become a very important partner of the UN in its conduct of peace operations.<sup>424</sup> This is due to the increasing need of resources and partners to cope with the developing need for peacekeeping operations in the African continent.<sup>425</sup> Both the UN and the AU have created a comprehensive legal framework for their cooperation, and have established a network of institutions that cooperate and develop joint standards and policies.<sup>426</sup> However, there are still many trials ahead for this partnership.<sup>427</sup> A general lack of resources and finances provide the greatest challenges to this cooperation, as well as joint practices for cooperation in the field. The UN and the AU will need to find ways to secure the material and human resources in order to cooperate more efficiently.

### **Further Research**

Regarding the evolution of peacekeeping and the cooperation between the UN and the AU, the following questions need to be considered: how can the UN help the AU to enhance its capabilities at both the political and operational levels? What possibilities exist to further institutionalize this partnership? What ways are there to increase the financing of PKOs and how can missions be financially sustained? How can the potential of the ASF be supported by the UN and its partners? What are ways to develop joint practices for the cooperation in the field such as handing over missions between the organizations?

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<sup>412</sup> UN DPKO, *UNAMID Background*, 2016.

<sup>413</sup> *Ibid.*

<sup>414</sup> *Ibid.*

<sup>415</sup> *Ibid.*

<sup>416</sup> *Ibid.*

<sup>417</sup> UN Security Council, *Sudan (S/RES/1769)*, 2007.

<sup>418</sup> *Ibid.*, p. 3.

<sup>419</sup> *Ibid.*, p. 3.

<sup>420</sup> UN Security Council, *Statement by the President of the Security Council (S/PRST/2007/15)*, 2007.

<sup>421</sup> UN Security Council, *Reports of the Secretary-General on the Sudan and South Sudan (S/RES/2296)*, 2016.

<sup>422</sup> UN Security Council, *Report of the Secretary-General on the AU-UN Hybrid Operation in Darfur (S/2016/268)*, 2016, p. 17.

<sup>423</sup> *Ibid.*, p. 10.

<sup>424</sup> UN General Assembly & UN Security Council, *A regional-global security partnership: Challenges and opportunities: Report by the Secretary-General (A/61/204-S/2006/590)*, 2006.

<sup>425</sup> *Ibid.*

<sup>426</sup> Security Council Report, *UN-AU cooperation on Peace and Security*, 2016.

<sup>427</sup> UN Security Council, *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*, 2015, p. 12.

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*This document is the legal basis for the African Peace and Security Architecture. It defines the mandates, tasks and goals for the AU PSC and all related institutions. Firstly, it highlights the PSC, its functions, structure and principles. It then goes on to detail the components of the APSA, their tasks and powers. Reading this will help delegates gain a better understanding of the AU's work in peace and security, and how these institutions are linked to each other.*

African Union. (2008). *Memorandum of Understanding on cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern Africa and Northern Africa*. Retrieved 6 September 2016 from: <http://www.peaceau.org/uploads/mou-au-rec-eng.pdf>

*This is the founding document for the cooperation of the AU with its Regional Economic Communities. It outlines the basis of their cooperation and their plans for future development. In the first section, the document addresses the main goals of the creation of the Standby Brigades, providing an explanation of the execution of peace and security programs in Africa. The next section stresses the four principles for their implementation as stated in the PSC Protocol. The main section defines the areas of involvement envisioned for these Standby Brigades. Finally, the Memorandum of Understanding highlights the importance of further cooperation between the involved parties.*

African Union, Peace and Security Council. (2015). *The Common African Position on the UN review of Peace Operations*. Retrieved 6 September 2016 from: <http://www.peaceau.org/uploads/psc.502.peace.operations.29-04-2015-1-.pdf>

*This is a great additional source to the report by the High-level Independent Panel on Peace Operations (HIPPO) and the Secretary-General's report on its implementation. It provides the AU view on the HIPPO report and its recommendations. It calls for more cooperation between the two organizations, more institution-building, and more commitment from Member States. In many points, this report agrees with the recommendations of the UN Secretary-General, such as on the need for enhanced institutionalization, but it also portrays differing views.*

Langille, P. (2014). *Improving United Nations Capacity for Rapid Deployment*. Retrieved 6 September 2016 from: [https://www.ipinst.org/wp-content/uploads/publications/ipi\\_e\\_pub\\_improving\\_un\\_rapid\\_deployment.pdf](https://www.ipinst.org/wp-content/uploads/publications/ipi_e_pub_improving_un_rapid_deployment.pdf)

*This is a study on possible solutions for Rapid Deployment mechanisms. It argues that the UN has failed to reform in the past twenty years and that it has not lived up to its own possibilities. It presents attempts made by the Security Council to create Rapid Response teams from existing Standby Arrangement Systems, which failed and only limited the Security Council's performance. It further addresses issues such as the inoperability of the African Union Standby Force. Delegates can use this source to understand the limitations of the UN in terms of rapid deployment, and thus the importance of its cooperation with the AU.*

Security Council Report. (2016). *UN-AU cooperation on Peace and Security* [Website]. Retrieved 19 July 2016 from: [http://www.securitycouncilreport.org/monthly-forecast/2016-05/un-au\\_cooperation\\_on\\_peace\\_and\\_security\\_1.php](http://www.securitycouncilreport.org/monthly-forecast/2016-05/un-au_cooperation_on_peace_and_security_1.php)

*This website provides an overview of the development of the partnership between the AU and the UN, and lists the main documents associated with this cooperation. It also addresses the Security Council debate on the topic during its session in May 2016, as well as the following PSC meeting. While current and past aspects are listed, the website mainly takes a look at upcoming events and debates in the near future. It is highly advisable to review this website as the conference approaches, as it provides information on current debates at the UN. It further contains updates on specific conflicts and provides links to the documents associated with them.*

United Nations, General Assembly, Sixty-fourth session. (2010). *Budget for the United Nations Office to the African Union: Report of the Secretary-General (A/64/762)*. Retrieved 21 July 2016 from: <http://www.undocs.org/A/64/762>

*This source provides an overview of the monetary means the UN Office to the AU can dispose of. The report strengthens the case that funding is one of the greatest issues for the partnership, given the limited funds allocated to this office. The document gives the reader an overview of the specific assignments for the budget over a two-year period. It contains detailed listings of expenses and needed financial provisions, and defines clearly what the funds will be distributed for.*

United Nations, General Assembly, Seventieth session & United Nations, Security Council. (2015). *The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations: Report of the Secretary-General (A/70/357-S/2015/682)*. Retrieved 18 July 2016 from: <http://www.undocs.org/S/2015/682>

*This is a report by the UN Secretary-General on peacekeeping, which outlines the core challenges for peacekeeping in the upcoming years. It includes a detailed section on the UN's partnership with the AU in terms of peacekeeping. It defines the AU as one of the UN's main partners for peace and security in Africa, and calls for the enhancement of the partnership. The report recommends the further engagement in capacity-building with the AU, and favors an increase in the institutionalization of the partnership.*

United Nations, General Assembly, Seventieth session & United Nations, Security Council. (2015). *Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95-S/2015/446)*. Retrieved 6 September 2016 from: <http://www.undocs.org/A/70/95>

*This is a crucial report for understanding the recent developments in the partnership between the UN and the AU. It assesses both progress achieved and the challenges ahead for peacekeeping. While it is a general report on the status of peacekeeping, it does make a strong point for the enhancement of cooperation with regional organizations in section A3. The report further discusses proactive measures, the protection of civilians, the challenges of using force, and ideas on how to sustain peace.*

United Nations Office to the African Union. (2016). *United Nations Office to the African Union* [Website]. Retrieved 19 July 2016 from: <http://unoau.unmissions.org/>

*This is the official website of the UN Office to the AU. It contains information on recent developments and details about the work of the UN at the AU. This is also a source that should be checked regularly as the conference approaches, as it will keep delegates informed on recent events. It contains information such as the cooperation in specific fields such as Small Arms and Light Weapons, Child Protection, or Counter Terrorism activities. It also offers documents and publications that highlight the office's work.*

United Nations, Security Council. (2015). *Partnering for Peace: moving towards partnership peacekeeping: Report of the Secretary-General (S/2015/229)*. Retrieved 18 July 2016 from: <http://www.undocs.org/S/2015/229>

*This is the most recent report by the Secretary-General on the partnership between the United Nations and regional organizations in order to strengthen peacekeeping missions. It provides an overview over the current tasks and challenges concerning peacekeeping operations. Although it does have a strong focus on the partnership with the AU, stating for example that procedural differences between the organizations have been a limitation to the implementation of obligations. It also addresses the involvement of other partners in the region. This is very helpful to understand the cooperation between different regional organizations and the UN.*

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