



**Inventory of Field Practices  
for  
Use of Formed Police Units  
for  
Protection of Civilians**

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## I. Introduction

This inventory of field practices for use of Formed Police Units (FPU) for Protection of Civilians (POC) summarizes the findings of a Feb 25, 2011 workshop on “Lessons from the Use of Formed Police Units for Protection of Civilians” conducted at the Center of Excellence for Stability Police Units. Commissioners or Deputy Commissioners, FPU Coordinators, a Multinational Specialized Unit Commander, and a Force Commander representing the following six peace missions participated:

- UN Mission in Bosnia Herzegovina (UNMIBH) and Implementation Force (IFOR) and Stabilization Force (SFOR)
- UN Mission in Kosovo (UNMIK) and Kosovo Force (KFOR)
- United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)
- United Nations Operation in Côte d'Ivoire (ONUCI)
- United Nations Stabilization Mission in Haiti (MINUSTAH)
- African Union/United Nations Hybrid Mission in Darfur (UNAMID)

A roster of workshop presenters can be found in the Annex.

The workshop discussion addressed the following issues:

- Nature of the Threat to Civilians
- Protection of Civilians Functions Performed
  - Tier 1: Protection through an effective peace process

Tier 1 is described in the “DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations” as follows:

The protection of civilians should be a centerpiece of the senior mission leadership’s political engagement and advocacy with the parties in support of the political process. Likewise, the full spectrum of POC activities undertaken by the mission contributes to its overarching objective of supporting the political process, preventing the reoccurrence of protection violations and ultimately establishing lasting peace... Preventing threats to civilians from escalating is the focus of this tier.

- Tier 2: Protection from physical violence

The DPKO/DFS operational concept characterizes this tier as “efforts to prevent, deter, and if necessary, respond to situations in which civilians are under the threat of physical violence.” Several phases are identified, including:

Phase 1 – Assurance and Prevention: ...assessing the intent of and signaling to potential aggressors or perpetrators of human rights violations that they will be held accountable...monitoring and early warning measures are fundamental elements of this phase.

Phase 2 – Pre-emption: Where measures under Phase 1 prove insufficient, or when heightened risks are detected, more active pre-emptive measures may be required.

Phase 3 – Response: When the threat of physical violence to civilians is apparent, and if actions under Phases 1 and 2 are not sufficient, more active measures aimed at deterring potential aggressors from conducting hostile acts may be necessary. Deployment of police and/or direct military action should be considered as an option, such as the interposition of peacekeepers between a vulnerable population and hostile elements or the use of force as a last resort when the population is under imminent threat of physical violence.

- Tier 3: Establishing a protective environment

The DPKO/DFS operational concept identifies three components of this tier:

- (a) Promotion of legal protection
- (b) Facilitation of humanitarian assistance and advocacy
- (c) Support to national institutions

- How these Functions Should be Performed
- Identification of Gaps

This report prepared by the Center of Excellence for Stability Police Units and the US Institute of Peace summarizes the salient points made by workshop participants regarding each of their missions. The report concludes with an inventory of Protection of Civilians practices that have been adopted in the field along with recommendations for enhancing the performance of Formed Police Units in the future.

## **II. UN Mission in Bosnia Herzegovina (UNMIBH) and Stabilisation Force (SFOR)**

### **A. Nature of the Threat to Civilians:**

The Dayton Peace Accord gave refugees and Internally Displaced Persons (IDPs) the right to return home or resettle elsewhere, thus leaving ambiguous whether ethnic cleansing would be reversed or reinforced by the peace implementation process. In early 1996, 45 days after the Dayton peace agreement was signed and two years before the Multinational Specialized Unit (MSU) was deployed, UNMIBH and IFOR faced a defining moment when the neighborhoods surrounding Sarajevo were transferred from Bosnian Serb control to the Federation. One hundred thousand Serbs were forced to flee their homes in the suburbs of Sarajevo. Subsequently, refugees and IDPs who sought to return to their homes often met with violent resistance. The Federation, comprised of a landlocked predominantly Bosniak region and Croat-dominated Herzeg-Bosna, was subsequently threatened by a movement that sought annexation of Herzeg-Bosna with Croatia. This would have meant the demise of the Federation and would inevitably have led to renewed war if it had not been thwarted.

### **B. Functions Performed by MSUs:**

- **Tier 1: Protection through an effective peace process**
  - Crowd and riot control

The SFOR Multinational Specialized Unit was deployed to Bosnia in 1998 because SFOR's lack of a non-lethal crowd-control capability created a "public security gap" that was being exploited by Dayton obstructionists to thwart refugee resettlement and broadly undermine implementation of the Dayton peace agreement. The MSU played a vital supporting role in the 1999 WESTAR Operation in Mostar against covert Croat intelligence facilities. This operation exposed the parallel power structure in Herzeg-Bosna comprised of corrupt nationalist politicians, secret police, leading organized crime figures, paramilitary organizations, and intelligence operatives and provided a wealth of information about their activities against the international community. This operation was essential to thwart the Third Entity Movement that was aimed at annexing Herzeg-Bosna to Croatia. The WESTAR Operation and efforts to promote refugee returns were staunchly resisted by Bosnian Croat veterans associations, noted for their capacity to assemble violent "rent-a-mobs" at a moment's notice. The MSU presence overcame SFOR's vulnerability to "rent-a-mobs" when acting to enforce Dayton.

- **Tier 2: Protection from physical violence**

- Crowd and riot control

The MSU was employed when obstructionist elements tried to prevent refugee resettlement and the installation of democratically elected municipal mayors in ethnically mixed communities. Within a little more than a year after the MSU was deployed in 1998, it had conducted over 260 interventions, all but two of which were resolved peacefully (One of those that was not was the WESTAR Operation).

**C. How these Functions Should be Performed:**

- **Situational awareness/intelligence should be a priority**

A most basic prerequisite for Protection of Civilians is active patrolling to gather operational information about the nature of the threat to civilians and the peace process. This is a critical enabler if units are to focus their resources effectively to maintain public order in potential trouble spots and prevent or preempt violence against civilians. Active patrolling also reassures vulnerable groups and counters intimidation, while simultaneously encouraging people to pass on valuable information. This was vital to the MSU's ability to resolve all but two of more than 260 interventions in 1998-9 without the use of force through a combination of deterrence, dissuasion, and negotiation. Intelligence was also the key to the success of the WESTAR operation.

- **Use MSUs strategically to address the root causes of conflict**

MSUs should not simply be used to respond to recurring threats to civilians. They should be used strategically to address the root causes of conflict, as was done in the WESTAR operation.

- **Military and police should provide mutual support rather than attempting to conduct joint operations**

Operations should be either police led with the military in support, or vice versa. This allows commanders to work operationally together while commanding their distinctive capabilities according to their own specific roles and mandates. For police-led operations, the on-scene police commander should have tactical control of all personnel who might be situated within the boundary of the police operation (Sometimes called the "Blue Box"). This might include individual military personnel temporarily assigned for the duration of the operation, such as bomb disposal specialists. Outside that boundary, the military commander should have tactical control of personnel performing supporting tasks (or the "Green Box"). The opposite

would hold true for a military-led operation. A control point should be established where both military and police commanders can be co-located.<sup>1</sup>

#### **D. Gaps:**

- **Lack of understanding of the role of MSU's**

The Principal's Group under the chairmanship of the High Representative did not understand the role of MSUs, which led to confusion about when they should be used as opposed to the military components of SFOR. A case in point was the use of SFOR troops to escort a procession to a religious shrine that was confronted by women blocking the route. The obstruction of the procession was followed by use of petrol bombs thrown from a distance. When faced with such violent civil disorder, the military has only two options: to shoot or shout. As a result, SFOR was forced to retreat. MSUs with the training, capability, and experience to use non-lethal force would have been able to protect the procession without creating martyrs in the process. Also, the military lacked the ability to gather and preserve evidence that could have been provided to local police so they could pursue an arrest of those responsible for hurling the petrol bombs.

- **Lack of understanding of conflict dynamics**

Protection of Civilians begins with situational awareness. Overlooking the informal, criminalized power structures fueling the conflict in Bosnia initially left the mission without proper authorities, capabilities, and strategies for confronting the enemies of peace. The most daunting challenges arose from indigenous anti-Dayton political authorities, extra-legal security forces, and transnational criminal elements. Only belatedly were authorities (i.e. the Bonn Powers), capabilities (i.e. the MSU), and strategies devised to confront these illicit anti-Dayton power structures.

- **Prioritizing local ownership when local police are part of the problem**

Parallel informal power structures were prevalent in Bosnia that linked politicians responsible for ethnic cleansing with police, organized criminals, veterans associations, and intelligence operatives. In spite of extensive efforts by the international community to construct the formal institutions of the rule of law, the reality was that these efforts were initially co-opted and corrupted by Bosnia's parallel and criminalized power structures. Until the grip of these structures on police could be broken, turning ownership over to local police forces was not conducive to peaceful ethnic co-existence. The international community must simultaneously act to prepare local institutions (police, judiciary, penal system, and legal code) to assume ultimate responsibility, while also dislodging lawless obstructionists and developing domestic and international safeguards to ensure the old predatory

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<sup>1</sup> See "Policy (Revised) Formed Police Units in United Nations Peacekeeping Operations United Nations, Department of Peacekeeping Operations/Department of Field Support," Ref. 2009. 32, para 69, p. 16.

regime does not reassert itself once the international presence transitions to a more modest longer-term posture.

### III. UN Mission in Kosovo (UNMIK) and Kosovo Force (KFOR)

#### A. Nature of the Threat to Civilians:

B. When NATO troops began arriving in Kosovo in June 1999, nearly one hundred civilians, mostly Serbs, were being killed by Kosovo Liberation Army (KLA) extremists each week. Mitrovica represented the most serious inter-ethnic flashpoint owing to the dominance there of Serb paramilitary bridge watchers who were responsible for orchestrating acts of violence. Another threat that shortly became evident was a potential civil war between the newly ascendant KLA and supporters of Ibrahim Rugova, the Kosovo Albanian's erstwhile pacifist leader. The KLA often acted in concert with Kosovar organized-crime networks that sought to exploit the vacuum in law and order. **Functions Performed by FPU's:**

- **Tier 1: Protection through an effective peace process**

One of the prerequisites for an effective peace process in Kosovo was to confront the most serious sources of political violence and organized criminality. This required a coordinated civil-military approach, including the capability to respond to civil disturbances with non-lethal force and to arrest dangerous suspects. KFOR's Multinational Specialized Units (MSUs) and UNMIK's Special Police Units (SPUs) and special weapons and tactics teams (i.e., Team 6 and Team MIKE in Mitrovica North) provided these essential capabilities. The deployment of SPUs started in 2000 and reached the full complement of ten companies in 2002. The UN did not introduce the term "Formed Police Unit" until 2005. The FPU concept, therefore, should be understood to include the original "SPUs".

- Crowd and riot control

KFOR's Multinational Specialized Unit (MSU) deployed Kosovo-wide in 1999, with Headquarters in Pristina. In Mitrovica, they responded, together with regular military units, to the almost daily clashes between Serbs and Albanians, aiming at de-escalating tensions. In 2004, KFOR's MSUs and UNMIKs SPUs were used, along with all other UNMIK Police, to stem the province-wide riots against Serb communities and UNMIK installations.

- Support for close protection details

This included protection for Kosovo Serb leaders who were willing to talk to UNMIK and for international judges and prosecutors who were involved in high-profile cases against enemies of the peace process.

- Support for high-risk arrest of enemies of peace

SPUs supported UNMIK Police's "Special Operations" which included the Team 6 SWAT capability.

- **Tier 2: Protection from physical violence**

- Filling the void in public security

SPUs provided area security, inter alia, for minorities at risk and religious/heritage sites.

- Crowd and riot control

When UNMIK began arresting Serb bridge watchers and former KLA members wanted for murdering rival Kosovo Albanians, the SPUs were an invaluable asset. These arrests provoked the sort of orchestrated civil disturbances or "rent-a-mobs" encountered previously in Bosnia, including violent assaults on UNMIK Police. The SPUs significantly added to the capacity to control and defuse the situation.

- Prison security

At Dubrava, Kosovo's largest prison facility, an SPU provided a 24/7 outer-perimeter and rapid intervention capability to prevent breakouts and to thwart attacks from the outside the prison to free convicted, high-profile Class-A prisoners.

### **C. How these Functions Should be Performed:**

- **The primary objective of crowd and riot control should be de-escalation**

Skill at negotiation and avoidance of the use of force should be paramount for commanders.

- **Military and police should provide mutual support rather than attempting to conduct joint operations**

The lesson documented above in the section on Bosnia was reconfirmed in Kosovo.

- **Command and control of SPUs**

Command and Control was organized in a decentralized manner: SPUs reported to Regional Police Headquarters for daily operations, with parallel coordinated reporting to Police Main Headquarters. MHQ supervised the operational engagement of SPUs under regional command and control and, in larger operations, assigned several SPUs to a designated official, either under regional or central command and control. In situations of public unrest, the early years proved to be most challenging, since the MSU belonged to KFOR and SPUs belonged to UNMIK Police. In cases of parallel engagement of military and police assets, considerable risk arose initially in relation to the ability to de-escalate a situation since the chain of

command was not sufficiently robust. Command and control and mutual support arrangements between military and police contingents need to be articulated at the start of the mission, and training and exercises should be conducted regularly so that each rotation of SPUs and their military counterparts understand how to manage the relationship.

- **Intelligence-led investigations**

The first requirement is to identify the threats to civilians. In 2000 the Quint countries (i.e., Britain, France, Germany, Italy, and the United States) agreed to create a Criminal Intelligence Unit (CIU) within UNMIK Police in order to pool relevant KFOR intelligence with UNMIK Police information. Ultimately, the need to provide a capability to gather criminal evidence and to conduct proactive investigations was recognized, leading to the establishment of the Kosovo Organized Crime Bureau (KOCB) within UNMIK Police. CIU intelligence on organized crime was systematically introduced into joint strategic and operational assessment and coordination mechanisms between UNMIK Police (lead actor), the UNMIK Department of Justice and KFOR. The KOCB included specialists in various investigative disciplines, including the use of technical devices, supplemented as necessary by KFOR's surveillance capability. Personnel for such units must be selected on the basis of professional competence not geographic diversity. The purpose was to identify key figures involved in inter-ethnic violence, violence against political rivals, and organized crime and provide a mechanism for processing intelligence into admissible evidence. It was possible to develop a level of trust with local police so that they could play a pivotal role in the collection of criminal intelligence. SPUs were used, together with other specialized assets, for the conduct of specialized operations, including security for covert investigations and the operational arrest/search/rescue phase.

- **Intelligence-led operations**

Intelligence was used to mount operations to arrest key figures involved in politically motivated violence after admissible evidence had been collected. It was also used to disrupt planned attacks. During 2002 UNMIK began making high-profile arrests, which led to convictions for the 1999 assassination of Ibrahim Rugova's bodyguards, of a senior ex-KLA commander guilty of multiple assassinations, and of scores of former KLA members for major crimes.

- **Intelligence should guide deployment of SPUs/MSUs**

Patrols should be conducted in the most likely hot spots, as indicated by intelligence. Intelligence should also determine the allocation of close protection assets.

- **Stability police (SPUs/MSUs) should not be used for static security of facilities**

This is not a police function.

- **Establishing a protective environment (Tier 3) requires ministerial development**

Development of a sustainable Kosovo Police service required greater emphasis on development of ministerial functions such as accountability, personnel/human resources, planning and budgeting.

#### **D. Gaps:**

- **Slow deployment of Special Police Units to UNMIK**

The initial weeks and months are the “golden hour” that will define the credibility of the mission. Theoretically FPU’s can be deployed along with the military contingent to address the public security gap. Deployment of SPUs in Kosovo did not begin, however, until April 2000, nine months after the mission was launched and would take until mid 2002 before reaching full operational capability. The void in law enforcement was filled by parallel structures in both the Serb and Albanian communities.

- **Lack of understanding within the UN system that intelligence is essential for Protection of Civilians**

Without intelligence, Military Force Commanders and Police Commissioners are flying blind. Prevention and pre-emption of violence against civilians are impossible, and response after the fact is tantamount to a never-ending quagmire if the perpetrators cannot be ferreted out. There was the sense that in the UN it was blasphemy even to mention intelligence. It should, however, be part of the initial discussions before a mission is even deployed. An exhaustive assessment of the threat to civilians should precede deployment, along with answers to such questions as “What intelligence/information is required about the threat to civilians; how will it be provided; how will it be analyzed, disseminated, and secured; and what role should FPU’s play in collection?”

- **Preventing improper use of force**

In a confrontation with an unruly mob, there is a risk that FPU’s will revert to behavior that is accepted at home and use excessive force. This resulted in the death of demonstrators in Kosovo. The lack of effective accountability mechanisms when this happens magnifies the risk. Other safeguards include a clear chain of command, experienced police leadership, a professional planning process, and willingness of civilian leaders, including on the international side, to abstain from exerting undue political pressure on policing.

- **Inadequate capacity to deal with police who constitute primary threats to civilians**

The phenomenon of a “firm within the firm” of police who are untouchable because of their linkages to political elites and often to organized crime is one of the most pernicious but least proficiently addressed threats to civilians and to the entire enterprise of peacekeeping.

- **Frequent rotation of units impedes operational effectiveness**

Trust is perhaps the most essential commodity for bridging organizational boundaries and connecting with local communities. The practice of assigning SPUs/FPUs to six month rotations militates against the development of trust since units barely become effective before they begin preparing for departure. Institutional memory is also lost with each rotation of personnel.

## **IV. United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)**

### **A. Nature of the Threat to Civilians:**

According to the October 8, 2010 report of the Secretary-General on MONUSCO:

...violence by armed groups and military operations by the Forces armées de la République démocratique du Congo (FARDC) against those groups continued, notably in the provinces of North and South Kivu and Orientale. Serious human rights violations by the armed groups and national security elements also continued...the security situation deteriorated in several zones in the Kivus as FDLR (Forces démocratiques de libération du Rwanda) attacks against civilians increased, and loose alliances of FDLR, Mayi-Mayi and other Congolese armed group elements targeted civilians. Human rights violations were also perpetrated by elements of the security forces of the Democratic Republic of the Congo...Among the most serious incidents...was the systematic rape of at least 303 people in 13 villages on the Mpopi-Kibua axis in Walikale territory between 30 July and 2 August by FDLR and Mayi-Mayi Cheka elements.<sup>2</sup>

### **B. Functions Performed by FPUs:**

Four of MONUSCO'S seven FPUs are deployed in the east for the Tier 2 purpose of protection of IDPs from physical violence. The other three FPUs are deployed in Kinshasha to protect UN facilities and personnel, provide election security, and serve as a strategic reserve.

FPUs protect IDPs by performing the following functions:

- **Deterrence by presence**

After military operations by the FARDC and MONUSCO have displaced armed groups from an area, FPUs conduct patrols inside IDP camps and on strategic access routes leading to the camps. These patrols are mounted to deter the return of militia groups and, to that end, enhance the security of the local populace by providing a safe and secure living environment. Within the camps, the patrols also deter abuse of IDP camp residents by the Congolese National Police (Police Nationale Congolaise or PNC), many of whom are former militia members. The aim of the joint operational activities performed by FPUs alongside the PNC is to bolster

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<sup>2</sup> Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, October 8, 2010. Available at [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2010/512](http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/512)

the confidence and regain the trust of the civilian population towards the local security services.

- **Crowd and Riot Control**

FPU are available if called upon to support the Congolese National Police when required for crowd and riot control purposes, but this is seldom done.

**C. How these Functions Should be Performed:**

- **Inside IDP camps, FPUs patrol as squads**

The squad is the smallest FPU formation available for tactical use. A squad of ten FPU personnel accompanied by a team of unarmed UN Police, a Congolese National Police, and a language assistant perform patrols inside the camps. Providing the security perimeter for IDP Camps is a national responsibility, involving local security forces, either the military (FARDC) or police (PNC). However, considering the volatile situation and high risk experienced in and around certain well identified IDP camps, the UN might also deploy peacekeeping forces to boost security in these locations.

- **FPUs provide a security escort for Joint Protection Teams (JPTs)**

In the Goma area, as soon as Joint Protection Teams leave the IDP camps they are in FDLR territory. On a regular basis UNPOL provides a platoon of experienced FPUs to escort the JPTs on patrols that may last days due to the poor road conditions and extensive distances involved. In certain cases these long-journey patrols are joint activities performed along with PNC Liaison Officers.

- **FPU commanders should be trained in community policing concepts**

Given that FPUs need to engage continuously with the IDPs they are deployed to protect, it would make sense to train commanders down to the squad level in community policing concepts. This would also allow them to model proper behavior for the Congolese National Police who are also being trained in community policing.

**D. Gaps:**

- **Lack of agreement about the appropriate division of labor between FPUs and the military contingent**

Owing to their declining numbers, military contingent commanders would like FPUs to assume greater responsibility for security around IDP camps even where armed groups constitute a continuing security threat. MONUSCO Police consider this to be a military function and a misunderstanding of the proper role that FPUs should play. In several instances FPUs have been tasked with security duties and patrol operations in situations where they are exposed to military threat scenarios. FPUs are also assigned to provide static security for UN Installations and premises and its

associated agencies, in view of the withdrawal and redeployment of peacekeeping forces. When the majority of their strength is devoted to such static duties, the unit is not postured to perform its primary crowd and riot control mission.

- **Procedures for use of FPU to gather intelligence on threats to civilians and to provide them with early warning**

FPU are not yet integrated into the reporting process that supports the Joint Mission Analysis Center (JMAC). Procedures need to be developed to identify information requirements for collection by FPU patrols. Mechanisms for providing JMAC analysis of trends and emerging threats to FPU are also lacking. These are works in progress in the mission, but they are also areas where FPU doctrine is underdeveloped.

- **Procedures for liaison between FPU and military units**

Although there is a military-police liaison in the Joint Operations Center in Kinshasha, this is probably not adequate to coordinate and deconflict operational activities in eastern DRC where four FPU are deployed.

- **Interpreters/language assistants**

Essential functions like community policing and situational awareness/information gathering/intelligence cannot be performed effectively without a means of communication. FPU are assigned only two language assistants who perform both operational and administrative tasks. Another consideration is impartiality owing to their local origins and potential sympathy with one of the parties to the conflict.

## **V. United Nations Operation in Côte d'Ivoire (ONUCI)**

### **A. Nature of the Threat to Civilians:**

Since its inception in 2004 ONUCI has sought to provide a buffer or "Zone of Confidence" across the middle of the country to separate the parties to the conflict: the Ivorian Government forces, who controlled the south, and the Forces Nouvelles, New Forces or former rebels, who controlled the north.

While the North today is relatively safe, being controlled by former rebel forces, the state organs of public security and justice are nonexistent. Traditional justice is administered by traditional chiefs, with animosity caused by the war resulting in cases of summary executions and political retribution with total impunity. UN officials have had to be very careful when determining whether to hand persons detained by FPU over to a magistrate from the south or to traditional justice mechanisms prevalent in the north.

A completely different situation prevailed in the west, where historic ethnic clashes, fueled by the influx of refugees from neighboring countries and the lack of an adequate response by the security forces, either local Defense and Security Forces (FDS) or ONUCI, transformed the region into a Hobbesian scene of ethnic conflict.

Meanwhile the lawless situation in Abidjan (the former capitol, economic hub, and world's fourth largest French-speaking city), enormously hampered the activities of UN personnel. The local FDS were unable to ensure security for the civilian population. Demonstrations also targeted ONUCI over lack of progress in the peace process.

After the disputed November 2010 presidential elections, Côte d'Ivoire was brought to the cusp of civil war owing to the refusal of incumbent President Laurent Gbagbo to concede defeat. ONUCI provided a buffer force between recalcitrant government supporters and the internationally recognized winner, Alassane Ouattara. Ultimately assaults by Gbagbo-led forces on civilians in neighborhoods regarded as sympathetic to Ouattara and on UN forces prompted ONUCI to respond assertively against Gbagbo's forces and to support his eventual arrest.

### **B. Functions Performed by FPUs:**

- **Tier 1: Protection through an effective peace process**

- Crowd control and public security

Owing to the pressure of on-going operations, we did not attempt to include the ONUCI Police Commissioner or FPU Coordinator in the workshop. However, the contributions of FPUs to the preservation of the peace process by protecting the winner of the 2010 election should be acknowledged as a

critically important function. The ONUCI Sub-Groupment de Securite, a military unit under the Force Commander, was the main component responsible for protection in and around the premises where the newly elected authorities were accommodated in Abidjan. FPU's played a vital supporting role in terms of crowd control and public security issues.

- Area security for the DDR process and election security

FPU's have been tasked to ensure security in case of civil unrest at DDR sites. During the electoral process, FPU's were deployed to enhance the capability of local Defense and Security Forces (FDS) to maintain public order during political rallies and to support the overall security plan during the balloting and tabulation of the vote.

- **Tier 2: Protection from physical violence**

Although the primary task of FPU's was protection of UN personnel and facilities, they performed the following functions relating to Protection of Civilians from imminent threat of violence:

- Crowd and riot control

Since ONUCI does not have an executive mandate, the primary tasks entrusted to FPU's are protection of UN personnel and UN facilities. In times of crisis, however, FPU's under the direct order of the UN Mission leadership might be requested to operate to protect civilians under imminent threat of physical violence, within their areas of deployment and operational capabilities.

- Close protection

FPU's are able to deploy teams of well-trained close protection officers for protection of UN VIP staff and prominent local officials.

- **Tier 3: Establishing a protective environment**

When agreed by UN and Ivorian Officials, FPU's were used to enhance local police capabilities either through operational support or by delivering specialized training. When the issue related to specialized training in crowd control and use of non-lethal force, FPU's provided trainers, advisers and sometimes equipment in support of UNPOL training activities. FPU's also supported the training of more than 600 "auxiliary security agents" recruited by the Forces Nouvelles to perform security tasks in the North until incorporated into government forces with the re-installation of state administration.

FPU's also provided training to ONUCI military personnel as an interim remedy to enhance the crowd and riot control capability of ONUCI military contingents at locations where FPU's were not deployed.

### **C. How these Functions Should be Performed:**

- **Mutual support by police and military**

Functions performed by FPU could be either police-led or military-led. With regard to close protection, French Gendarmes assigned to Operation Licorne, which provided operational support to ONUC under a UN Security Council resolution, were in the lead while FPUs and local police provided support. FPUs also supported the Sub-Groupement de Securite, a military unit under the ONUC Force Commander, in providing protection for Cote d'Ivoire's newly elected president, Alassane Ouattara.

- **Situational awareness/intelligence**

Intelligence/information gathering, analysis, and processing is performed by the command staff of the unit using open channels of information: the civilian population, local authorities, local and foreign partners, and local and international media. There are no covert activities being performed by FPUs.

### **D. Gaps:**

- **Consequences of failing to protect civilians**

Shortcomings of the mission in regard to Protection of Civilians had negative consequences. Prevailing insecurity and the lack of an adequate response by the mission to protect civilians in danger, as well as the lack of progress in the peace process, caused animosity among the local population, who lost confidence and trust in the efforts of the international community.

- **Slow deployment**

The international community lacks a reserve capacity of FPUs on stand-by for rapid deployment to unanticipated crisis zones. The first FPU took three months to deploy, and this was accomplished by use of airlift at fifteen times the cost of surface transportation. It took a year to fully deploy the number of units authorized.

- **Information gathering and analysis**

Situational awareness is the most important tool for Protection of Civilians. Unless FPUs understand the likely sources of threats to civilians, including their motives and plans, they will be unable to prevent or preempt atrocities against civilians.

- **Few FPUs were proficient at higher order functions**

Though there is a standard training module for FPUs prepared by the UN and disseminated to all Police Contributing Countries, this does not address the more demanding specialized functions such as close protection, hard entry, and surveillance. Few FPUs are capable of performing specialized duties, and there is a lack of standardization among those that have been trained in these functions.

- **Rule of law void in the “Zone of Confidence”**

The primary mission for ONUCI was to separate the two opposing forces by providing an interpositional force in the Zone of Confidence. This neutral zone was devoid of a system of justice. After ONUCI detained perpetrators of violence against civilians, it had to determine which of the two parties should be responsible for administering justice. Neither choice was likely to result in a just outcome.

## **VI. United Nations Stabilization Mission in Haiti (MINUSTAH)**

### **A. Nature of the Threat to Civilians:**

By 2006, heavily armed gangs controlled the sprawling slums of Port-au-Prince and were operating with flagrant impunity. They carried out a campaign of kidnappings that touched every level of society and terrorized city residents. They also engaged in murder, rape, narcotics and weapons trafficking, and extortion. Although ostensibly criminal in nature, the gangs of Port-au-Prince were an inherently political phenomenon. Powerful elites from across the political spectrum exploited gangs as instruments of political warfare, providing them with arms, funding, and protection from arrest. Thus, they threatened not merely the inhabitants of Port-au-Prince. The Préval administration and MINUSTAH had both been brought to the cusp of collapse by the end of 2006.

### **B. Functions Performed by FPU:**

- **Tier 1: Protection through an effective peace process**

- Crowd and riot control, hard entry, and high-risk arrest

In 2007 FPU performed a range of decisive roles that preserved the peace process, including crowd and riot control, hard entry, and high-risk arrest. The military contingent's initial foray into Cité Soleil on January 24 was placed in jeopardy when gang members organized a demonstration of unarmed civilians. An FPU with non-lethal riot control capabilities quickly dispersed the crowd, and the offensive against the gang stronghold was completed successfully. FPU also played a decisive role in Gonaives after rioters threatened to overrun the Haitian National Police station there during a protest of the government's failure to confront a wave of murders perpetrated by the gang in that community. The forty-person SWAT team from Jordan that MINUSTAH incorporated within the FPU structure was heavily employed in anti-gang operations. The vast majority of police-led operations involved the arrest of gang leaders or members as a prominent objective. FPU were central to these highly successful operations, in particular the integrated use of MINUSTAH and Haitian National Police (HNP) SWAT teams. Both the MINUSTAH and the HNP SWAT teams were assigned to Gonaives for two months to assist the HNP and FPU assigned there to support the arrest of gang leader "Ti Will." All but one of the thirty most-wanted gang leaders from Gonaives was apprehended. Overall four of the five top gang leaders and 800 gang members were arrested in 2007.

- **Tier 2: Protection from physical violence**

- Area security patrolling in IDP camps

The earthquake that devastated Port-au-Prince led to the escape of 4,000 prisoners from the capital's main penitentiary, including the gang leaders and members arrested in 2007. Ten-person FPU sections patrolled IDP camps along with an individual UN Police, Haitian National Police, and a language assistant.

### **C. How these Functions Should be Performed:**

- **Mission leadership is crucial**

Missions challenged by violent, heavily armed obstructionist elements need a competent, courageous, and cohesive leadership team. Mission leaders need to be action oriented, strategic, and willing to support each other. This is especially true for the military force commander and the police commissioner, who may not be accustomed to working operationally with those outside their own professional hierarchies.

- **Doctrine for Protection of Civilians should address when and how to take proactive measures to remove the source of threat**

The *Report of the Panel on United Nations Peace Operations* (The Brahimi Report) recognizes that when “the lingering forces of war and violence threaten a fragile peace or continue to prey upon a vulnerable population the mission may have to use force preemptively to implement its mandate and to protect civilians.”<sup>3</sup> Beyond the recognition that this is an essential component of peacekeeping, however, there are no precepts in the *United Nations Peacekeeping Operations: Principles and Guidelines*<sup>4</sup> to suggest how this most daunting of peacekeeping tasks should be conducted. Doctrine for Protection of Civilians should endorse taking active measures to oppose those who engage in violence against civilians and provide guidelines for when and how to do this.

- **Intelligence-based operations**

Missions challenged by illegal armed groups cannot afford to adopt a reactive posture. The only effective way to confront violent threats to civilians is to obtain the intelligence that will enable the mission leadership to seize the initiative when the proper conditions have been met and mount intelligence-led operations against appropriate targets. MINUSTAH does not possess any technical means of intelligence collection. The foundation for success was rigorous source management and evaluation by the Joint Mission Analysis Center (JMAC), coupled with a systematic effort to pool all sources of information available to the mission. The JMAC provided target packages for the offensive against the gangs detailing the

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<sup>3</sup> United Nations, *Report of the Panel on UN Peace Operations*, (New York: UN, 2000) A/55/305 (August 21), Available at [www.un.org/peace/reports/peace\\_operations](http://www.un.org/peace/reports/peace_operations).

<sup>4</sup> United Nations, *United Nations Peacekeeping Operations Principles and Guidelines*, (New York: UN, 2008). Available at [www.peacekeepingbestpractices.unlb.org/Pbbs/Library/Capstone\\_Doctrine\\_ENG.pdf](http://www.peacekeepingbestpractices.unlb.org/Pbbs/Library/Capstone_Doctrine_ENG.pdf)

obstacles that UN forces would encounter (e.g., tank traps and areas of fierce resistance), along with photos for the identification of gang leaders. To free kidnap victims or apprehend gang leaders, they needed actionable intelligence. Real-time tactical intelligence about the locations of gang leaders or concentrations of gang members allowed MINUSTAH to mount intelligence-led operations to arrest them.

- **Integrated operational planning**

To be effective, a Protection of Civilians strategy will require effective operational planning to integrate military, police, and civilian efforts. Integrated planning is an alien concept for most military and police forces and development agencies. MINUSTAH's senior leadership insisted that planning be consolidated and that differences be settled at the PDSRSG or SRSG level. This is a key lesson. Not only does the safety of the forces involved depend on shared planning, the effectiveness of tactical operations hinges on it. To displace heavily armed gangs from their strongholds and arrest gang leaders required effective planning for mutual support by the military and police contingents.

- **Provide a specialized SWAT capability along with standard FPU**

The incorporation of a 40-person specialized SWAT capability with a standard FPU equipped for crowd and riot control proved highly effective. Certainly in a mission where gangs or other agents of violence against civilians are prevalent, a SWAT capability can be invaluable.

#### **D. Gaps:**

- **Lack of a functioning criminal justice system**

The need for peace missions to take a holistic approach to establishing the rule of law, including reform of the police, the judicial system and legal code, and the prison system, has been recognized and accepted for more than a decade. And yet, delay in providing a mandate for judicial and penal reform for MINUSTAH meant that planning was still in the approval process in 2006, three years after the Haiti mission began. This meant that after gang leaders and 800 of their followers were arrested in 2007 there was considerable risk that they could bribe or intimidate a notoriously corrupt judicial system to win their release. The decrepit, overwhelmed, and understaffed prison system also created considerable potential for escape.

## **VII. African Union/United Nations Hybrid Mission in Darfur (UNAMID)**

### **A. Nature of the Threat to Civilians:**

The threat to civilians in Darfur is magnified by the absence of a comprehensive peace agreement among the many parties to the conflict. Only one of the militia factions was a party to the Darfur Peace Agreement (DPA). Consequently, there has been continuing conflict since the inception of UNAMID among the Government of Sudan (GOS), the GOS-supported Janjaweed militias, and rebel groups (some of whom are also in conflict with each other). Although the GOS denies that it supports the Janjaweed, it is widely acknowledged that their joint attacks targeting the civilian population of Darfur have caused more than a quarter million deaths and some 2.5 million Internally Displaced Persons (IDPs), along with an additional 250,000 refugees. Owing to this, sympathy within the IDP camps is for the “Movement” or rebel groups. Occasionally there are also clashes in the camps between the supporters of rival Movements. Civilians also suffer at the hands of criminal elements. Lack of cooperation from the GOS and lack of employment for youth compound the challenge.

According to the UNAMID web site, “Widespread atrocities such as the murder of civilians and the rape of women and girls have been committed from the start of the conflict and continue.”<sup>5</sup>

### **B. Functions Performed by FPUs:**

UNAMID’s core mandate is Protection of Civilians. The mission’s 13 deployed FPUs (out of 19 authorized) have been used primarily for the Tier 2 purpose of protection from physical violence. They accomplished these Protection of Civilian functions by performing the following tasks:

- **Deterrence patrolling**

As FPU contingents arrived in mission the number of patrols increased. Eventually UNAMID Police performed approximately 120 patrols daily. FPU`s where deployed together with Individual Police Officers (IPO`s) on daily patrols. On a 24-hour cycle, three relief contingents consisting of IPO`s and FPU members would patrol in the IDP camps. Patrols were conducted inside IDP camps as well as outside. The latter included short-range perimeter patrols to protect women seeking firewood and water, and mid and long-range patrols to extend the presence of UNAMID to remote areas. GOS Police were generally not located inside the camps due to the total lack

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<sup>5</sup>Available at <http://www.un.org/en/peacekeeping/missions/unamid/background.shtml>

of trust in them. Unarmed UNAMID Police accompanied by armed FPU`s performed crime prevention patrols in the camps. Short-range farming/firewood patrols were used to protect women and children against Sexual and Gender-Based Violence related attacks. Since there were not sufficient FPUs to allow deployment in all IDP camps, each sector launched its own medium-range patrols to visit IDP camps without a permanent UNAMID presence. These patrols were used to evaluate the security and crime situation in the camps and to verify possible IDP returns to villages of origin. Long-range patrols were required because there was no way to effectively deploy, provide protection and win the confidence of the people who were not in IDP camps owing to the size of Darfur and nomadic nature many of the people. They were initiated from UNAMID Police HQ to lead the way into camps where UNAMID had not previously had a presence. They also served as a deterrent, especially when criminality became rampant, and afforded Protection Teams access to the population outside the camps, allowing them to understand the protection challenges and to sensitize isolated inhabitants to the peace process.

- **Security escort**

FPUs provide a security escort for UN Police instructors engaged in capacity building interventions for rebel (or “Movement”) police who are signatories to the Darfur Peace Agreement. Topics include human rights, gender-based violence, community policing, basic policing principles, crime scene management and basic criminal investigation. The training is conducted primarily in IDP camps, and the military contingent provides the outer security umbrella when the security situation requires their assistance.

### **C. How these Functions Should be Performed:**

- **Mission leadership is crucial**

The Police Commissioner and Force Commander played a crucial role by together negotiating the deployment of the UN presence (UN Police and Military) with the leadership of each IDP camp. It was particularly important that they went together for this purpose, to send the signal that the military and police were a cohesive force. In the most dangerous camp, the Police Commissioner conducted the first patrol at night with the FPU assigned to this task to demonstrate to his own personnel that the mission was attainable. In rebel-held areas, the Force Commander and Police Commissioner negotiated with rebel commanders so that UNAMID could have freedom of movement during various patrols.

- **Use the right force for the appropriate role**

FPUs, because they are police, are more acceptable to IDPs than soldiers inside IDP Camps. In cases where the FPU`s and military contingents operated together,

the necessary SOP`s where developed based on experience at the tactical level. In most cases where FPU`s were deployed, the military component didn`t form part of their daily IDP camp patrols, except at Kalma camp where a military contingent was based in the Community Police Center (CPC) as a quick reaction force. In areas with no FPU`s, UNAMID`s Individual Police Officers and the military contingent worked out a weekly patrol plan. On medium and long-range patrols outside IDP camps, FPUs and military assets were combined, with the military providing area security because of their greater numbers and understanding of the terrain.

- **Inside IDP camps, FPUs can patrol as squads**

The section of ten is the smallest FPU formation available for deployment.<sup>6</sup> A section of ten or more FPU personnel patrolled with IPOs (who were unarmed due to the mandate), community policing volunteers from the camp, and language assistants. As noted above, there was flexibility in how the FPUs were used depending on camp conditions.

Patrols were launched from the CPCs, where they existed. Community policing volunteers reported to the CPC for duty. The first stop for the patrol was usually the GOS Police post outside the camp. The local leader or UMDA of the camp was the second stop, for information about the situation in the camp, followed by the actual patrol. Due to their size APC`s could not patrol inside the camp and were stationed at strategic points outside IDP camps. Soft-skinned 4x4 vehicles formed part of the FPU patrolling teams inside the camp.

- **Situational awareness/intelligence is essential**

It is impossible to be preventive or preemptive about protection of civilians when intelligence is lacking. The UNAMID Police Operations Centre received all reports from UNAMID Police via Sector Commanders every day and shared this with the mission Joint Operations Centre, Joint Mission Analysis Centre (JMAC), and UNAMID leadership. The Police Commissioner also monitored open source information (printed and electronic media) on a constant basis to try to provide early warning of potential threat scenarios. The various militia forces all used satellite phones to contact reporters to tell their side of the story whenever anything newsworthy happened. UNAMID needed to be prepared not only to respond operationally but for strategic communications purposes as well.

Owing to the frequent rotation of FPUs and military contingents (one year intervals or less), it is vital that the JMAC provide an “institutional memory” of where the threats to civilians emanate from, their motives, networks, and vulnerabilities.

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<sup>6</sup> United Nations, *Policy (Revised) Formed Police Units in United Nations Peacekeeping Operation*, (New York: UN, 2010), p. 6. Available at [http://www.un.org/en/peacekeeping/sites/police/documents/formed\\_police\\_unit\\_policy\\_032010.pdf](http://www.un.org/en/peacekeeping/sites/police/documents/formed_police_unit_policy_032010.pdf)

- **Conduct briefings and debriefings before and after patrols**

Commanders of military and police units involved in IDP camp patrols, short-range firewood/water patrols, and mid and long-range patrols should conduct briefings prior to the patrol to discuss the objectives, command/control/communications arrangements, and information collection requirements that have been identified by either mission headquarters, local commanders or the JMAC. UNAMID police patrols received daily guidance from UNAMID Police HQ via the Police Joint Operations Center. JMAC supplied criminal intelligence on a daily basis. A debriefing was conducted after the patrol to identify lessons learned and criminal intelligence collected, as would be done by any professional police organization to guide day-to-day police operations. A report was forwarded through the respective chains of command.

- **Allow each FPU to use its own approach to crowd management**

FPU's each have their own methods for managing crowds. They should be allowed to use these methods – to the extent that crowd conditions warrant. When different units are used in support of each other, this can be an advantage since the crowd will not know what crowd control technique to expect when one unit is replaced by another.

- **FPU commanders should understand community policing concepts**

FPU's need to engage regularly with the civilians they are deployed to protect. To do this effectively, they should understand community policing concepts. Commanders down to the squad level also need to understand how to use language assistants to develop effective channels of communication with the population they are expected to protect. This is essential to gain an understanding of their security concerns. UNAMID police patrols always had a team of language assistants to assist. Arabic speaking FPU's personnel and IPO's provided an extra tactical edge for criminal intelligence gathering and crime prevention operations.

**Gaps:**

- **Situational awareness/intelligence**

The Joint Mission Analysis Center (JMAC) was leaderless and ineffective for 10 months while the UN worked through its standard hiring process. The mission had no early warning about the JEM assault on Khartoum, even though the force had to drive 2000 Km to get to the capital. The JMAC was not prepared to provide crime pattern analysis/crime mapping. This should become a standard JMAC function.

- **Operational security**

The mission was unable to maintain operational security since UN Pol members would phone their national leadership to discuss pending operations and sometimes get instructions about what to do and where to deploy.

- **Lack of female FPU Members**

Women in Dafur will not talk to male peacekeepers. It proved extremely difficult to get women from Islamic countries to deploy as members of FPUs. The only FPUs with women were the Nepalese FPU (five women) and Nigerian FPU (two women).

- **Lack of uniformity among FPUs**

While military organizations share many basic doctrinal and organizational principles, FPUs come from very diverse backgrounds. Some have military preparation and others have no contact with or understanding of the military. Some are cautious about escalation in the use of force and others are less constrained. There is a critical need for a global standard that FPUs should be trained to adhere to and tested to ensure compliance with before they are deployed. Also important is the need to ensure they understand the Standard Operating Procedures developed by the mission.

- **Lack of attention to organized crime and suicide bombers**

The UN is not adequately addressing the current challenge that organized crime constitutes to civilians nor is it prepared to confront the potential threat from roadside bombs, car bombs and suicide bombers that can clearly be anticipated if missions are mandated in places like Somalia. Training from INTERPOL might assist with the former. A training module should be developed for reducing the risk from suicide bombers, car bombs, and roadside bombs.

- **Crime scene management**

In the absence of support from individual UN Police, FPUs lack an understanding of how to manage a crime scene and preserve evidence. Basic training in these skills would enhance FPU utility.

- **Inadequacies in the criminal justice system**

Although UNAMID military and police made detentions for violence against civilians, gaining conviction was a great challenge. The writ of the GOS legal system did not extend to rebel-held territory. In GOS-controlled areas, calling of witnesses was difficult, and sometimes the arrested person was tried for offences other than those they were handed over for.

- **Video tape capability**

All FPU's should have the capability to video tape their operations.

- **Armored Personnel Carriers are not suitable for Protection of Civilians in IDP camps**

APCs cannot maneuver in an IDP camp. A study should be conducted to determine if a more suitable armored police vehicle could be identified as an alternative, at least for units assigned to protect civilians in similar environments.

## VIII. An Inventory of Field Practice for Protection of Civilians

### A. Tier 1 Protection of Civilians Functions: Protection Through an Effective Peace Process

The DPKO Protection of Civilians framework begins with preventing the reoccurrence of protection violations. The experience in Bosnia, Kosovo, and Haiti, indicates that a proactive rather than a reactive posture in support of the peace process may not only be necessary but also highly effective.

In Bosnia MSUs contributed to the WESTAR Operation against covert Croat intelligence activities that exposed the criminalized power structure in Herzeg-Bosna that was thwarting the Dayton peace process. This was essential to dismantling the Third Entity Movement that was aimed at uniting Herzeg-Bosna with Croatia, an outcome that would have ruptured the Bosnian Federation and been a *casus belli* for Bosniaks.

In Kosovo one of the prerequisites for an effective peace process was to confront sources of political violence and political linkages with organized criminality. This required the capability to arrest dangerous KLA and Serb suspects and to contain resulting civil disturbances with non-lethal force. KFOR's Multinational Specialized Units (MSUs), UNMIK's Special Police Units (SPUs), and its special weapons and tactics team (Team 6) provided these essential capabilities. During 2002 UNMIK began making high-profile arrests, which led to convictions for the 1999 assassination of Ibrahim Rugova's bodyguards, of a senior ex-KLA commander guilty of multiple assassinations, and of scores of former KLA members for major crimes.

In Haiti, FPU's performed a range of roles that preserved the peace process, including crowd and riot control, hard entry, and high-risk arrest. The integrated use of the MINUSTAH FPU's SWAT team with the Haitian National Police SWAT team resulted in the arrest of four of the five gang leaders in Cite Soleil and 800 gang members in 2007.

Additionally, in Côte d'Ivoire FPU's contributed to the preservation of the peace process by providing crowd control and public security around the accommodations of the newly elected president.

The following is an inventory of field practices for how FPU's should perform Tier 1 functions to support an effective peace process:

- **Active patrolling and information/intelligence gathering are essential for situational awareness**

A most basic prerequisite for Protection of Civilians is awareness of the source of the threat. Practitioners involved in all six of the missions examined in the CoESPU

workshop emphasized this point. Unless the mission leadership understands the likely sources of threat to civilians, including their motives and plans, they will be unable to foster an effective peace process or prevent and preempt atrocities against civilians. FPU can contribute to this most effectively through active patrolling to gather operational information. FPU cannot accomplish this alone, however. Their efforts to obtain information about threats to civilians, and threats to the peace process generally, should be part of a structured and coherent information-gathering strategy coordinated by the Joint Mission Analysis Center (See the discussion of intelligence in “Cross-cutting Recommendations about FPU and Protection of Civilians” below). Situational awareness will enable FPU to focus their resources effectively in potential trouble spots and to contribute to the mission’s Protection of Civilians strategy, especially if it is aimed at either transforming the “enemies of peace” into supporters of the peace process or neutralizing their ability to threaten civilians.

- **Provide a non-lethal means of disarming threats to the peace process**

The incorporation of a 40-person SWAT capability along with a standard FPU equipped for crowd and riot control proved highly effective for MINUSTAH. The same combination was used effectively by UNMIK which had Team 6 for high-risk arrests along with 10 SPU. MSU also have a flexible structure allowing for specialized capabilities like hard entry and high-risk arrest to be integrated with the basic crowd and riot control capability. For missions where gangs, organized criminals, militias, paramilitary organizations, and other agents of violence against civilians are prevalent, a SWAT capability can be an invaluable supplement to standard FPU crowd and riot control capabilities. As their use by MINUSTAH demonstrates, this does not require executive authority.

## **B. Tier 2 Protection of Civilians Functions: Protection from physical violence**

The DPKO Protection of Civilians framework identifies as Tier 2 functions assessing, monitoring and providing early warning on the intent of potential perpetrators of human rights violations and signaling that they will be held accountable. FPU should be prepared to contribute to preemption of imminent threats to civilians, either alone or with military contingents, through proactive disruption of planned activity or by buffering a vulnerable population from hostile elements.

The following is an inventory of field practices for how FPU perform the Tier 2 function of protecting civilians from physical violence:

- **FPU can be used effectively as sections patrolling with individual UN Pol to provide area security for IDPs and other vulnerable communities**

A ten-person section or squad is the smallest FPU formation available for tactical use. In MINUSTAH, MONUSCO, and UNAMID, FPU sections were effectively teamed with an individual UN Police, a language assistant, and, when acceptable to the vulnerable community, a local police member. These patrols deterred violence

against civilians by their presence and in some cases prevented abusive behavior by the local police. FPU have also been used by MONUSCO to provide a security escort for Joint Protection Teams. Doctrine for this innovative use of FPU should be developed by drawing upon these and related field experiences.

- **FPU commanders could be trained in community policing concepts**

FPU need to engage continuously with the vulnerable civilian communities they are deployed to protect. To do this effectively, commanders down to the squad level would benefit from an understanding of community policing concepts. They should also understand how to use language assistants to develop effective channels of communication with the population they are expected to protect and to gain an understanding of the sources of their security concerns. These topics could be incorporated in CoESPU's course for senior FPU staff and in induction training for FPU leadership in missions with mandates for Protection of Civilians.

- **Establish standards and evaluation procedures for FPU commanders on de-escalation and avoidance of use of excessive force**

Skill at negotiation and avoidance of the use of force should be paramount for FPU commanders. FPU come from very diverse backgrounds. Some have military preparation and others have no contact with or understanding of the military. Some are cautious about escalation in the use of force and others are much less constrained. There is a risk that in a confrontation with an unruly crowd, commanders will revert to practices that have been tolerated back home involving excessive use of force. This resulted in the death of demonstrators in Kosovo. The lack of effective accountability mechanisms when this happens magnifies the risk. In addition to FPU standards for proficiency with firearms, standards and evaluation procedures should be developed to test whether FPU commanders understand how to deescalate and avoid use of force and also how to identify the conditions under which the graduated escalation in use of non-lethal force is necessary and justified.

- **Provide adequate numbers of interpreters/language assistants**

Essential functions like situational awareness and information/intelligence gathering and cannot be performed effectively without a means of communication. It will not often be the case that FPU will include members with the ability to speak the local language. This has implications for the number of language assistants who should be allocated to each FPU, especially if they routinely patrol at the squad level.

- **Training is needed for addressing organized crime and suicide bombers**

The UN is not adequately addressing the current challenge that organized crime constitutes to civilians nor is it prepared to confront the potential threat from roadside bombs, car bombs and suicide bombers that can clearly be anticipated if missions are mandated in places like Somalia. Training from INTERPOL might assist with the

former. A training module should be developed for reducing the risk from suicide bombers, car bombs, and roadside bombs.

- **Training is needed in crime scene management**

In the absence of support from individual UN Police, FPU lack an understanding of how to manage a crime scene and preserve evidence. Basic training in these skills would enhance FPU utility.

- **Require videotaping of all operations involving use of force**

All FPUs should have the capability to video tape their operations and should be required to document their use of force. This will serve a multitude of purposes including exculpating FPUs from false accusations of excessive use of force, deterring commanders from overreacting and using excessive force, and providing evidence against perpetrators of violent assault and damage to property that could be admissible in court.

- **Recruit more female FPU members**

Although all-female FPUs have been deployed, women should also be included with predominantly male FPUs to the extent possible. Women were successfully included in the Nepalese and Nigerian FPUs in Darfur. This is vitally important for use of FPUs to counter sexual and gender-based violence, since women in IDP camps in Dafur will not talk to male peacekeepers.<sup>7</sup>

- **Determine whether a more suitable armored police vehicle can be identified as an alternative to Armored Personnel Carriers**

APCs cannot maneuver in IDP camps. A study should be conducted to determine if a more suitable armored police vehicle could be identified as an alternative, at least for units assigned to protect civilians in similar environments.

### **C. Tier 3 Protection of Civilians Functions: Establishing a protective environment**

FPUs have not been routinely used for training local forces in public order management or related skills.

### **D. Cross-cutting Recommendations about FPUs and Protection of Civilians**

The effectiveness of FPUs in supporting a Protection of Civilians strategy will be determined by several cross-cutting factors that will have a decisive bearing on the

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<sup>7</sup> Sarah Williamson, senior consultant with the Global Emergency Group suggests that one solution may be for FPUs to work more closely with the female units of national police forces and to assist national forces to develop female units.

performance of the entire mission. These include the understanding of the mission leadership of the role of FPU; the ability of the mission to gather intelligence about the threat to civilians; the existence of a Protection of Civilians strategy that is designed to exploit intelligence to prevent, preempt, and ultimately eliminate threats to civilians; the capacity of the mission to develop an integrated operational plan to act against threats to civilians in a coherent manner, and the ability to patch up voids in the criminal justice system so that the most dangerous perpetrators of violence against civilians can be brought to justice.

- **Integrated Mission Leadership and Planning**

Missions challenged by violent obstructionist elements need a competent, courageous, and cohesive leadership team. The leadership selection process is beyond the scope of this project; however, there are essential elements in the preparation of mission leaders that should be addressed to enable unity of effort, or in General Agwai's terms, a "team spirit" among the Head of Mission, the Force Commander, and Police Commissioner. It is highly unlikely that the Force Commander will have any operational experience in the use of non-lethal force, and the Police Commissioner is not apt to have experience mounting operations with military forces. The SRSG will almost certainly be unfamiliar with the role of FPUs. A Protection of Civilians strategy requires effective operational planning to integrate military, police, and civilian activities. Coordination between military and police components should always take place on major operations so that the need for police support (e.g., crowd and riot control or evidence collection) can be anticipated and planned for. If operations should be followed by quick-impact projects, this should be planned well in advance. Integrated planning is an alien concept, however, for most military and police forces and development agencies. The mission leadership should insist that planning for operations be consolidated and that differences be settled at the PDSRSG or SRSG level. This is a key lesson. Not only does the safety of the forces involved depend on shared planning, the tactical effectiveness of operations hinges on it. To displace violent threats to civilians and arrest leaders responsible requires effective operational planning for mutual support by the military and police contingents. To assist in the development of an integrated and cohesive mission leadership capable of effectively planning a response to even the most dire threats to civilians, the following practices should be considered:

- Conduct an annual contingency planning exercise for dealing with the "worst case" threat to civilians that each mission is likely to confront

Given that the mission leadership is unlikely to have a clear conception of the proper role of FPUs in Protection of Civilians, each mission with FPUs should conduct a contingency planning exercise as soon as the mission's Protection of Civilians strategy has been completed. The exercise should address the "worst case" threat to civilians that the mission is likely to confront. The role of FPUs in responding to this threat should be explicitly articulated in the contingency plan. Owing to the constant rotation of senior leadership during a

peace mission, this process should be repeated on an annual basis. The DPKO Police Division, perhaps with the assistance of the Center of Excellence for Stability Police Units, should assist missions with the preparation for and conduct of these Protection of Civilians exercises.

- Standard procedures and a training module for integrated military and police planning for Protection of Civilians should be developed

The Best Practices Unit should work with interested partners, including the Center of Excellence for Stability Police Units, to develop integrated planning procedures and a training module for how to conduct operational planning in the field. The issue of when the police should be in the lead and the military in support, and vice versa, should be clearly articulated.

- **Situational Awareness/Intelligence**

Without intelligence, Military Force Commanders and Police Commissioners are flying blind. All Police Commissioners participating in the workshop stressed the need for intelligence. General Martin Agwai, Force Commander in UNAMID and Deputy Force Commander for the UN Mission in Sierra Leon, asserted that intelligence is the key to all operations and that the biggest challenge in Sierra Leon had been lack of intelligence. Prevention and pre-emption of violence against civilians are impossible without intelligence. Responding after the fact is tantamount to a never-ending quagmire if the intelligence is lacking to ferret out the perpetrators. The following practices should be considered to provide missions with essential capabilities:

- Any mission with a Protection of Civilians mandate should be deployed with a properly resourced Joint Mission Analysis Center

Before a mission is even deployed, an exhaustive assessment of the threat to civilians should be conducted. Associated with this should be an analysis of the mission's intelligence requirements and how the JMAC will be resourced and mandated to meet them. This does not require technical means of intelligence collection by the mission. All Troop and Police Contributing Countries and other Member States willing to provide intelligence support should be asked to contribute to both the pre-mission assessment and to provide continuous warning and identification of threats to civilians and to the mission on a continuous basis. The foundation for success by the JMAC is rigorous human source management and evaluation, coupled with a systematic effort to pool and analyze all sources of information available to the mission. The SRSG should provide the JMAC with the priorities for the mission collection plan based on the nature of the threat to the mission. The JMAC should establish an integrated collection plan for use by military, police, and civilian components. This process should be driven by the overall Protection of Civilians strategy.

Owing to the frequent rotation of FPU and military contingents (one year intervals or less), it is vital that the JMAC provide an “institutional memory” of where the threats to civilians emanate from, their motives, networks, and vulnerabilities. The JMAC should also be trained and equipped to provide crime pattern analysis.

- Permanent JMAC positions should be established within DPKO to avoid inordinate delays in establishing JMACs for new missions

A JMAC unit should be created in the DPKO secretariat that is staffed to provide an experienced and rapidly deployable JMAC chief and head of source management for new missions.

- Procedures should be developed for use of FPU to gather intelligence on threats to civilians and to provide them with early warning

FPU are not effectively or universally integrated into the reporting process that supports the JMAC. Their efforts to obtain information about threats to civilians, and threats to the peace process generally, should be part of a structured and coherent information collection plan coordinated by the JMAC. Procedures need to be developed to identify priority information requirements for collection by FPU patrols, which, to the extent possible, should be conducted in the most likely hot spots as indicated by intelligence. Mechanisms for providing JMAC analysis of trends and emerging threats to FPU are also lacking. FPU doctrine for this purpose is underdeveloped.

- Missions need the capacity to conduct intelligence-based operations

The only effective way to prevent, preempt, and ultimately eliminate violent threats to civilians is to obtain the intelligence that will enable the mission leadership to seize the initiative when the conditions warrant and mount intelligence-based operations against appropriate targets. One aspect is the capacity to engage in intelligence-led investigations. The purpose is to provide a mechanism for processing intelligence into admissible evidence against the sources of violent threats to civilians. It has been possible to develop a level of trust with local police so that they can play a pivotal role in the collection of criminal evidence. Missions also need the capability to mount intelligence-led operations to arrest key figures involved in violence against civilians and to disrupt planned attacks. Since these actions are likely to provoke orchestrated civil disturbances by the “enemies of peace,” FPU must be prepared to control and defuse the situation. Personnel involved in intelligence-based operations must be selected on the basis of professional competence not geographic diversity. The Police Commissioner should establish a criminal intelligence capacity within the police component to guide police operations. This capacity should work in an integrated manner with the JMAC and other relevant stakeholders.

- **Protection of Civilians Strategies Should Address How to Deal with the Source of Threats to Civilians**

The *Report of the Panel on United Nations Peace Operations* (The Brahimi Report) recognizes that when “the lingering forces of war and violence threaten a fragile peace or continue to prey upon a vulnerable population the mission may have to use force preemptively to implement its mandate and to protect civilians.”<sup>8</sup> Beyond the recognition that this is an essential component of peacekeeping, however, there are no precepts in the *United Nations Peacekeeping Operations: Principles and Guidelines*<sup>9</sup> to suggest how this most daunting of peacekeeping tasks should be conducted.

Tier 2 functions specify the need to prevent and preempt threats to civilians, signaling that they will be held accountable. It does not state, however, how they will be held accountable, or that these threats should be eliminated. Although Tier 1 functions do not explicitly call for addressing the source of threats to civilians, it can be inferred, since a peace process cannot be considered effective unless threats to civilians have ceased to manifest themselves actively. Doctrine does not exist, however, to guide UN action to confront threats to civilians (or threats to the peace process). Options might range from removal of such threats when necessary and achievable, to creating consequences and incentives to encourage an alternative, non-threatening path. The following step is recommended:

- Develop doctrine for confronting threats to civilians

FPU should not simply be used to respond to recurring threats to civilians. They should be used strategically to contribute to a proactive mission strategy to either transform the “enemies of peace” into supporters of the peace process or to neutralize them. Principles for Protection of Civilians should endorse taking active measures to oppose those who engage in violence against civilians. Guidelines should be provided that stipulate when and how to do so. DPKO should provide guidance to missions about how to address the source of threats to civilians, arguably their most challenging but also most essential function.

- **Filling Voids in the Rule of law**

Holistic criminal justice reform (i.e., the judicial system and legal code, the police, and prison system) should be rigorously and comprehensively pursued immediately after any intervention; however, this will likely take years to bear fruit. Immediate fixes are required when judges and police are incapable of confronting threats to civilians or are in collusion with them. Similarly, the inability of the prison system to keep

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<sup>8</sup> United Nations, *Report of the Panel on UN Peace Operations*, (New York: UN, 2000) A/55/305 (August 21), Available at [www.un.org/peace/reports/peace\\_operations](http://www.un.org/peace/reports/peace_operations).

<sup>9</sup> United Nations, *United Nations Peacekeeping Operations Principles and Guidelines*, (New York: UN, 2008). Available at [www.peacekeepingbestpractices.unlb.org/Pbbs/Library/Capstone\\_Doctrine\\_ENG.pdf](http://www.peacekeepingbestpractices.unlb.org/Pbbs/Library/Capstone_Doctrine_ENG.pdf)

dangerous detainees suspected of committing violent crimes against civilians in jail also requires an immediate and reliable solution. To deal with this gap, the following is recommended:

- Properly assess the criminal justice system, identify voids, and seek authorities to fill them

The notion that establishing the rule of law is purely a function of developing the capacity of local institutions is faulty. Pre-mission assessments should rigorously determine whether the legal system is part of the solution for Protection of Civilians or part of the problem. If it is the latter, the mission should seek the authority in the mandate to provide an appropriate “patch” for the systemic defects in the local criminal justice system, until threats to civilians have been dealt with and/or the local system has been reformed and has demonstrated the capacity to deal effectively with threats to civilians.

# **ANNEX**

## **Roster of Workshop Presenters**

**Martin Luther Agwai**, Force Commander, African Union/United Nations Hybrid Operation in Darfur and Deputy Force Commander, UN Mission in Sierra Leon

**Michael Aubry**, Deputy Police Commissioner, United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

**Enzo Coppola**, Deputy Commander, Multinational Specialized Unit, Stabilisation Force in Bosnia and Herzegovina and Commander, Multinational Specialized Unit, Kosovo Force

**Stefan Feller**, Police Commissioner, UN Interim Administration Mission in Kosovo

**Michael Fryer**, Police Commissioner, African Union/United Nations Hybrid Operation in Darfur

**Victor Hernandez**, FPU Coordinator, United Nations Operation in Côte d'Ivoire and African Union/United Nations Hybrid Operation in Darfur

**Richard Monk**, Police Commissioner, UN Mission in Bosnia Herzegovina and UN Interim Administration Mission in Kosovo