

# UK National Strategy on the Protection of Civilians in Armed Conflict 2011 Annual Report

In March 2010 the United Kingdom launched a national strategy on the Protection of Civilians in Armed Conflict (PoC). The strategy, a collaboration between **the Foreign and Commonwealth Office, the Department for International Development and the Ministry of Defence**, sets out what the Government is doing to keep the Protection of Civilians at the forefront of our work on political, security and humanitarian fronts. The strategy draws together for the first time the variety of work that the UK is undertaking to help protect civilians caught up in conflict around the globe, and demonstrates our commitment to furthering the civilian protection agenda.

The strategy covers the period 2010-2013, with progress reports due at yearly intervals. This report summarises the UK's work in four policy areas during the first 12 months of the strategy's lifespan:

- Political engagement
  - Protection by peace support operations
  - Humanitarian action
  - State capacity
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## Political engagement

### *Strengthening international political action on protection*

At the United Nations the UK continues to be the lead nation on the Protection of Civilians agenda in the UN Security Council. We used the UNSC Protection of Civilians debates in July and November 2010 to highlight key current protection issues, and also chair an Informal Expert Group, which gathers UNSC members together for the consideration of protection issues in the context of a mission mandate renewal. The expert group met twice in December 2010, first in connection with the termination of the UN Mission in the Central African Republic and Chad, and then to discuss the renewal of the authorisation of the AU Mission for Somalia. In March 2011 the Expert Group was briefed on Afghanistan in connection with the mandate renewal for the UN Assistance Mission in Afghanistan. That same month, in response to growing concern about the impact on civilians of the continuing violence in Côte d'Ivoire, we convened the first ad hoc meeting of the group.

The UK, with EU partners, co-sponsors a resolution every two years at the UN General Assembly calling for better protection of human rights defenders (HRDs). We also support close co-ordination between the New York Office of the High

Commissioner for Human Rights (OHCHR) and the protection lead – OCHA – to ensure maximum impact.

The UK launched its revised National Action Plan (NAP) on Women, Peace and Security (WPS) in November 2010. The NAP strengthens our ability to reduce the impact of conflict on women and girls and promote their inclusion in conflict resolution. It contains national, bilateral and multilateral commitments to further activity on UNSCR 1325 (2000), the landmark UN Security Council resolution on WPS. The bilateral action sets out activity being carried out in priority conflict or post-conflict countries, and country plans have been developed for Afghanistan, the Democratic Republic of the Congo and Nepal.

We continue to be a key supporter of Women, Peace and Security in the UN Security Council. In December 2010 we worked closely with Council partners to adopt UNSCR 1960 (2010), which sets out strengthened accountability mechanism to combat sexual violence in armed conflict. We continue to push for inclusion of language on WPS in UN peacekeeping mandates; between April 2010 and March 2011 such language was successfully inserted in nine different UN peacekeeping mission resolutions.

The UK has aimed to support the UN's Department of Political Affairs (DPA) in increasing its effectiveness in this area, drawing UNSC attention to potential conflict and situations that may require action to protect civilians.

### *Strengthening international, regional and national human rights and humanitarian law monitoring*

Human rights components of UN peacekeeping missions are now common. The UK fully supports their inclusion and in some cases (e.g. UNMIN – the UN Mission in Nepal) has been instrumental in strengthening them. We helped secure the inclusion of improved human rights language in the mandate of the UN mission in Western Sahara (MINURSO) - the main UN peacekeeping operation where such a component is lacking.

We have welcomed the OHCHR's regular briefings to the UNSC on international humanitarian law and international human rights law monitoring, and have supported the OHCHR in this activity. A recent example was the High Commissioner's April 2011 briefing to the UNSC on Côte d'Ivoire. There is also an increasing regularity of briefing during thematic debates – in particular on the Protection of Civilians and on Women, Peace and Security. The direct access of the OHCHR to the UNSC helps ensure that human rights monitoring is systematically and regularly used by Security Council members in their work.

The FCO's Human Rights Command Paper, published on 31 March 2011, made clear the UK Government's support for those acting to promote and protect human rights (human rights defenders – HRDs). The Foreign Secretary's statement on 10

December 2010 to mark International Human Rights Day focused on honouring HRDs. The UK has good contacts with a range of NGOs in the UK and overseas, and regularly takes note of their views and the views of individual HRDs whom we meet, to inform policy. We work bilaterally, with EU partners and others to publicly support HRDs, raising individual cases with the government concerned. We make Ministerial statements expressing concern at the treatment of HRDs, and refer to them in traditional and digital media.

### *Supporting international, national and community efforts for transitional justice*

The UK has been at the forefront of Special Sessions of the Human Rights Council (HRC) on Côte d'Ivoire, Libya and Syria. The resulting resolutions mandated Commissions of Inquiry for both Libya and Syria; both of these mechanisms have been mandated to tackle impunity. The resolution resulting from the Côte d'Ivoire Special Session urged the authorities to address impunity, and a second resolution during the March 2011 session of the HRC mandated a Commission of Inquiry. When these mechanisms report back to the Council the UK will encourage the relevant authorities to address their recommendations, and where necessary sponsor HRC resolutions based on the recommendations.

We have also called on authorities to tackle impunity during our national interventions on States Universal Periodic Reviews (UPR), with specific examples in the last 12 months being Nepal, Libya and Jamaica. The UK will continue to raise issues of impunity through the UPR and follow up with states to encourage implementation of UPR recommendations on impunity and justice.

On 11 April 2011 the UK convened a Wilton Park conference 'Libya Human Rights, The Way Forward', which invited leading practitioners, lawyers and parliamentarians to discuss the Protection of Civilians during and post-conflict, and how to ensure accountability for human rights abuses committed.

### *Strengthening international justice mechanisms*

The Foreign Secretary's speech on 15 September 2010 affirmed a continuing commitment to international justice as a key part of a values-based foreign policy. International criminal courts and tribunals demonstrate a commitment to ensuring no impunity for the most serious crimes, including war crimes, crimes against humanity and genocide.

The UK has a long-standing position of support for the work and objectives of the ICC, including in our position as one of only two States Parties in the P5. In February 2011 we drafted UN Security Council resolution 1970 (2011) in which the Council, acting unanimously, took action on the crisis in Libya, including referral of the situation to the ICC for investigation. The United Kingdom is the third largest contributor to the budget of the ICC and has signed agreements with the Court on sentence enforcement, witness protection and information sharing. We have also

been active in promoting the importance of experienced and competent candidates standing for judicial elections.

The UK continues to support the ad hoc International Criminal Tribunals for Rwanda (ICTR) and the former Yugoslavia (ICTY). During the reporting period we have facilitated meetings with witnesses and granted access to documents to both the Office of the Prosecutor of ICTY and the defence of various accused individuals. The UK has contributed financially to all tribunals including the voluntary funded ones: Sierra Leone, Cambodia and Lebanon; and we play a leading role in the management committees for all three. The UK also played a leading role in the drafting of the United Nations Security Council resolution on the Residual Mechanism for ICTR and ICTY adopted in December 2010. We are participating actively in the process of judicial elections in the ICC as well as in the Residual Mechanism by nominating candidates for each body.

## **Protection by peace support operations**

### *Better and more consistent language on protection in peace support operation mandates*

The UK's prominent advocacy role in the UN Security Council on the Protection of Civilians puts us in a strong position to seek the inclusion of firm language on PoC in peacekeeping mission mandates. During the reporting period such assurances were secured in the following Security Council resolutions:

- UNSCRs 1919 (2010) and 1935 (2010) on Sudan;
- UNSCR 1923 (2010) on Chad;
- UNSCR 1925 (2010) on the Democratic Republic of the Congo;
- UNSCRs 1933 (2010), 1962 (2010) and 1967 (2011) on Côte d'Ivoire;
- UNSCR 1943 (2010) on Afghanistan;
- UNSCR 1964 (2010) on Somalia

In response to serious violence inflicted on Libya's civilian population by the Qadhafi regime, in March 2011 UNSCR 1973 (2011) authorised military action to put in place a no-fly zone to prevent air attacks on the Libyan people, and to take all necessary measures to stop attacks on civilians. A number of Libyan towns and cities had been under siege by regime ground forces, so coalition airstrikes were launched to help relieve the pressure on ordinary citizens, many of whom were trapped in their homes without electricity or communications, with dwindling supplies of food and water. The United Kingdom has been consistently clear that the action undertaken by coalition forces has been to protect the civilian population on the ground in Libya. UNSCR 1973 expressly authorised the use of force to protect civilians and civilian-populated areas.

March 2011 also saw the adoption of UNSCR 1975 (2011) on Côte d'Ivoire, in

response to the violent fallout from the political crisis in the West African country. The UK strongly supported the UN mission (UNOCI)'s robust posture and approach in implementing its mandate to prevent the use of heavy weapons and to protect civilians. We believe UNOCI took a pioneering step in increasing UN peacekeepers' level of responsibility for civilian protection, with the authorisation and support of the Security Council.

### *Better reporting on protection issues by peace support operations*

In order to improve mission wide planning and monitoring and evaluation of PoC efforts, the UK negotiated language on a strategic framework and benchmarks for peacekeeping missions with a protection mandate in the 2011 report of the Special Committee on Peacekeeping Operations (C34), the UN General Assembly body that considers best practice in UN peacekeeping. Wherever possible we also seek to build on UNSCR 1894 (2009), the most recent example of a Security Council resolution on the Protection of Civilians, as the enhancement of protection by United Nations peacekeeping and other relevant missions is one of the five core challenges identified in the Secretary-General's report of that year.

### *Better execution of protection tasks within a peace support operation*

A success this year was the inclusion of positive language in the report of the C34 Committee on improving the design and rollout of PoC-specific training. The UK has also provided funding to DPKO staff specifically to enable them to work on Protection of Civilians issues. We continue to engage with troop contributing countries on the implementation of PoC in peacekeeping mandates.

MOD maintains its commitment to military training teams in Africa. The main UK focus has been on support to the East African Standby Force through British Peace Support Team (East Africa), Kenya. We remain committed to supporting the development of effective and democratically accountable security forces across the Southern African Development Community region – especially where they wish to deliver United Nations/African Union (UN/AU) peacekeeping contingents to current African operations. UK MOD also has Military Advisory and Training Teams based in Nigeria and Sierra Leone. UK forces have also been assisting in the pre-deployment training of Ugandan troops for AMISOM (the AU mission in Somalia) with a specific emphasis on the Protection of Civilians.

MOD has undertaken work with the EU/AU joint project on support to African peacekeeping training centres; Italy leads on the EU side. The initiative is designed to provide peacekeeping training for military, civilian and police personnel. The UK provides one of two military advisors to the EU delegation to the AU in Addis Ababa.

The AU's 2010 peacekeeping exercise Amani was the final exercise in the two-year Amani Africa cycle, designed to test and validate the operational readiness of the African Standby Force and the ability of the AU to deploy and manage

multidimensional peace support operations. MOD has supported with both manpower and funding. The AU has declared the series of exercises, and Amani 2010 in particular, a success which has consolidated the African Standby Force's ability to promote African peace and stability. The lessons learned will now assist the AU to develop further doctrine and procedures. Despite this being the conclusion of this series of exercises, the AU/EU links are being maintained not least by the addition of a UK military officer in Brussels.

### *Enhancing protection capabilities of troop and police contributing nations*

The MOD's Development, Concepts and Doctrine Centre has developed a Joint Doctrine Note, centred on peacekeeping, which includes a number of thematic protection resolutions. The Protection of Civilians represents a large proportion of this note. The note, compiled in consultation with Other Government Departments and Non-Governmental Organisations, draws on current national and international strategies to establish best practice and, importantly, attempts to standardise peacekeeping language in line with UN policies. Noting that it is an iterative document, the Doctrine Note will inform further doctrine development and is available for other countries to utilise.

In addition to the updated doctrine, the MOD's Military Annual Training Tests have been expanded to include training and judgemental packages in Operational Law. All personnel deploying on operations are required to have undergone training in operational law, including: law of armed conflict; rules of engagement; use of force; judgemental training; shooting incident reviews; and captured persons handling. The package majors on distinction; there must be a clear distinction between the armed forces and civilians, or between combatants and non-combatants, and between objects that might legitimately be attacked and those that are protected from attack. MOD has revised its targeting policy to ensure it is even further aligned with Protection of Civilians doctrine. This outlines the incumbent responsibilities upon all UK personnel involved in the targeting process to ensure that civilians are not targeted and every effort is made to avoid civilian casualties.

As well as the assistance given by the training teams outlined earlier, and similar teams in Eastern European nations, the Defence Academy conducts numerous training courses which include other troop and police contributing nations. These courses are informed by PoC strategies and include specific sections on civilians in conflict and International Law, as well as wider morality issues. In the last 12 months MOD has hosted several 'Managing Defence in the Wider Security Context' courses at the Defence Academy, and provided training in regional centres for over 350 senior armed forces officers and civilian officials.

## Humanitarian action

### *Improving humanitarian access*

Humanitarian access and space were a central theme of the independent Humanitarian Emergency Response Review (HERR, March 2011) commissioned by DFID. Humanitarian space is one of the seven main themes of the HERR's report, which recommends that DFID "re-asserts the premise that humanitarian action should be based on need, reaffirming the principles of humanity, neutrality and impartiality in the new DFID humanitarian policy" and ensures funding is made available for security and risk management for humanitarian workers. Our response to the HERR commits the Government to ensuring that our humanitarian aid is delivered on the basis of need, and on the basis of humanity, impartiality, neutrality and independence in accordance with our key international commitment. The Government's strategy to end Violence Against Women and Girls (VAWG) also commits HMG to ensuring that UK humanitarian aid prevents and responds to violence against women and girls.

Language on humanitarian access and humanitarian principles has been included in UK statements in relevant UN fora, such as UNSC debates on PoC, the UN Economic and Social Council (ECOSOC) and on governing boards of humanitarian agencies. We have lobbied consistently via the UN Emergency Relief Coordinator and directly to governments, in fora such as the monthly High Level Committee on Darfur, for increased humanitarian access to populations displaced by government-rebel conflict.

### *Strengthening the work of humanitarian agencies with an international protection mandate*

The performances of ICRC, UNHCR and OCHA were assessed through DFID's Multilateral Aid Review (MAR), with ICRC rated as "very good" value for money and UNHCR and OCHA as "good" value for money. DFID will develop business cases for ICRC, OCHA and UNHCR, which will justify four-year core contributions to each agency. Performance in improving areas of weakness identified by the MAR will be assessed after two years and funding levels adapted accordingly.

HMG continues to be a strong supporter of OCHA, including its mandated role in advocating for PoC. Since March 2010 OCHA has issued two important publications:

- OCHA on Message: Protection (June 2010)
- OCHA Aide Memoire 'For the consideration of issues pertaining to the Protection of Civilians in Armed Conflict' (Jan 2011)

Child protection remains central to UNICEF's mandate and DFID continues to support their work in humanitarian emergencies, providing earmarked funding of £4

million per year to their Humanitarian Thematic, in addition to the UK's core funding to cover development work. We continue to monitor UNICEF's performance in emergency situations. On 20 April 2011 Tony Lake, UNICEF Executive Director, issued a statement of great concern about the effects of violence on children caught up in escalating conflict in the Middle East and North Africa. The Multilateral Aid Review has resulted in a proposed uplifting of our humanitarian funding while also making it clear that future core funding will be dependent on UNICEF making tangible progress to improve their performance in humanitarian emergencies, including PoC responsibilities.

A specific DFID objective has been to integrate the Protection of Civilians into our humanitarian strategy, with the inclusion of protection indicators by which to measure success. Bilateral funding has been provided to protection-focused agencies in Somalia, including ICRC and OCHA, and to a lesser extent through pooled funding arrangements. We have also provided support to UNHCR in Kenya, and UK Ministers raised concerns with the Kenyan government over the protection of refugees. We have also funded 10% of ICRC's budget in Sudan. Protection has been a main tenet of DFID's humanitarian strategy in Libya, where complex tribal and political affiliations have potentially placed many at risk of denial of assistance, enforced repatriations, arbitrary detentions and violence. DFID donated £5 million to the ICRC (approximately 9% of their appeal) during the Libyan crisis for protection and assistance activities.

A UK-hosted forum (the NGO Military Contact Group) meets every quarter with the aim of improving and strengthening communication between non-governmental aid organisations and the British armed forces and relevant government departments. It is chaired by the British Red Cross and its members include representatives from the FCO, MOD and DFID and from across the non-governmental aid organisation arena such as Merlin, Save the Children, Medecins Sans Frontieres and World Vision.

#### *Strengthening the work of humanitarian agencies that do not have an express protection mandate*

DFID funding for World Vision's "Minimum Agency Standards for Incorporating Protection in Humanitarian Response for non-mandated agencies" project continues. The minimum standards are being deployed and tested in a number of pilot countries.

The revision of the 'Humanitarian Charter and Minimum Standards in Disaster Response' (Sphere) guidelines was published in April 2011. The previous version did not have any specific section on protection and/or human rights - both were considered as cross-cutting themes and were thus incorporated into each technical chapter. The revised handbook now has a chapter on protection, as a result of DFID's comments on the draft. The revised version has four principles based on: (i) do no harm; (ii) access to impartial assistance; (iii) protection from physical and



physiological harm; and (iv) assistance with rights claims, remedies and recovery from abuse.

DFID routinely assesses protection needs as part of every humanitarian response. Where relevant and appropriate, non-mandated humanitarian partners are encouraged to mainstream protection issues. Protection needs were considered as part of DFID's responses to the 2010 Pakistan floods and Haiti earthquake, but in these cases protection needs were mostly covered by mandated organisations.

## **State capacity**

### *Strengthening security and justice services*

In Afghanistan, developing the Afghan National Security Forces (ANSF) is a key part of the NATO remit. They have an essential role in providing both security and governance in the country. The UK's contribution to ANSF development is delivered through three principal means: by embedding staff officers in the NATO Training Mission Afghanistan (NTM-A) headquarters; by providing trainers and support to NTM-A training institutions; and through the partnering of deployed ANSF in Helmand province. Across Afghanistan as a whole, excellent progress is being made. We are currently ahead of schedule for meeting the target of 171,000 Afghan Army and 134,000 Afghan Police by the end of October 2011.

With DFID's budget increasing over the SR10 period, there is a significant planned increase in programming in the area of security and justice. Our recent commitment to help ten million women to access police and legal assistance and justice through the courts over the SR10 period reflects this. We are now focusing on scaling up the impact of our interventions. In August 2010 we published a How to Note on Measuring and using Results in security and justice programmes, and are taking forward new work on indicator development, data gathering (including perception studies) and impact evaluation.

Building on existing and new Violence Against Women and Girls (VAWG) programmes in 16 country offices, VAWG is a new corporate priority for DFID, as set out in both our Structural Reform Plan and one of four pillars in our new Gender Strategy launched in March 2011. DFID has developed new guidance on VAWG indicators to measure results, and is taking forward new work at the country level to better understand root causes and build an evidence base of successful interventions.

### *Improving the international community's response to security and justice issues*

HMG has continued to promote stronger co-ordination and effectiveness of international security and justice activity, at both field and HQ level. Key recent reports, particularly the 2011 World Development Report and UN Civilian Capacity

Review, reflect growing recognition of the major obstacles and have made important recommendations for overcoming them. We will continue to support their implementation.

We continue to work closely with the OECD-DAC (INCAF) on strengthening the international system's effectiveness in security and justice. Through maintaining an informal working group of key donors and multilaterals the DAC is taking forward research and evaluation into the key challenges faced in implementation.

In 2010 DFID commissioned a review of Southern civil society capacity on security and justice, broken down by region and now available for use by all DFID country offices and other international actors. We work with Southern civil society both at country and global level in security and justice programming, but no longer have specific input targets.

### *Strengthening national capacities for human rights monitoring*

In the last 12 months we have donated over £500,000 to OHCHR funds for technical assistance on implementing UPR recommendations and combating torture and contemporary forms of slavery. We strongly encourage states to work with OHCHR on a technical assistance level; this is done through UPR and bilaterally in capital - recent examples include Egypt and Tunisia. The UK also strongly supports OHCHR field presences, and has worked to support continued presences in Nepal and Cambodia. Through our project work we have also supported both government and civil society projects that aim to build national capacity for human rights monitoring, including strengthening/establishing national human rights institutions; implementing UPR and Treaty Monitoring Body recommendations; and building the capacity of civil society to hold governments to account.

### Glossary of acronyms

AMISOM	African Union Mission in Somalia
ANSF	Afghanistan National Security Forces
AU	African Union
BPST	British Peace Support Team
C34	UN Special Committee on Peacekeeping Operations
DAC	Development Assistance Committee
DFID	Department for International Development (UK)
DPA	Department of Political Affairs (UN)
DPKO	Department of Peacekeeping Operations (UN)
DPRK	Democratic People's Republic of Korea
ECOSOC	Economic and Social Council (UN)
FCO	Foreign & Commonwealth Office (UK)
HERR	Humanitarian Emergency Response Review
HMG	Her Majesty's Government

HRC	Human Rights Council
HRD	Human Rights Defender
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IHL	International Humanitarian Law
IHRL	International Human Rights Law
INCAF	International Network on Conflict and Fragility
MAR	Multilateral Aid Review
MINURSO	United Nations Mission for the Referendum in Western Sahara
MOD	Ministry of Defence (UK)
NAP	National Action Plan
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
NTM-A	NATO Training Mission Afghanistan
OCHA	Office for the Co-ordination of Humanitarian Affairs (UN)
ODI	Overseas Development Institute
OECD	Organisation for Economic Co-operation and Development
OGD	Other Government Department
OHCHR	Office of the High Commissioner for Human Rights (UN)
PoC	Protection of Civilians
SADC	Southern African Development Community
SANDF	South African National Defence Force
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMIN	United Nations Mission in Nepal
UNOCI	United Nations Operation in Côte d'Ivoire
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UPR	Universal Periodic Review
VAWG	Violence Against Women and Girls
WPS	Women, Peace and Security