Module 2 - MONUSCO

MONUSCO
Country and Mission Overview

Country overview

1. The Democratic Republic of the Congo (DRC) is the second largest country in Africa and, with a population of over 71 million, the fourth most populous nation. It borders the Central Africa Republic and South Sudan to the north; Uganda, Rwanda, Burundi and Tanzania to the east; Zambia and Angola to the south; and the Republic of Congo to the west. The DRC lies on the Equator and the climate is hot and humid in the river basin and cool and dry in the southern highlands. The country contains approximately 250 African ethnic groups; of which the Luba, Kongo, and Anamongo are among the larger. The main languages spoken are: French, Lingala, Kiswahili, Kikongo and Tshiluba. The country is rich in natural resources, including copper, cobalt, diamonds, gold, tantalum, and other minerals. Nevertheless, rates of poverty, illiteracy and infant are extremely high and life expectancy is less than 51 years. The DRC is rated 187th of the 187 countries listed in the indices of the UN Development Programme's 2011 Human Development Report.

2. Following the **1994 Genocide in Rwanda** and the establishment of a new government there, some 1.2 million Rwandese Hutus — including elements who had taken part in the genocide — fled to the neighbouring Kivu regions of eastern DRC, formerly Zaïre, an area inhabited by ethnic Tutsis and others. A rebellion began there in 1996, pitting the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) led by Laurent Désiré Kabila against the army of President Mobutu Sese Seko. Kabila's forces, aided by Rwanda and Uganda, took the capital city of Kinshasa in 1997 and renamed the country the Democratic Republic of the Congo (DRC).

3. The country's first free elections in 46 years were held on 30 July 2006 and President Joseph Kabila (son of the late Laurent Kabila) was declared the winner, following a run-off in October and a subsequent legal challenge. The entire electoral process represented one of the most complex votes the UN has ever helped to organize. In November 2011, the DRC held its second multi-party elections. This was marred by significant technical and logistical difficulties, as well as isolated incidents of violence and intimidation. Nevertheless, it was largely calm and orderly. Kabila was again declared the winner, although Etienne Tshisekedi, who came second, challenged the result. The new National Assembly convened for the first time in February 2012. A new cabinet was named in April 2012.

Mission structure and organization

4. The United Nations Organization Mission in the Congo **(MONUC) was established in 1999** as a small, unarmed observer force to monitor the Lusaka Ceasefire Agreement (described below) but its mandate was subsequently expanded a number of times. In 2000 the UN Security Council (UNSC) authorized the presence of armed troops and gave MONUC a protection of civilians (POC) mandate. In 2003, the UNSC increased MONUC's strength to more than 10,000 troops, including the deployment of tactical helicopters. It was further increased to 17,000 troops in 2007. **On 1 July 2010, it was renamed the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)** to reflect the new phase reached in the country. <u>The new mission has been authorized to use all necessary means to carry out its mandate relating, among other things, to the protection of civilians</u>, humanitarian personnel and human rights defenders under imminent threat of physical violence and to support the Government of the DRC in its stabilization and peace consolidation efforts.

<u>MONUSCO now has two core objectives in its mandate</u>:

(1) **Protection of civilians. POC is considered the primary objective of the mission**, and must be priority in the use of mission assets.

(2) Stabilization and peace consolidation. This includes supporting state structures, including strengthening the capacity of the Congolese armed forces (FARDC), and supporting the justice system.

5. The UNSC decided that MONUSCO would comprise a maximum of 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 members of formed police units, in addition to the appropriate civilian, judiciary and correction components. Future reconfigurations of MONUSCO would be determined as the situation evolved on the ground, including: the completion of ongoing military operations in North and South Kivu as well as the Orientale provinces; improved government capacity to protect the population effectively; and the consolidation of state authority throughout the territory.

MONUSCO Facts and Figures

6. Initial authorization

- 22,016 total uniformed personnel
  - 19,815 military personnel
  - 760 military observers
  - 391 individual police officers
  - 1,050 personnel of formed police units
- Appropriate civilian, judiciary and correction component

7. Current strength (31 Jan 2013)

- 19,134 total uniformed personnel
  - 17,062 military personnel (17 Battalions)
  - 681 military observers
  - 1391 IPOs (Individual Police Officers) and FPUs
- 977 international civilian personnel*
- 2,895 local civilian staff*
- 586 United Nations Volunteers

*Note: Statistics for international and local civilians are as of 31 December 2011

Parties and Conflict Dynamic

8. The roots of the current conflicts in the DRC are complex involving both internal and external actors. The rebellion which brought Laurent Kabila to power in 1996 was strongly backed by the governments of Rwanda and Uganda. However, over the next year, relations between Kabila and his foreign backers deteriorated. In July 1998, Kabila ordered all foreign troops to leave the DRC. On 2 August, nationwide fighting erupted and fresh Rwandan and Ugandan troops entered the country. The creation of a newly-formed group, the Congolese Rally for Democracy (RCD), was announced and Rwandan troops prepared to march on the capital Kinshasa, to install it in power. Angolan, Zimbabwean, and Namibian troops intervened on behalf of President Kabila. The Rwandans and the RCD withdrew to eastern DRC. The Second Congo War devastated the country and is sometimes referred to as the 'African world war' because it involved nine African nations and some twenty armed groups. It was also the world's deadliest conflict since World War II, killing an estimated 5.4 million people, the vast majority of whom died from conditions of malaria, diarrhea, pneumonia and malnutrition.

9. In August 1999, a cease-fire was signed between the DRC and five regional States in Lusaka, Zambia. The Lusaka Accord called for the deployment of a UN peacekeeping operation, the withdrawal of foreign troops, and the launching of an 'Inter-Congolese Dialogue' to form a transitional government leading to elections. However, the parties failed to fully implement the Accord's provisions and Kabila repeatedly blocked full deployment of UN troops. Kabila was assassinated, in January 2001 and he was succeeded by his son Joseph. Over the next year, MONUC deployed throughout the country, and the Inter-Congolese Dialogue proceeded. By the end of 2002, all Angolan, Namibian, and Zimbabwean troops had withdrawn from the country. Rwandan troops officially withdrew

from the DRC in October 2002, while Ugandan troops withdrew in May 2003. In May 2002, the RCD (Goma) carried out a massacre of civilians in civilians in Kisangani, the DRC's third-largest city. MONUC had roughly 1,000 troops and dozens of military observers in the city, but failed to oppose the massacres forcefully or send patrols to deter abuses.

10. The presence of Ugandan troops had also considerably exacerbated tensions between the Hema and Lendu tribes in the Ituri region of north-east DRC. This lead to the formation of two militia groups: the National and Integrationist Front (FNI), which claimed to represent the Lendu and the Union of Congolese Patriots (UPC), which claimed to be fighting for the Hema. The sudden withdrawal of Ugandan troops in 2003, which was carried out in less than two weeks, left a dangerous security vacuum. Fighting broke out in the town of Bunia, which was first captured by the FNI and then recaptured by the UPC, leading to widespread looting and the murder of hundreds of civilians. MONUC only had 712 troops in the area, who were primarily trained and equipped for guard duty. These tried to set up roadblocks and conduct patrols, but soon abandoned these efforts as futile. However, they did manage to protect some civilians. When the violence began, around 10,000 people flooded the Bunia airport and about 6,000 went to MONUC sector headquarters. MONUC troops refused to abandon these locations during the crisis, facilitating the delivery of food aid and other supplies, and securing the airport to support future use by MONUC and relief organizations.

11. The UN authorized the deployment of an Interim Emergency Multinational Force (IEMF) to establish security in Bunia. This was organized under European Union auspices, but with Chapter VII powers from the UNSC. The force had light armored vehicles, observation helicopters, and French air support. It quickly established its authority in Bunia, enforced a 'weapons-free zone', and responded aggressively to provocations by the militia groups. One skirmish killed 20 militiamen. The IEMF cut off some weapons shipments into Bunia by monitoring secondary and field airstrips, and running vehicle patrols. The IEMF was only authorized to protect IDPs and provide security for civilians within the town of Bunia, and massacres continued outside the town. Nevertheless, as a sign of the IEMF's success at protecting civilians in its area of operation, thousands of IDPs returned to Bunia from June to August 2003.

12. In September 2003, responsibility for the security of the region was handed over to the MONUC mission, which established security in Bunia and gradually began to patrol more remote villages. The UN organized a brigade-sized force (the Ituri Brigade) with 4,800 troops, heavy armaments, and combat helicopters. To prepare for the handover, the UNSC increased MONUC's troop ceiling to 10,800 and again authorized it to 'take the necessary measures in the areas of deployment of its armed units', and 'within its capabilities' to protect civilians under imminent threat. In one encounter, a truck full of militia fighters attempted to drive into Bunia, and was fired upon by a MONUC surveillance helicopter; killing three militia members. In another, MONUC forces found a cache of weapons at the UPC's political headquarters and arrested a number of top officials.

13. The increased UN presence in the eastern DRC also improved security for civilians in the Kivus. MONUC formed a Kivus Brigade, which conducted high visibility patrols, prompting thousands of IDPs to return home. Nevertheless, civilians in such areas remained at risk when patrols withdrew from an area. Security in the Kivus started to deteriorate in late 2003 and early 2004. Tensions grew as the former rebel forces from RCD (Goma) began to integrate into the Congolese national army (FARDC). In the spring of 2004, mutinous FARDC forces occupied Bukavu, the capital of South Kivu for a week. Hundreds of civilians were killed in Bukavu, and to the south in Kamanyola, before the renegade forces withdrew. At least 2,000 civilians sought shelter at the MONUC compound and more than 30,000 fled to Burundi and Rwanda. Despite a redeployment of MONUC troops to the Kivus that had begun months earlier, only 800 MONUC soldiers were in Bukavu at the time of the crisis.

Many Congolese were frustrated with the lack of a forceful UN response to the conflict and large, violent protests occurred in Kinshasa and elsewhere.

14. After the events in Bukavu, the Secretary-General proposed more than doubling MONUC's size, from 10,800 to 23,000 personnel. He requested brigade-sized forces in both North and South Kivu, a new brigade for Katanga and the Kasai provinces, an eastern division headquarters to direct military operations in the Kivus and Ituri, and a 'joint mission analysis cell' to improve information analysis. The UNSC approved half the request, raising the force ceiling to 16,700, but not the brigade for Katanga and Kasais. The updated mandate also reiterated the call for MONUC to protect civilians. In the months that followed, the UN Department of Peacekeeping Operations (DPKO) made a large-scale effort to shift forces to the eastern DRC, sending almost 5,500 combat-capable troops to the Kivus and Ituri.

15. From early 2005, MONUC took a far more aggressive approach to implementing its mandate, compelling disarmament of militias through aggressive cordon-and-search operations. By June 2005, MONUC had disarmed roughly 15,000 fighters. In response to an ambush by the FNI, which killed nine peacekeepers in February 2005, MONUC troops, supported by attack helicopters, engaged the FNI in a firefight that left 50 to 60 militia members dead. Operations such as Safe Path sought to ensure safe passage for civilians though the Kahuzi-Biega park. Operation Lake Watch attempted to provide security on Lake Kivu. Operations Night Flash and Good Night involved night patrols and radio communication to respond to militia attacks on villages in Walungu and urban centers. MONUC aggressively pursued the Forces Démocratiques de Libération du Rwanda (FDLR), Hutu rebels with links to the 1994 Rwandan genocide. Helicopters took MONUC troops deep into the bush where they dispersed FDLR militia groups, and burned their camps. MONUC also organized village defense committees to alert peacekeepers of imminent attacks by banging pots and blowing whistles.

16. In December 2006, Laurent Nkunda, who had previously been a leading member of the RCD (Goma) formed a new militia, the National Congress for the Defence of the People (CNDP). His forces suffered heavy losses in clashes with a MONUC battalion and he subsequently entered agreed to merge his militia with the national army. In January 2008, the government signed a peace accord in Goma with over 20 Congolese armed groups (including the CNDP), under which they agreed on the need for an immediate cessation of hostilities, the disengagement of troops, improved adherence to human rights standards, and the creation of UN buffer zones between and among the various factions. However, in late August 2008, intense fighting began again between the CNDP and the FARDC in the southern part of North Kivu Province. Hundreds of people were killed, and by late October 2008, the CNDP had advanced to within a few miles of Goma before declaring a unilateral cease-fire.

17. In January 2009, Nkunda's military chief of staff staged a de facto internal coup in the CNDP and then signed an agreement with the Government to integrate his forces into the FARDC. The government also announced plans for Rwandan forces to join with the Congolese military in a concerted effort against the FDLR. Several thousand Rwandan soldiers crossed the border on 20 January. Nkunda fled into Rwanda, two days later, where he was taken into custody. The Rwandan army conducted joint operations against the FDLR with the Congolese armed forces and various militia groups before withdrawing from DRC at the end of February 2009. Beginning in late 2010, the defection or capture of significant FDLR commanders, coupled with the arrests of key leaders in Europe, dealt the organization a decisive blow. Many of the rank and file have surrendered to MONUSCO and have offered to be demobilized or integrated into the FARDC, although a small rump have stepped up their attacks.

18. In March 2009, the government signed separate peace agreements with the CNDP, the North Kivu armed groups, and the South Kivu armed groups. The rebel groups agreed to transform their movements from military to political entities, while the government promised to work toward integrating rebel soldiers and officials into the FARDC, national police, and national and local political and administrative units. The FARDC, with support from MONUC, offered ex-combatants the opportunity to undergo 'accelerated integration' into the national army. An amnesty law was also introduced to encourage rebel groups to come out of the bush. Late 2010 and early 2011 saw an increasing number of Mai Mai (local militia) and other rebel groups opt for negotiated surrender that included FARDC integration.

19. The FARDC, with MONUC support, launched Operation Kimia II, a military operation against the FDLR in North and South Kivu in May 2009 and July 2009, respectively. Kimia II, which ended on 31 December 2009, registered some noticeable success, including pushing the bulk of the FDLR away from population centers and mining sites. Over a thousand FDLR members were killed, and large groups of FDLR members and their dependents were repatriated to Rwanda. However, human rights violations by the FDLR and by undisciplined FARDC elements increased during Kimia II operations and MONUC estimated that as many as 1,714 civilians were killed. A follow-on operation, Amani Leo, was launched by the FARDC and MONUC in January 2010. Amani Leo was far more selective in its targets, as well as concentrating on holding re-captured territory and developing state institutions in these areas. In July 2010, Amani Leo operations successfully targeted the camps of Allied Democratic Forces-National Army for the Liberation of Uganda (ADF-NALU), a Ugandan rebel group, which was operating in the northern Beni District of North Kivu. The ADF/NALU has subsequently regrouped and continues to instigate insecurity in North Kivu. The continued proliferation of Mai Mai militia groups and remnants of the FDLR also remains a threat to civilians, particularly those living in the remote, largely inaccessible, and densely forested regions of the provinces.

20. In April 2012 a new armed rebel group emerged, known as the M23. Many previously belonged to the CNDP, which was integrated into the FARDC in 2009. They claimed that the government had failed to respect the terms of the peace agreement, signed on 23 March 2009. The mutiny was led by General Bosco Ntaganda, who has been indicted by the International Criminal Court on charges of enlisting and conscripting children under the age of fifteen and using them to participate actively in hostilities. Pressure by the ICC for his arrest may have helped to spark the rebellion, or it may have been due to an order to re-deploy their forces from an area where they are believed to control several illegal mining and logging operations. By August 2012, the rebels had made a series of offensives against the FARDC and advanced to within 30 km of Goma. The FARDC has increased its presence in the city and along main roads with the support of the MONUSCO troops.

21. Human Rights Watch, a non-governmental Organisation, has published several accounts that show Rwanda has provided direct support to the rebellion, supplying them with weapons (including Kalashnikov assault rifles, grenades, machine guns, and anti-aircraft artillery), forcibly recruiting civilians to its militia and sending soldiers to fight alongside them. It says that some recruits, including children, were summarily executed when they tried to escape. It also says that the recruits included former members of the Hutu militia which had participated in the genocide in Rwanda. A UN report also detailed Rwanda's support for the rebellion and some countries have suspended aid payments as a result. The UN has called on Rwanda to end its support for the rebellion and for the two governments to back the deployment of a neutral international armed force in the region. The Rwandan government vigorously denies these charges and has accused the UN of bias against it.

22. The northeastern DRC has also been the scene of fighting as the FARDC has engaged a Ugandan rebel group, the Lord's Resistance Army (LRA), which operates in the DRC. Since 1987, the LRA, led by Joseph Kony, has waged an on-again, off-again

insurgency against the Ugandan Government from bases in southern Sudan and, since 2005, in the DRC. The group is infamous for its brutal attacks on local populations, including looting, rapes, mutilations, and killings. It abducts young boys to serve as child soldiers and girls as sex slaves and porters. In late 2008, after failed peace talks and in the face of continuing attacks, regional leaders launched new military operations against the LRA. Over the following months the LRA committed a series of new large-scale massacres, including the brutal 'Christmas Massacres' in northern DRC, in which over 400 civilians were killed. Fighting has also erupted elsewhere in the DRC, such as in the western province of Equateur in late 2009, which has caused significant loss of life and displacement of civilians, and MONUC has had to redeploy resources to help the government restore order. Protection of civilians is, therefore, a complex and multi-faceted task.

Mission Strategy for the Protection of Civilians

23. The protection of civilians has been part of the mission's mandate since 2000 and its troop strength has been increased several times to give it the means to do so. MONUSCO's POC strategy and structures developed following repeated cycles of massacres and large-scale rights violations that the mission was unable to stop. **Repeated incidents pushed local level commanders and personnel to be innovative in developing mechanisms to prevent and respond**. The Protection of Civilians strategy that the mission has developed has been largely in reaction to the dynamics of the conflict. UNSC Resolution 2053, passed in June 2012, reaffirmed 'that the protection of civilians must be given priority in decisions about the use of available capacity and resources and encourages further the use of innovative measures implemented by MONUSCO in the protection of civilians'.

24. MONUSCO's System-Wide Protection Strategy was developed in 2010 in a joint effort with OCHA, and UNHCR in its role as protection cluster lead. The mission protection strategy recognizes that MONUSCO does not have the operational capacity to position troops in every locality, given DRC's size, infrastructural gaps and security challenges. It therefore needs to maintain its ability to intervene decisively, by keeping a strategic and tactical reserve, and avoiding dispersal of its forces. At the same time, most abuses on civilian population, including sexual violence, are predictable. Improving the mission's ability to provide responsive actions thus requires concentrating on the identification of patterns of abuse and priority areas so as to better anticipate and plan on protection risks; and coordinated responses for a maximized impact of operations, with a view to mitigating the humanitarian impact of military operations, and reducing the level of violence committed on civilians. **The strategy's objectives may be summarized as**:

- Anticipate and prevent protection risks to civilians.
- Establish accountability mechanisms for impunity.
- Promote Rule of Law and sustainable solutions.
- Harmonize analysis of impact of military operations on civilians

25. MONUSCO has developed three innovative responses to protect civilians from this type of attacks: Joint Protection Teams (JPTs), Community Liaison Assistants (CLAs) and Community Alert Networks (CANs). The JPTs are small mixed teams drawn from the Mission's military, police (IPOs) and civilian resources, which aim to enhance preventive and responsive action towards civilians at risk. This includes improving early warning mechanisms and analysis of existing or potential protection threats, supporting the development of local protection plans in areas where MONUSCO troops are deployed, as well as establishing or reinforcing existing local coordination structures with authorities, communities or humanitarian partners. The JPTs can visit areas deemed to be at risk, carry out assessments and then write up reports with recommendations to the Mission.

26. The CLAs are primarily deployed to support the protection activities of MONUSCO's Force at the Company or Platoon level. They are national UN staff members, although not drawn from the particular area in which they work, and are tasked with outreach activities to facilitate communication with the local communities, authorities and humanitarian partners. CLAs also respond to a longer term objective of building national capacity on POC, by encouraging communities to develop their own protection mechanisms. The CANs have been established by MONUSCO around its military bases. By distributing mobile telephones to focal points in villages surrounding the UN base, this pilot project aims to cover most priority areas benefiting from mobile network coverage. Selected in consultation with the community, focal points are generally drawn from local leadership and then alert the CLAs or troop commanders in case of imminent threat to the security of villagers. Some MONUSCO military bases, not covered by telephone networks, have distributed high frequency radios to facilitate communication.

27. In addition, the basic concept of **Mobile Operating Bases (MOBs)** is that they are proactive rather than reactive deployments. A MOB is a military formation and that typically consists of one officer, one junior commissioned officer, three to four non-commissioned officers and 15 – 20 soldiers and will expect to operate in a given area for two to three weeks. The basic tasks of the MOBs are to: dominate the given area with patrolling; liaise with local communities and community leaders, and obtain a 'pulse' on security issues. They help humanitarian agencies visit remote areas to conduct specific tasks. They also facilitate the conduct of the Joint Protection Teams (JPTs) and Disarmament, demobilization, Repatriation, Resettlement and Reintegration (DDRRR) operations. The MOBs can improve MONUSCO's intelligence network, induce the element of surprise in the operations against AGs and can provide prompt and timely response against hostilities, in the Area of Responsibility (AOR). They also help to maintain close liaison and coordination with the state authorities and national police and army in the area. The MOB will conduct day and night patrolling and liaison with village chiefs and local community representatives as well as with any national police and army units within the vicinity. The patrol is accompanied by the CLA at all times and makes pro-active efforts to talk to local people, gather information and disseminate information about MONUSCO's mandate to protect civilians.

28. The government of DRC has primary responsibility for the protection of civilians on its territory and MONUSCO works to support its efforts to restore full State authority in the areas freed from armed groups and to consolidate state authority throughout the territory. To this end MONUSCO often carries out joint operations with the FARDC. Following the 2009 Kimia II joint military operations conducted by MONUC and the FARDC, which resulted in large scale civilian displacement, mass rapes and other serious violations of international humanitarian and human rights law, **MONUSCO developed Conditionality requirements that have since evolved into the UN Human Rights Due Diligence Policy (HRDDP)**. This requires active monitoring of the behavior of national armed forces and prohibits direct support to particular military personnel or units that have committed human rights violations (HRVs).

29. Addressing POC concerns in joint operations involves close coordination between military and civilian components of the mission at all stages. This **involves joint analysis** to address decisions of which operations to support and advance alternative means to resolve conflicts. It also requires the **establishment of monitoring mechanisms** to assess whether FARDC battalions that are receiving support are complying with their HRDDP obligations. Civilian staff members need to be closely linked into this monitoring process to ensure that any HRVs that occur are reported and lead to a rapid curtailment of support.

30. MONUSCO also holds regular discussions with Protection Cluster members regarding the conduct of joint operations and these have resulted in adjustments to its

military deployments and sometimes to those of FARDC as well. Priority areas are identified by drafting a list of locations where humanitarians believe MONUSCO 'must, should or could deploy' troops if available, known as the 'Protection Matrix'. In 2012, consultations on possible deployments were extended to include affected communities and local authorities through local security committees. Information campaigns are also mounted to inform the local population of upcoming operations.

31. The circumstances in which force can be used and the prohibitions against it are described in more detail in the Rules of Engagement for MONUSCO's military component and the Directives on Detention, Searches and Use of Force for members of MONUSCO's Formed Police Units. The general principles governing the use of force are proportionality, minimum use of force commensurate with the level of threat and the requirement to minimize the risk of collateral damage. Any force used must be limited, in its modus, intensity and duration, to that which is necessary to achieve the authorised objective. MONUSCO's military component shall, wherever the operational situation permits, make every reasonable effort to resolve potentially hostile confrontation by means other than the use of force.

Module 2 - MONUSCO

Scenarios

Important Remarks

1. The following scenarios are based on MONUSCO's experiences on Protection of Civilians (POC) issues in the Democratic Republic of Congo (DRC). Similar training modules are being produced for South Sudan, Côte d'Ivoire and Darfur. Although the scenarios are based on real incidents, they should not be seen as literal descriptions of events that have actually occurred. Places and names have been changed, some incidents have been amalgamated and other details have been added to draw out particular lessons / learning points. All of the scenarios are, therefore, set in the fictional case-study of Carana, which has its own national army, police and rebel groups. For legal reasons it should be clearly understood that the actions described by these fictitious groups in these case-studies do not reflect on the reputations of any real organizations or individuals.

Carana Context (See supporting map)

2. Both Carana and neighbouring Katasi are multi-ethnic states and many of the ethnic groups straddle the countries' border. Following a genocidal conflict in neighboring Katasi, some 1.2 million Katasian Koris — including elements who had taken part in the genocide — fled to western Carana, an area inhabited by ethnic Tatsis, Koris, and Falins. The Koris used the refugee camps in Carana as a base from which to launch attacks against the new government in Katasi, whose forces responded with cross-border raids. A rebellion began there in 1996, which led to the overthrow of Carana's government and the installation of a new President. Although initially backed by both Katasi and Sumora, whose troops provided direct support to the rebellion, the new President soon fell out with his sponsors leading to two bloody conflicts, in which many of Carana's neighbors intervened, and that cost millions of lives.

3. Western Carana has remained extremely unstable ever since. Both the Koris and Tatsis have formed militia groups, which frequently clash with one another, and the Carana Defence Force (CDF) as well as 'self-defense' groups formed by the Falin. Attempts have been made to integrate these various militia groups into the CDF with mixed success. Although the conflicts occur on ethnic and political grounds they are also motivated by the attempts of various armed groups to exploit Carana's various rich natural resources.

4. Relations between the governments of Katasi and Carana remain tense with Katasi accusing Carana of refusing to root out the Kori militia (KM) groups while Carana accuses Katasi of continuing to provide covert support to the Tatsi militias (TM). The two countries have, however, carried out some joint operations against the Kori militia and cooperated in the repatriation of former militia members and other Koris to Katasi. MONUSCO has concentrated the bulk of its military force in Western Carana where they are mandated to protect civilians within their capabilities and areas of deployment, while supporting the government of Carana to re-establish its authority. Its regional headquarters is in the town of Alur, with sub-offices in Norke, Lurok and Maki.

Scenario 1: Policing a demonstration

1. The UN was largely responsible for organising the first election in Carana, but has increasingly devolved administrative and organizational control to the national authorities. Although previous elections have been generally been peaceful, they have been marred by some violent incidents and allegations of irregularities. The last national elections were extremely chaotic and marred by state security forces attacking opposition candidates, journalists and ordinary citizens. The incumbent President, a Falin, claimed victory, but election monitors said the results lacked credibility. The opposition refused to accept the results of the last election, claiming that they had been cheated of victory by fraud. This led to a dramatic increase in tension, with many violent incidents, which some feared would plunge the country back into war. The election campaign has been tense so far, with militia groups attacking rivals on ethnic grounds and the CDF attacking opposition rallies.

2. Elections for local councils are shortly to be held and the main opposition party has announced its intention of organizing a demonstration in Alur, the provincial capital of Tereni and the largest urban centre in western Carana.

3. The demonstrators will be escorted by the Carana National Police (CNP) who will be armed, but not equipped with defensive shields and helmets (lack of equipment) as they progress through the town. The authorities have also agreed with the organisers that the police operation will be tolerant and low profile. **The UN Police (IPOs) has a number of officers embedded with the CNP to whom they provide training, mentoring and guidance**. These will be on hand to monitor the CNP's performance, but in a purely advisory role. **UNPOL also has a Formed Police Unit (FPU) which it will be deploying to protect UN facilities and personnel during the demonstration** and also has Chapter VII powers to protect civilians under imminent threat of violence.

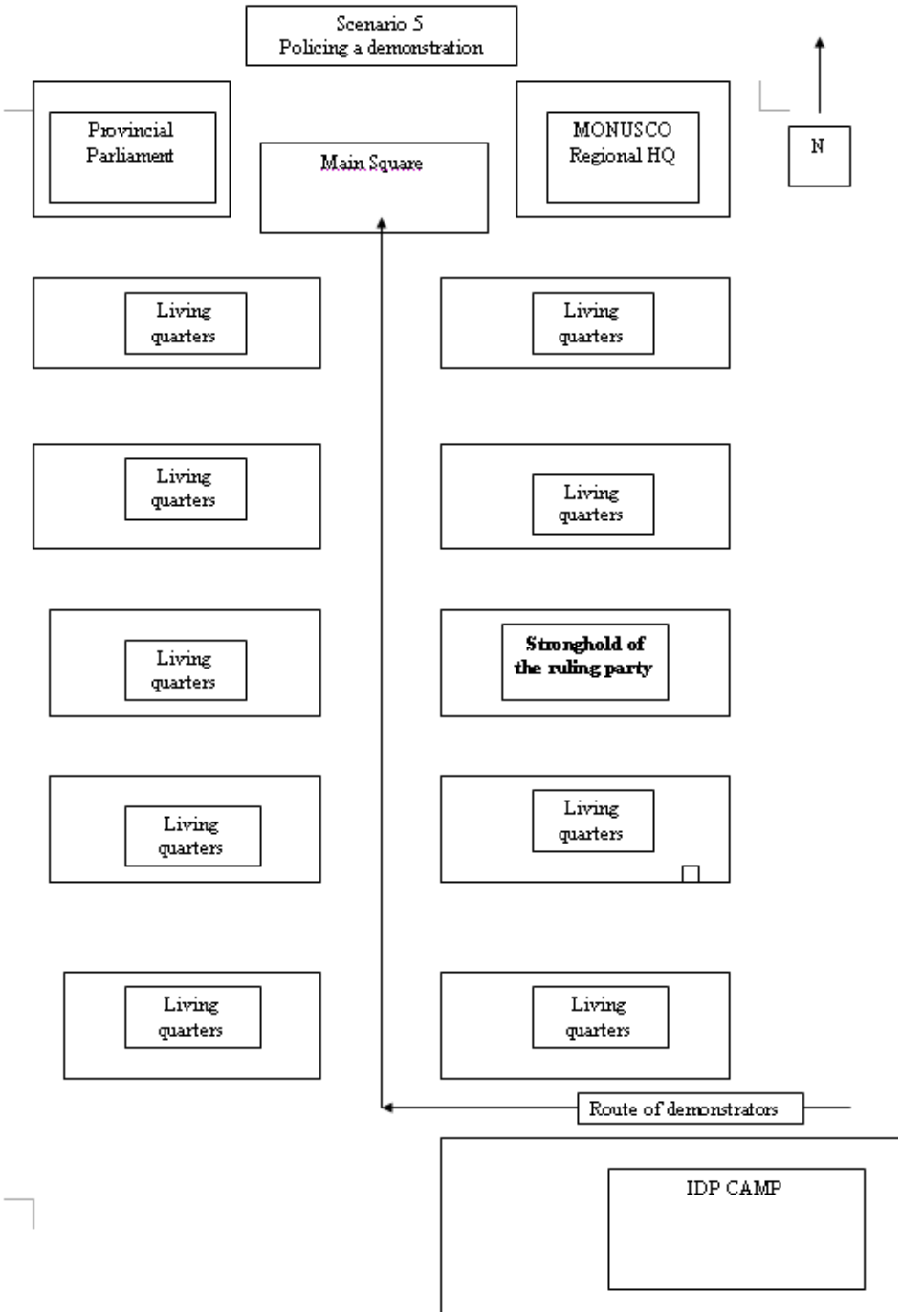
4. There has been communication between police and the organisers of the demonstration, who have stated that **there will be no more than 5,000 people participating**, and their intention is to hold a peaceful and orderly march and rally. The Commissioner of the CNP has stated that **250 police will be made available for the demonstration. The Carana Defence Force (CDF) will also be standing by**.

5. A route has been agreed with the organisers of the demonstration and this will take participants through the centre of town, to the provincial parliament where the opposition are planning to hold a rally in the main square. **MONUSCO's regional headquarters is on one side of the square.**

6. The route will also pass through a quarter of the city, which is well-known as a stronghold of supporters of the ruling party. The ruling party is backed by a Falin militia (FM) whose armed members are frequently observed in this area. The main opposition candidate is a Tatsi and many of his supporters have close links to a Tatsi militia (TM), which may mobilise in support of the rally**. The demonstration will also pass close to a camp for internally displaced persons (IDPs), most of whom are Koris and were driven from their homes by the TM.** Some of the Koris are linked to a militia (KM) which was involved in a genocide in neighbouring Katasi and who subsequently fled across the border to Carana.

7. The day before the demonstration all markets close, children stop playing in the streets and many shops put up shutters.

8. Working in groups: fill in the attached Model Operational Plan (Annex B), covering various scenarios and options. You are to consider the extent and involvement of the Formed Police Units (FPUs), UN Infantry Battalion and other mission elements (such as Human Rights component) as well as coordination with the national authorities. Your plan should outline specific measures to be taken a) before the demonstration b) during the demonstration c) if clashes occur d) after the demonstration as consolidation.



Scenario 2: Mobile Operating Bases (MOBs) / Violence

1. The basic concept of MOBs is that they are proactive rather than reactive deployments, which helps to dispel the impression that MONUSCO can only operate from permanent bases. In general, they can be deployed by road or air and located 15-20 kilometers away from the radius of permanent bases. They have been developed to overcome the disadvantages of static or conventional deployment, where the relative isolation of bases and lack of initiative by commanders in situations such as Carana can lead to a gradual loss of trust and confidence of locals in MONUSCO. As well as reducing reaction times, they save the need to send troops on long distances on a daily basis and so conserve resources.

2. A MOB will typically consist of one officer, one junior commissioned officer, three to four non-commissioned officers and 15 – 20 soldiers. They will be accompanied by a nursing assistant (who could give first aid treatment), cook, Community Liaison Assistant (CLA) and mechanic and will expect to operate in a given area for two to three weeks. Armaments might include two or three light machine guns, a 60 mm mortar, an RPG-7, a sniper rifle and 20 sub-machine guns or rifles. The team is also likely to be equipped with binoculars, a GPS, nigh vision goggles (to provide night patrols), a cell-phone, Sat-phone and wireless radio set.

3. The purpose of the MOBs is to expand the area of influence of MONUSCO with regards to protection of local population. They do this by **showing the presence of MONUSCO** military in troubled areas, which enhances the confidence of the population as well as raising the morale of the national police and armed forces. **The MOBs can also deter operations by armed groups (AGs) and prevent incidents of human rights violations (HRVs) by pre-positioning troops in areas where these are expected**. They help humanitarian agencies visit remote areas to conduct specific tasks. **They also facilitate the conduct of the Joint Protection Teams (JPTs) or the deployment of human rights investigative teams and Disarmament, Demobilization, Repatriation, Resettlement and Reintegration (DDRRR) operations**. The MOBs can improve MONUSCO's intelligence network, induce the element of surprise in the operations against armed groups (AGs) and can provide prompt and timely response against hostilities, in the Area of Responsibility (AOR).

4. The MOB will conduct day and night patrolling and liaison with village chiefs and local community representatives as well as with any national police and army units within the vicinity. **The basic tasks** of the MOBs are to: dominate the given area with patrolling; liaise with local communities and community leaders, and obtain a 'pulse' on security issues. They are mandated to ensure protection of civilian population and UN personnel from imminent threat of physical attack by AGs, residual forces and elements within the security forces. All MONUSCO or UN agencies requests for escorts or MOBs are discussed during weekly escort planning meeting.

5. The MOB plan is forecasted during fortnightly CIMIC meeting. Other coordination mechanisms are used in the event of a requirement for an impromptu MOB. Most MOBs will be accompanied by a CLA and so this also will need to be scheduled in advance. Before a deployment takes place, MOB Commanders along with required staff carry out a reconnaissance of the proposed site during routine patrol from the permanent base. They also inform the district Administrator and/or village chief to establish the base at an appropriate location. The patrol is accompanied by the CLA at all times and makes pro-active efforts to talk to local people, gather information and disseminate information about MONUSCO`s mandate to protect civilians. Upon return to base, information collected from the MOB is used to update its database and is forwarded up the chain of command as required.

6. You are the Commander of an MOB. You sent out a night patrol that encounters a severely wounded young boy on the ground. The boy can barely talk but reports that six armed militia men simply beat him within apparent reason on the road between Alur and Faron, vicinity of Perkes. He is able to describe the perpetrators who appear to be drunk. He also says that the men after beating him start harassing and beat other people including woman and children in near by houses. According to him the militia group is about 15 min walk from their current position. What should you do and what is the basis on which you should base any proposed use of force? What should you do with the boy? What follow-up action should you take? Would any of your decisions be different if the alleged perpetrators turn out to be government soldiers?

Scenario 3: Land disputes and refugee return

1. Tension is growing in Koloni province, in north-west Carana, over the issue of land rights. There are three ethnic groups in the province – the Falin, Kori and Tatsi – whose numbers were fairly evenly balanced. However, recent months have seen a big increase in the numbers of **Tatsis settling in the province. These claim to be returnees** who were driven out of their homes during the war and took refuge in neighbouring Katasi. Others say that they are in fact nationals of Katasi who are being deliberately encouraged to settle the land by elements within its government who are seeking 'colonise' the area that is rich in natural resources.

2. The Tatsis already dominate the local administration, including the army, police and judiciary. Major Z is the effective leader of this community. A former Tatsi militia (TM) leader he now holds no formal position in the government, but his sons, cousins and nephews all hold senior posts in the Carana Defence Force (CDF) police and local administration. He is running as a candidate in the forthcoming provincial elections, which would help to legitimise his position. **The large influx of Tatsis that is taking place in the run-up to these elections could have a significant impact on their outcome and the two other ethnic groupings in the province – the Falin and Kori – claim that they are being subjected to a campaign of intimidation**. There have been a large number of evictions of both groupings, by Tatsis claiming to be the original owners of the land. Most people in rural areas do not have written documents proving their rights to the land on which they traditionally lived and farmed. Land exchanges (sales, gifts, inheritances and other transfers) were conducted using customary documents and disputes were usually settled through mediation conducted by tribal elders.

3. The traditional law has extensive provisions relating to land rights and the decisions of its chiefs and tribal elders – while not formally recorded in writing – have established an extensive jurisprudence. Although they have no official standing in the formal justice system, judges and local officials often refer cases to the tribal chiefs and elders for mediation and these are effectively used as courts-of-first-instance by the judiciary. However, the customary system was significantly disrupted during the war and is no longer effective at resolving inter-ethnic disputes. Several disputes have gone to the formal court system, but the judges have consistently ruled in favour of the Tatsis. The proliferation of forged documents, and the general break-down of law and order over the past few years, makes sorting out legitimate claims to use and ownership of land particularly difficult and there is a very real danger that some disputes could lead to violence. **There have also been claims of land-grabbing by TM commanders and CDF soldiers. Some confrontations have led to gunfights**.

4. Both the police and CDF have been involved in evicting Falins and Koris from their land. **Many are now living in internal displacement (IDP) camps**, some of which are supported by the UN High Commissioner for Refugees (UNHCR), while others are informal. Many of the IDPs are in women or child-headed households and they are likely to experience considerable problems in asserting their rights.

5. MONUSCO has been monitoring the situation closely and has intervened on several occasions. A year ago a senior MONUSCO official visited the province and met with all the provincial leaders. She strongly warned Major Z, through the chain of command, that action would be taken against him if he was found to have abused his position. This seems to have subdued him for several months. However, there has been a fresh upsurge of complaints against him in the run-up to the elections. A more recent MONUSCO visit to the province ended in confusion because the Community Liaison Assistant (CLA) who was supposed to organize visits between the local authorities and the IDP leaders separately

invited them both to meet in the same place, which resulted in the IDP leaders being threatened if they made complaints.

6. List the potential POC issues that this scenario raises. What can be done by MONUSCO (infantry Company and police elements), realistically, at the tactical level?

Scenario 4: Civilian – Military Cooperation

1. Military pressure from the Carana Defence Force (CDF) has significantly weakened the Kori militia (KM) that has been operating in the provinces of Tereni and Koloni. It has also suffered continual desertions and voluntary participation in MONUSCO's Disarmament, Demobilization, Repatriation, Resettlement and Reintegration (DDRRR) process. Since military operations began in January 2009, 5,238 KM elements have been repatriated to Katasi, including 2,266 former combatants and 2,972 dependents. In addition, the repatriation of some 22,230 Katasi civilians was facilitated by the United Nations High Commissioner for Refugees (UNHCR). There are now only an estimated 500 hard-core KM members still active and they have been pushed deeper and deeper into the bush.

2. However, the CDF continue to face difficulties holding ground and several areas which have subsequently been re-occupied by the KM. Human rights violations (HRVs) have also been perpetrated by elements of the CDF. In addition, the security situation deteriorated in several zones as KM attacks against civilians and forced recruitment increased. Loose alliances of KM, **Falin Militia (FM) and other armed group elements have also targeted civilians**. In one incident at least 303 civilians were systematically raped, over a four day period, in 13 villages between Gwissek, Suppo and Melleri south-east Tereni by KM and FM elements. At least 923 houses and 42 shops were also looted and 116 civilians abducted by the assailants. **Partial reports of the attacks reached MONUSCO only several days after they began, and MONUSCO patrols and protection mechanisms in this case were unable to detect the gravity of the situation**.

3. MONUSCO has developed three innovative responses to protect civilians from this type of attacks: Joint Protection Teams (JPTs), Community Liaison Assistants (CLAs) and Community Alert Networks (CANs). The JPTs are small mixed teams drawn from the Mission's military, police, human rights and other civilian resources, which aim to enhance preventive and responsive action towards civilians at risk. This includes improving early warning mechanisms and analysis of existing or potential protection threats, supporting the development of local protection plans in areas where MONUSCO troops are deployed, as well as establishing or reinforcing existing local coordination structures with authorities, communities or humanitarian partners. The JPTs can visit areas deemed to be at risk, carry out assessments and then write up reports with recommendations to the Mission.

4. The CLAs are primarily deployed to support the protection activities of MONUSCO's Force at the Company or Platoon level. They are national UN staff members, although not drawn from the particular area in which they work, and are tasked with outreach activities to facilitate communication with the local communities, authorities and humanitarian partners. CLAs also respond to a longer term objective of building national capacity on POC, by encouraging communities to develop their own protection mechanisms. The CANs have been established by MONUSCO around its military bases. By distributing mobile telephones to focal points in villages surrounding the UN base, this pilot project aims to cover most priority areas benefiting from mobile network coverage. Selected in consultation with the community, focal points are generally drawn from local leadership and then alert the CLAs or troop commanders in case of imminent threat to the security of villagers. A CAN Committee is in charge of adapting the model as required, reviewing and suggesting alternate technology based options, or liaising with partners on any potential extension of the phone network in priority areas. Some MONUSCO military bases, not covered by telephone networks, have distributed high frequency radios to facilitate communication.

5. Sub-divide yourself into two groups and make a list of all the potential challenges for implementing these three projects a) from a civilian perspective and b) from a military perspective. Once you have got a single agreed list of challenges and decided on how to implement the projects, raise relevant points to present to a village leadership where you are planning to implement these projects. Try to anticipate the villagers' questions, but also the need to manage expectations about how you could realistically respond to potential threats.

Scenario 5: Joint Operations

1. The KM has been carrying out attacks on civilians in isolated villages South of Maki, which has resulted in the death of nearly 45 people over the past month. They have also been marked by lootings and destruction of property displacing thousands of people from their homes.

2. MONUSCO has authorized a joint military operation with the Carana Defence Force (CDF) against a Kori militia (KM) that has been operating in the provinces of Tereni and Koloni. **The FHQ has tasked the local Battalion commander to take in the operation.** The operation, which is planned to last about two months, aims at tracking down some 500 militia member elements. MONUSCO will provide substantial operational and logistics support to the soldiers, including military firepower, transport, rations, and fuel.

3. A previous joint operation between MONUSCO and the CDF three years ago was widely criticized by civil society and human rights groups, who accused the CDF of killing at least 505 civilians and committing widespread rape over a three month period.

A subsequent UN investigation documented a significant number of human rights violations (HRVs) and identified a list of 15 CDF officers with a track record of serious abuses who were believed to be involved in the operation.

4. The mission developed a draft policy setting out conditions for its support to joint operations with the CDF based on respect for human rights, which it submitted to Carana's government for comment and subsequently adopted. A joint provincial committee was also established to investigate HRVs committed by army soldiers and to remove abusive commanders. Subsequent operations have been better targeted and have concentrated on holding re-captured territory and developing state institutions in these areas. A greater effort has also been made to protect the civilian population by better monitoring of the CDF, liaison with humanitarian agencies and warning civilians in the affected areas of the forthcoming operation. The new operation will start in one month.

5. What needs to be done at the tactical level in preparation for the joint operation? What action should MONUSCO military (Battalion and Company) and police components take if they witness human rights violations carried out by CDF contingents? What pre-emptive action could be taken to protect civilians against the threat of such violation? What follow-up activity should be carried out after the operation has concluded?

Scenario 6: Burnt village

1. The Senior Management Group Protection Provincial (SMG-PP) level has received reports of a massacre at Rissan village in Mahbek province. **A human rights investigation team has been sent by helicopter to investigate**. The team is led the Joint Human Rights Office (JHRO) and includes UN Police (IPO), Joint Mission Assessment Centre (JMAC) and a Military Observer (MILOB) to assist with the political and military related aspects of the human rights investigation.

2. It arrives to find the village deserted, and largely destroyed, apart from a garrison of soldiers from the Carana Defence Force (CDF). The soldiers claim that the village was destroyed by a 'self-defense' Falin militia (FM), two weeks ago and that the villagers all fled. They say that they have been ordered to secure the area and to await their return. Most of the houses in the village have been burnt and the area has also been shelled by heavy artillery.

3. The MILOB member of the human rights investigative team asks the soldiers who fired the shells as the FM do not possess heavy artillery. The soldiers become defensive at this point. They say that the FM are liars and that 'bad things happened here'. Another member of the team notices that some civilians have appeared at the outskirts of the village. When she approaches them they tell her that they had seen the helicopter from the bush where they had been hiding. They say that they are from the village, but fled when the soldiers attacked it. **They say that the commander of the CDF regiment, who is a Tatsi, ordered the attack** and that he is 'a bad man'.

4. The CDF soldiers become agitated when they see the villagers and try to prevent them talking to the MONUSCO team. The villagers say that some people in the village did have connections to the FM. One of its members had defected to the CDF and brought weapons with him. The FM had responded by harassing his family and this was why the CDF had attacked the village. **The villagers say that only the FM can defend them against the Tatsi and Kori militias and that MONUSCO and the CDF are 'useless and corrupt'**. The villagers do not say whether there were any casualties suffered during the attack. **They say that they want to go back home, but will not do so while the current commander of the CDF regiment is in post**. They say that their houses, crops and all means of livelihood have been destroyed or stolen and that they will require assistance to reestablish their lives. **They also ask for MONUSCO to deploy soldiers there to protect them.**

5. On return to her office, the human rights team leader spoke to her counter-part in the UN High Commissioner for Refugees (UNHCR). **She was told that UNHCR could provide the villagers with a basic return package of emergency food and non-food items and plastic sheeting. However this would not be enough to provide a durable solution to their plight. UNHCR had, separately, also, called on MONUSCO to deploy a Mobile Operating Base (MOB) in the area**. The JHRO member begins to investigate the background of the CDF commander and discovers that in addition to having allegedly ordered the massacre there have been several allegations of human rights violations committed by him in the past.

6. A MONUSCO Protection Working Group (PWG) meeting will be taking place tomorrow, followed by a Protection Cluster Group (PCG) meeting next week. **The PWG is internal to MONUSCO and includes the Company and Platoon commanders**. The PCG is convened by UNHCR and includes representatives of the humanitarian agencies and non-governmental organizations (NGOs).

7. Assuming the CDF Commander can be removed, make a list of the tactical level tasks that would need to be undertaken for the villagers to be able to return home, indicating who should be responsible for each task and when and where they need to be done. What specifically an infantry Company Commander can do? Is there a role for the UNPOL in the situation? What is the short-term measures at the tactical level, to support a long term solution for this group of villagers and how can MONUSCO assist them in establishing it at the tactical level?

Scenario 7: MOB Actions and Deploying a Joint Protection Team Do's and Don'ts

1. The Senior Management Group Protection Provincial (SMG-PP) level has received reports that **villagers in Pillo**, an extremely isolated village in Mahbek province (South West of Faron), **claim to have been threatened by the Christ Rennaisance Axis (CRA), a fanatical guerrilla group that operates across the borders of a number of countries in the region**.

2. The Carana Defence Force (CDF) has recently been redeployed from the area to fight another rebel group. **A decision has been made to deploy a MONUSCO Mobile Operating Base (MOB), consisting of 25 troops and nursing assistant, immediately and a Joint Protection Team (JPT) two days later.** The JPT will be led by MONUSCO's Civil Affairs Section (CAS) and include a representative of Joint Human Rights Office (JHRO), Child Protection Section (CPS), UN Police (IPOs), Joint Mission Assessment Centre (JMAC) and the Sexual Violence Unit (SVU). Both the MOB and the JPT will be transported by helicopter since there are no roads in the area. The MOB will travel first, with the JPT being sent two days later.

3. The only landing site is around one kilometer from the village, which, given the terrain, means that it will take around an hour and a half to reach on foot. **The MOB secured the landing area in the morning and established camp there, with the intention of sending a patrol to the village the following day. That afternoon shots were heard approximately 700 meters away from the direction of the village.** The MOB commander called for helicopter support, however, the cloud cover was now so thick that it was impossible to observe what was happening in the village or to reinforce the existing troops on the ground.

4. Civilians who had seen the helicopter began arriving at the base said that their village was under attack, but they were not able to give any details on the strength of the attackers. **The commander ordered his troops to protect the civilians seeking shelter at the base and troops to return fire, either if they came under attack from identifiable targets or as deterrence if the firing appeared to be getting closer. However, he decided not to advance on the village that day.** The firing continued sporadically and MONUSCO troops did 'return fire' on several occasions. By nightfall around **200 civilians had arrived on the base**, eleven of whom needed immediate medical attention from gunshot and machete wounds. The following day three wounded members of the CRA also arrived, seeking medical treatment. One of the wounded CRA members appeared to be under age. When questioned he admitted that he was 14 years old, although the MONUSCO soldier who took his statement said he suspected he was even younger. **He said in his statement that the CRA group consisted of around 50 members, half of whom had automatic weapons, while the rest were armed with spears and machetes. He said that they had fled the area during the night and did not know where they had gone**.

5. Most of the villagers who had arrived at the base were women and children, many of whom were clearly in distress and suffering from trauma. **The MOB Commander allocated two troops to take statements from the women to discover if any of them had been raped**. All of the villagers were hungry and as the day wore on they began to ask for food. Some soldiers shared their rations with them. None of the villagers wanted to return to their village in case the CRA were still present. However, the terrain in which the base had been established was exposed and there was little material available for building shelter, other than the tents which the MOB had brought. **The SMG-PP meanwhile received reports that the CRA group is heading in the direction of Lixpet, another village five kilometers away**. This is inaccessible by helicopter and would take around seven hours to

reach on foot. **The JPT will be arriving the following day and have already asked for a patrol to be sent to Lixpet**. Two members of the team are women and have asked if they can be provided with separately screened washing and toilet facilities.

6. Discuss whether you agree with the actions of the MOB commander up to now and what the commander should and should not do next? Annex A (Draft Protection Plan for MOB) is a useful tool to express the chosen course of action). Make a list of the tasks that need to be undertaken by the MOB and the JPT, indicating who should be responsible for each task, when and where they need to be done and in what priority they should be undertaken.

Scenario 8: Border crisis

1. Two senior Tatsi officers from the Carana Defence Force (CDF) have defected from their posts to lead a rebellion against the government of Carana. Both were previously leaders of Tatsi militia (TM), who had agreed to merge their forces with the CDF. They used their positions in the CDF to consolidate control of the regions in which their militias had been based and to carry out attacks on a rival Kori militia (KM). Their TM has been accused of carrying out ethnic massacres, torture, abductions, widespread sexual violence, and forced recruitment of children. One of the leaders has been indicted for war crimes by the International Criminal Court (ICC). However, by merging their forces with the CDF, they gained effective impunity for these crimes.

2. The two became increasingly disenchanted with the CDF, claiming that their soldiers had received no food, pay or provisions for months. The rebellion seems to have been sparked by an order to re-deploy their forces out of western Carana, where they are believed to control several illegal mining and logging operations. The TM has seized control of a large part of north-west Koloni, near to the border with Sumora and Katasi. In many cases, CDF soldiers fled from the rebels without firing a shot. The TM is now close to the town of Norke, where MONUSCO has a base and could potentially threaten Alur, its regional headquarters.

3. MONUSCO troops are deployed to defend both towns and MONUSCO is providing logistical support to the CDF in confronting the rebel TM. **MONUSCO helicopters have been deployed to try and locate TM columns and have orders to engage any identifiable targets that may represent a threat to civilians.** MONUSCO will also relay any information to the CDF and will provide food, fuel, transport and tactical support to CDF army units that are deployed, so long as these have not previously been involved in human rights violations. However, the CDF has so far proved reluctant to engage the rebels.

4. Carana has publicly accused Katasi of backing the rebellion. It denies the accusation and has counter-accused Carana of failing to protect the Tatsis in the country. A KM group has taken advantage of the security vacuum created by the rebellion to step up its attacks on civilians in areas that the CDF has abandoned. Dozens of civilians, including children, have been massacred with machetes and knives. A local Falin 'self-defense' militia group (FM) has carried out revenge attacks on Kori civilians, mainly the wives and children of the KM. **The fighting has created a humanitarian crisis which has displaced up to half a million people from their homes**. Some of these have fled across the border to Katasi, where the UN High Commissioner for Refugees (UNHCR) has hastily constructed camps, while others are settling in camps inside Carana supported by UNHCR.

5. There are currently 1,000 internally displaced people (IDPs) arriving in the camps in Carana every day, 70 per cent of whom are women and children. Many are suffering from malnutrition, cholera and malaria. Medical and food distribution facilities are completely overwhelmed and there are few roads on which to transport supplies to the camps. The rainy season is starting in two weeks, which will make conditions worse. Some IDPs have machete wounds and a number show signs of extreme trauma.

6. A human right monitoring group (reliable NGO) has published several accounts that show Katasi has provided direct support to the rebellion, supplying them with weapons (including Kalashnikov assault rifles, grenades, machine guns, and anti-aircraft artillery), forcibly recruiting civilians to its militia and sending soldiers to fight alongside them. It says that some recruits, including children, were summarily executed when they tried to escape. **A UN report also detailed Katasi's support for the rebellion** and some countries have suspended aid payments as a result. The UN has called on Katasi

to end its support for the rebellion and for the two governments to back the deployment of a neutral international armed force in the region.

7. What are the POC issues contained in this scenario (distinguish between operational (Mission) and tactical (Sector, Battalion and FPU) issues)? Please observe the need to identify the existing threats, their capabilities and likelihood, and the vulnerable groups.
As Battalion Commander in Alur, with one Company deployed in Norke, how can you respond to the identified tactical level POC issues? What possible police and civilian roles would you visualize?

Annex A

Draft Local POC Plan for Mobile Operating Base (MOB) (Company Operating Base - COB / Temporary Operating Base - TOB)

PREPARED BY _____

Date of 1st draft	
Date of latest update	
Date of latest inputs by CLA	
Date of latest input by JPT	

1. **Situation: -** Short summary of the local situation to include analysis of the local political, security and social dynamics. It should make it clear to the individual picking up the report (for example of handover of a COB/TOB) what the problem is. This should also include a summary of the impact on the population over the last 6 months.

2. **Key Stakeholders.** This should include both local actors and key MONUSCO stakeholders.

Nº	Name	Function	Location/Contact Details

3. **Identification of protection risks:**
   a. **Key risks and threats.** This para should include a line on each of the key threat scenarios which are relevant to this specific situation. It should describe the nature of the threat and likely participants/perpetrators if known. Risks should be prioritized with an assessment of likelihood and impact.
   b. **Area for protection.** The sketch map below should cover the protection issues and effect for the whole of the COB/TOB area of influence. Where there is a specific flash point this may require a further map in detail. As well as geographical features the map should include:
      i. Schools
      ii. Churches
      iii. Medical facilities
      iv. Other potential flash points or vulnerable areas
      v. Protection area adjacent to COB/TOB if applicable
      vi. FARDC and PNC location if applicable

Sketch

c. **Vulnerable groups and people.** This para should describe the vulnerable groups and individuals if known.

Nº	Group/Individual Name	Address/Location	Age	Status

d. **Local Coping Mechanisms.**

e. **Communication**

i. Early Warning Mechanism: CAN available? If not, what early warning mechanism will be used?

ii. Communication between MONUSCO COB/TOB and community:

1. Meetings
2. Etc

iii. Communication with security partners. Include method of comms and points of contact with FARDC, PNC and other security partners.

4. **Activities and tasks to address the protection risks.** (This is the main and most important part of the Local Protection Plan.)

a. **Matrix of tasks:**

Nº	Objective	Task	Activities/ Frequency	Responsible	Period	Indicator	Effect
1.							
2.							
3.							

b. **Patrol plan.** To include key areas to be visited during patrols:

Sketch

c. **Monitoring and Effect Assessment.**

d. Resources. To be used to list resources that the COB commander requires over and above his organic assets.

Requirement?	Quality/Quantity	Deadline	Duration	Remarks

Patrol	**1 Vehicle with 4 soldiers**	**immediately**	**Next 3 weeks**	

e. Method of Review. E.g. Recommendations for JPT return visits etc

Annex B

Model Operational Protection Plan

1. Beforehand

Information, liaison and cooperation: Who needs to meet with whom and for what purposes? Who should information be shared with and how often for early warning purposes? What specialist knowledge and skills will MONUSCO need to draw on? Who are the relevant national actors and should they be regarded as potential allies or spoilers? What key messages need to be communicated and to whom?

Security and assurance: What are the potential flash-points? When and where might it be necessary to deploy UN troops and police? What civilian expertise should be deployed? Who might be involved in potential clashes? Who may need to be protected and from what? How reliable are the national forces that are likely to be deployed? How can the situation be monitored?

Assistance: What specific police, military and civilian assistance can MONUSCO provide and how should this be planned and coordinated?

2. During the events

Information, liaison and cooperation: How will this be coordinated and who needs to be involved? How will information be gathered and disseminated? What key messages need to be communicated and to whom?

Security and assurance: What particular developments should trigger what particular responses? What risks may be involved in particular deployments of force and how can these be minimized?

Assistance: Who needs to be deployed where?

3. If clashes/human rights violations occur

Information, liaison and cooperation: What key messages need to be communicated and to whom?

Security and assurance: Who needs to be deployed where?

Assistance: Who needs to be protected and from what?

4. Consolidation

Information, liaison and cooperation: Who needs to meet with whom and for what purposes? How will information be gathered and disseminated? What key messages need to be communicated and to whom?

Security and assurance: How long will it be necessary to keep police and military forces deployed? Who still needs to be protected and from what?

Assistance: What specific civilian assistance can MONUSCO continue to provide?

Module 2 - MONUSCO

Instructor Guidance Notes and Training Pack Orientation

How to use this pack

1. This pack has been developed as a resource for trainers who are running the MONUSCO scenario-based exercises on the Protection of Civilians (POC). The training pack contains 8 scenario-based exercises.

2. The **Scenarios are conceived for a detailed analysis of critical POC situations,** each of them consist of a one page hand out that participants are given to work on in groups of five to eight people. They are tasked with preparing a 10 minute presentation back to the plenary, which will be followed by a general discussion and de-brief. There is some flexibility around the timing of these exercises (depending on whether they are delivered as part of a broader training module or in a stand-alone format, and depending on how detailed the discussions on each scenario should be and obviously depending on the audience), but they will probably take between 1.5 and 2.5 hours to deliver. In addition, **the previous knowledge of the UN Core Pre-deployment training Materials is mandatory and essential**. Module 1 (Introduction to POC) is a pre-requisite before taking the scenarios. This will be broken down as follows:

Introduction	15 minutes
Scenario planning exercise	60 – 90 minutes
Presentations and de-brief	30 - 60 minutes

3. The scenario-based exercises can be cut or reduced if the scenarios are delivered as part of a broader training course, but more time should be allotted to an advanced course, to allow for more detailed discussion. The scenarios can either be run in conjunction with the generic POC pre-deployment modules that DPKO has produced, or with a smaller set of mission-specific materials. The latter consists of:

- **Introductory presentations**: a Map and a power-point presentation on the Carana context.
- **Country and Mission Overview**;
- **Scenario-Based Exercises**;
- **Instructor Guidance Notes and Training Pack Orientation**;
- **Glossary of Acronyms.**

4. Country and Mission Overview consists of a short briefing on DRC and the POC challenges that it faces, which should be handed out in advance of the training. Full understanding of the Country and Mission Overview is an essential pre-condition to take the course. A summary of the MONUSCO protection strategy is also contained in these Guidance Notes. DPKO has also produced other resource material, such as DVDs/Videos, which are available on request.

5. The scenarios are intended to provide a practical setting to explore the set of issues related to the implementation of POC. Participants need to decide what actions to take at the tactical level, but also to understand the context of their actions for the mission as a whole (operational level). They need to plan and implement actions, understand the impact of this within the overall context of the whole UN operation and be able to coordinate with other actors to ensure a synchronized response. By being pre-deployment training, most of the scenarios are mainly aimed at the military, or police, but all involve integrated planning between all the different elements of the mission. It is particularly important for all components of the mission to have a common understanding of the circumstances under which MONUSCO troops may be used to deter attacks on civilians and in what circumstances they would be permitted to use force**.** It is important to understand that better training results will be achieved if the audience is comprised of military, police and civilian personnel**.** If the participants are exclusively military, civilian or police, the trainer/facilitator

should remind them to factor the role of other mission components into their planning. This does not involve role-playing, but is intended to ensure that they think about all elements of mission rather than just their own professional discipline. Member States are encouraged to bring civilian representatives to the training sessions (from the UN Country Team, ICRC, NGOs etc).

6. These Instructor Guidance Notes are intended to bring out learning points from the exercise and emphasize certain issues. They are not intended to be a comprehensive list of all of the issues contained in each scenario and hopefully more points will emerge during the discussion amongst the participants themselves. For some of the scenarios, there is no clearly right or wrong answer and the most important point will be for participants to have understood the dilemmas that the mission is facing and the constraints that it is operating under.

7. The trainer/facilitator should encourage interactive discussion amongst the participants and reflection on learning points that have come out of the modules rather than adopt a directive approach. Most groups of adults learn far more from discussing things amongst themselves than from sitting passively to listen to lectures. The trainer/facilitator should, therefore, use these notes to prompt questions and only interject if participants miss important issues, misunderstand things or state something that is clearly wrong. The trainer/facilitator should see his or her task as being to guide a boat with a rudder rather than to drive a car with a steering wheel.

Which Advanced Scenarios to use?

8. Despite the fact that the training is more focused on military and police audiences, all of the scenarios are aimed at the tactical level and all contain issues of concern to civilians, police and military. Since the scenarios are all based on real incidents, they contain considerable detail and the trainer/facilitator should ensure that groups have sufficient time to read them through before starting their discussions. Each scenario contains a sufficient number of issues to be run over one or two hours and the easiest way to divide them into levels of complexity is to allow more time for the more advanced scenarios to allow more points to come out in the discussions and de-briefs. The table below gives a rough division of the scenarios by target and level of complexity, but different audiences may respond to each scenario differently. The facilitator/trainer should read them all through and decide which to use.

9. The scenarios have also been designed so that two or more can be run in conjunction with one another. To avoid repetition, much of the detail provided in the Instructor Guidance Notes to the earlier scenarios is not repeated in the later ones. The trainer/facilitator should, therefore, read the whole of these Guidance Notes as some of the information given for one scenario will be relevant to others.

10. Although the scenarios are set in a fictional country, all of the information contained within them is based on real incidents and challenges which have confronted the UN mission in implementing its POC mandate. Since there will probably not be time to run more than two or three scenarios in any course, the trainer/facilitator could consider giving out the one page descriptions as hand-outs to participants. Some of the scenarios contain inter-related information and so after participants have completed an exercise based on one, the trainer/facilitator could give them another as a hand-out to reflect upon this as well.

Scenario	Description	Target	Level of complexity
1	**Policing a demonstration**	Military, police and civilians	Basic/Intermediary
2	**Mobile Operating Bases/ Violence**	Military, police and civilians	Basic/Intermediary
3	**Land disputes**	Military, police and civilians	Intermediary
4	**Military-Civilian cooperation**	Mainly military	Intermediary
5	**Joint Operations**	Military, police and civilians	Intermediary/Advanced
6	**Burnt village**	Military, police and civilians	Intermediary/Advanced
7	**MOB Actions and Deploying a Joint Protection Team**	Military, police and civilians	Advanced
8	**Border crisis**	Mainly police	Advanced

General Guidance Points

Mission strategy for the Protection of Civilians

11. The protection of civilians has been part of the mission's mandate since 2000 and its troop strength has been increased several times to give it the means to do so. MONUSCO's POC strategy and structures developed following repeated cycles of massacres and large-scale rights violations that the mission was unable to stop. These incidents pushed local level commanders and personnel to be innovative in developing mechanisms to prevent and respond. The Protection of Civilians strategy that the mission has developed has been largely in reaction to the dynamics of the conflict. UNSC Resolution 2053, passed in June 2012, reaffirmed 'that the protection of civilians must be given priority in decisions about the use of available capacity and resources and encourages further the use of innovative measures implemented by MONUSCO in the protection of civilians'.

12. MONUSCO's System-Wide Protection Strategy was developed in 2010 in a joint effort with OCHA, and UNHCR in its role as protection cluster lead. The mission protection strategy recognizes that MONUSCO does not have the operational capacity to position troops in every locality, given DRC's size, infrastructural gaps and security challenges. It therefore needs to maintain its ability to intervene decisively, by keeping a strategic and tactical reserve, and avoiding dispersal of its forces. At the same time, most abuses on civilian population, including sexual violence, are predictable. Improving the mission's ability to provide responsive actions thus requires concentrating on the identification of patterns of abuse and priority areas so as to better anticipate and plan on protection risks; and coordinated responses for a maximized impact of operations, with a view to mitigating the humanitarian impact of military operations, and reducing the level of violence committed on civilians. **The strategy's objectives** may be summarized as:

- Anticipate and prevent protection risks to civilians.
- Establish accountability mechanisms for impunity.
- Promote Rule of Law and sustainable solutions.
- Harmonize analysis of impact of military operations on civilians

13. MONUSCO has developed three innovative responses to protect civilians from this type of attacks: Joint Protection Teams (JPTs), Community Liaison Assistants (CLAs) and Community Alert Networks (CANs). The JPTs are small mixed teams drawn

from the Mission's military, police and civilian resources, which aim to enhance preventive and responsive action towards civilians at risk. This includes improving early warning mechanisms and analysis of existing or potential protection threats, supporting the development of local protection plans in areas where MONUSCO troops are deployed, as well as establishing or reinforcing existing local coordination structures with authorities, communities or humanitarian partners. The JPTs can visit areas deemed to be at risk, carry out assessments and then write up reports with recommendations to the Mission.

14. The CLAs are primarily deployed to support the protection activities of MONUSCO's Force at the Company or Platoon level. They are national UN staff members, although not drawn from the particular area in which they work, and are tasked with outreach activities to facilitate communication with the local communities, authorities and humanitarian partners. CLAs also respond to a longer term objective of building national capacity on POC, by encouraging communities to develop their own protection mechanisms. The CANs have been established by MONUSCO around its military bases. By distributing mobile telephones to focal points in villages surrounding the UN base, this pilot project aims to cover most priority areas benefiting from mobile network coverage. Selected in consultation with the community, focal points are generally drawn from local leadership and then alert the CLAs or troop commanders in case of imminent threat to the security of villagers. Some MONUSCO military bases, not covered by telephone networks, have distributed high frequency radios to facilitate communication.

15. In addition, the basic concept of **Mobile Operating Bases (MOBs)** is that they are proactive rather than reactive deployments. A MOB is a military formation and that typically consists of one officer, one junior commissioned officer, three to four non-commissioned officers and 15 – 20 soldiers and will expect to operate in a given area for two to three weeks. The basic tasks of the MOBs are to: dominate the given area with patrolling; liaise with local communities and community leaders, and obtain a 'pulse' on security issues. They help humanitarian agencies visit remote areas to conduct specific tasks. They also facilitate the conduct of the Joint Protection Teams (JPTs) and Disarmament, demobilization, Repatriation, Resettlement and Reintegration (DDRRR) operations. The MOBs can improve MONUSCO's intelligence network, induce the element of surprise in the operations against AGs and can provide prompt and timely response against hostilities, in the Area of Responsibility (AOR). They also help to maintain close liaison and coordination with the state authorities and national police and army in the area. The MOB will conduct day and night patrolling and liaison with village chiefs and local community representatives as well as with any national police and army units within the vicinity. The patrol is accompanied by the CLA at all times and makes pro-active efforts to talk to local people, gather information and disseminate information about MONUSCO's mandate to protect civilians.

16. The government of DRC has primary responsibility for the protection of civilians on its territory and MONUSCO works to support its efforts to restore full State authority in the areas freed from armed groups and to consolidate state authority throughout the territory. To this end MONUSCO often carries out joint operations with the FARDC. Following the 2009 Kimia II joint military operations conducted by MONUC and the FARDC, which resulted in large scale civilian displacement, mass rapes and other serious violations of international humanitarian and human rights law, **MONUSCO developed Conditionality requirements that have since evolved into the UN Human Rights Due Diligence Policy (HRDDP)**. This requires active monitoring of the behavior of national armed forces and prohibits direct support to particular military personnel or units that have committed human rights violations (HRVs).

17. Addressing POC concerns in joint operations involves close coordination between military and civilian components of the mission at all stages. This **involves joint analysis** to address decisions of which operations to support and advance alternative

means to resolve conflicts. It also requires the **establishment of monitoring mechanisms** to assess whether FARDC battalions that are receiving support are complying with their HRDDP obligations. Civilian staff members need to be closely linked into this monitoring process to ensure that any HRVs that occur are reported and lead to a rapid curtailment of support.

18. MONUSCO also holds regular discussions with Protection Cluster members regarding the conduct of joint operations and these have resulted in adjustments to its military deployments and sometimes to those of FARDC as well. Priority areas are identified by drafting a list of locations where humanitarians believe MONUSCO 'must, should or could deploy' troops if available, known as the 'Protection Matrix'. In 2012, consultations on possible deployments were extended to include affected communities and local authorities through local security committees. Information campaigns are also mounted to inform the local population of upcoming operations.

Use of force and the physical protection of civilians

19. The UNSC resolution gives MONUSCO the authority to act independently to protect civilians within their capabilities and areas of deployment, where the government is unable or unwilling to fulfil its responsibility to do so. MONUSCO is mandated to ensure that all available resources and capacities are used to protect civilians; this requires a continuous prioritization of risks to civilians to ensure that its assets are deployed accordingly. All components of the mission should have a common understanding about the overall approach.

20. MONUSCO will deploy its military forces according to the priority threats to civilians identified by the mission. This means that the Force will be placed on high alert, ready to deploy additional reinforcements at short notice in places where attacks seem likely or are already underway. In such situations the Force Commander will review the Mission's Rules of Engagement for the Force, and issue any necessary clarifications. Bearing in mind that all UN missions operate within the principles of peacekeeping and in accordance with the mandate, missions are authorized to use force against any party, including elements of government forces, where such elements are themselves engaged in physical violence against civilians. Only a reasonable belief in hostile intent is required before the use of force can be authorized. Whether or not hostile intent is being demonstrated must be determined by the on-scene commander based on his or her professional judgement on the basis of one or a combination of the following factors:

- the capability and preparedness of the threat;
- the available evidence which indicates an intention to attack; and
- historical precedents within the Mission's Area of Responsibility (AOR), depicting patterns of behaviour exhibited by parties to the conflict which may require the application of a worst case scenario.

21. The circumstances in which force can be used are described in more detail in the Rules of Engagement for MONUSCO's military component and the Directives on Detention, Searches and Use of Force for members of MONUSCO's Formed Police Units. The general principles governing the use of force are proportionality, minimum use of force commensurate with the level of threat in terms of modus, duration and intensity in view of the minimization of the risk of collateral damage. MONUSCO military component shall, wherever the operational situation permits, make every reasonable effort to resolve potentially hostile confrontation by means other than the use of force (e.g. through negotiations or assistance from local authorities). Force may be used only if other means remain ineffective or without any promise of achieving the immediate objective. Before

resorting to the use of force, every reasonable step must be taken to deter any person or group from demonstrating a hostile intent or committing a hostile act. When force is used, all feasible precautions are to be taken with a view to avoiding and in any event minimising collateral damage. Any confrontation involving the use of force or detention is to be reported to the chain of command immediately upon occurrence whether it results in casualties or not.

22. Short of the actual use of force, the basic elements of a strategy to protect civilians from imminent threat of violence could include: a) provide early warning through their leaders to civilian populations in areas which may come under attack so that they could remove themselves from harm's way; b) continue to help deter violence against civilians through physical presence in heavily populated areas where attacks are expected; c) evacuate highly vulnerable civilians, and d) provide life-saving medical assistance to wounded civilians. Civilians who have gathered around any UN bases for protection and are under imminent threat of attack should be allowed in and protected. Care should be taken to ensure that they are unarmed (or are disarmed) and UN facilities should not be used as a base for political or military activity by any parties to a conflict. MONUSCO is only mandated to protect civilians, not combatants, but the distinction between the two may sometimes be difficult to draw. Possession of a weapon, or previous participation in hostilities, does not necessarily make someone a combatant. Other scenarios and options might include the following:

- **Civilians being attacked seek refuge at a location with MONUSCO's Area of Responsibility** – The UN, in coordination with the national army and police, and other friendly forces, will protect civilians with the minimum force necessary and, where possible, provide them with a safe corridor to leave the affected area. This depends on prior liaison and detailed passage of information to all concerned parties.

- **Attackers are seen to be looting and burning civilian property but the UN forces do not believe civilians are under threat**- UN forces will continue to monitor the situation and constantly check for any danger to civilians. The rule is that the use of deadly force is not permissible unless there is a physical threat to UN personnel or civilians. But in many cases property is essential to the physical survival of civilians and seeing peacekeepers doing nothing to prevent its looting or destruction impacts on their credibility and may embolden perpetrators. In any event, active engagement to dissuade such perpetrators (e.g. show of force) or other measures not implying the use of deadly force is encouraged.

- **Attackers approach UN position to take individuals they suspect of having fought prior to taking refuge with the UN** – UN forces will protect all civilians seeking refuge with the minimum force necessary.

- **UN personnel witness or suspect imminent physical violence against civilians** – UN forces will protect all civilians seeking refuge with the minimum force necessary.

- **UN personnel believe killing or physical violence is being inflicted upon civilians not within their immediate area of influence** – The Senior UN Commander on the ground must make an assessment of his/her options with the forces available. It is possible that leaving the current position might weaken it to such an extent that civilians already being protected would be at additional risk. At a minimum, the Commander should alert HQ to establish whether another friendly force can intercede.

23. Obviously not all scenarios can be predicted in advance and it will be up to the Senior Mission Leadership and leaders on the scene to decide how to respond to specific situations. Most Rules of Engagement authorise detaining, searching and disarming individuals in all situations where the use of armed force or unarmed force is authorized. All detained persons must be treated in compliance with human rights standards and handed over to the appropriate local authorities as soon as possible within the time limits and conditions foreseen in the procedures on detention by UN personnel. However, hand over must not be carried out if there are substantial grounds to believe that the person runs a risk of being subjected to certain violations of his or her fundamental rights, in particular torture or cruel, inhuman or degrading treatment or punishment; arbitrary deprivation of life (including as the result of a death sentence pronounced without fundamental guarantees of fair trial); persecution on account of race, religion, nationality, membership of a particular social group or political opinion.

24. Military units also have an 'inherent right to use force in self-defence' which can include 'pre-emptive self defence against an anticipated attack'. The use of force should be governed by the principle of military necessity, which 'authorises the use of only that force which is required to achieve the authorised objective. Military necessity does not authorise acts otherwise prohibited under international law, including international humanitarian law (IHL), sometimes referred to as the laws of armed conflict.' When force is used, all feasible precautions are to be taken with a view to avoiding and in any event minimising collateral damage. Any confrontation involving the use of force or detention is to be reported to the chain of command immediately upon occurrence whether it results in casualties or not. The force used should be minimum and proportional to the threat. However, in some cases the force used to respond to a threat may have to be higher in order to minimise United Nations casualties and civilian casualties. Evacuation of aid workers and civilian staff of the mission should be a priority, so long as this can be done with available capacity and without diverting resources that could be better used to protect greater numbers of civilians from attack.

25. Even when a UN force cannot impose its will on the parties to a conflict, its visibility may have a calming effect. Mobile patrols may deter parties from committing crimes or human rights violations and can also be used to gather evidence of these which can subsequently be pursued through in-depth investigations by the mission's human rights component or referral to the International Criminal Court (ICC). If clashes escalate into all-out conflict, the Security Council will need timely and accurate information on which to base its decisions. The concept of 'protection by presence' is, however, a controversial one – as it sometimes cuts against a strategy of threatening to withdraw from an area where the Mission is being prevented from fulfilling its mandate. There are also circumstances where it could be directly counter-productive to the mission mandate. Peacekeepers can be taken hostage and their presence in an area may also inhibit the UN from taking more forceful action to protect civilians, such as air strikes. Civilians may also believe that the presence of UN peacekeepers will provide them with protection even when the force has neither the means nor mandate to do so. This could increase their vulnerability by encouraging people to stay in an area, which cannot in fact be protected.

26. It should be stressed that this is general guidance about the broad parameters of how the Chapter VII mandated powers that the UN Security Council has given to MONUSCO to ensure the physical protection of civilians might be carried out at the tactical level. In all circumstances, the Head of Mission/Special Representative of the Secretary-General will have the discretion to interpret these powers and orders will be issued through the usual chain of command.

Military and civilian cooperation

27. Some of the following scenarios involve primarily a military response, some primarily a policing response and some primarily a civilian approach. All require the civilian, military and police elements of the UN mission to cooperate closely together and one of the intended learning outcomes is for the different components of the mission to gain a better understanding of how military, police and civilian peacekeepers/units plan, coordinate and implement actions in a given situation with the ultimate objective of protecting the lives of civilian populations against violence.

28. UN civilian staff cannot physically protect people from violence as this can only be done by the military or police. However, as the scenarios demonstrate, civilians have a tremendously important role in monitoring, reporting and political advocacy. Given the constraints which the mission is operating under, it is obvious that such monitoring, reporting and advocacy will be important in helping to prevent violence against civilians. The civilian component of the mission has a number of specific tasks which involve building close links with both local communities and the state authorities at a national and local level. Many civilians have also spent longer amounts of time in the mission, since they are not subject to regular rotations, and so have built up experience and contacts which the military often do not possess. They should, therefore, be seen as a valuable resource to draw on and partners to work with.

29. Civilians often have training in taking statements (particularly from traumatised or vulnerable people), writing reports and investigating incidents, which some soldiers may not possess. Equally, soldiers and police may come across information or witness events the civilian component of the mission may not. Sharing such information and ensuring that it is reported properly – while obviously respecting issues such as confidentiality and informed consent – will be a vital part of the mission's work during any crisis and the different component of the mission must work together to achieve this.

30. In any major crisis, consideration should be given to the establishment of a Joint Operations Room, to act as a hub of information-gathering and decision-making during a crisis, is a vital necessity. The civilian and military leadership of the Mission must coordinate effectively at Sector level. Too often the various components of a mission 'stove-pipe' their decision-making processes, fail to share information and coordinate and sometimes even cut across one another, which can have life-threatening consequences on the ground. Setting up one room, through which all information is passed and where all major strategic decisions get made is vital and should be amongst the first responses to a crisis.

Working with humanitarian actors

31. The humanitarian actors that the mission is likely to encounter (both UN and non-governmental) are likely to have been in place before the establishment of the mission, and will continue their functions after its departure, so will have considerable experience that can be drawn on. They can also play a critical bridging role between the mission and external protection actors including civil society and NGOs. It is important for military actors to understand the complex network of humanitarian assistance. This includes international organizations and local, national and international NGOs that work with national staff and local partners. Humanitarian access to a conflict zone is also largely dependent on acceptance by the parties to the conflict so humanitarian actors must remain independent and impartial at all times.

32. Humanitarian actors often use the term 'protection' as well, but it has a very different sense from the POC concept. The humanitarian conception of protection, sometimes referred to as a 'Rights Based Approach', encompasses 'all activities aimed at obtaining full

respect for the rights of the individual in accordance with international humanitarian, human rights and refugee law.' This includes issues such tackling poverty and food insecurity, which are not POC concerns. While there are obvious links between the two issues, the differences between them need to be understood and some of the scenarios are designed to illustrate this point.

33. Humanitarian responses are increasingly coordinated through a 'cluster approach', which has been designed as a way of addressing gaps and strengthening effectiveness through building partnerships. Protection is defined as a specific cluster and agencies involved in protection activities meet regularly to coordinate their activities. The Global Protection Cluster (GPC) is chaired by the UN High Commissioner for Refugees (UNHCR), which is the global lead agency for protection. Other UN agencies – including UNICEF, UN-Habitat and the UN Office of the High Commissioner for Human Rights (OHCHR) act as focal points within it. Some UN agencies maintain separate field offices in countries where the Security Council decides to deploy such missions. Others, such as OHCHR, are normally fully integrated into the Mission, with the head of the human rights component acting as a direct advisor to the Head of Mission, as well being a member of the UN Country Team and the Humanitarian Country Team. The International Committee of the Red Cross (ICRC) can also provide invaluable expertise relating to the protection of civilians, while it is a neutral and independent organization whose mandate derives from the Geneva Conventions and its own statute, both of which emphasize its independence and impartiality.

Human rights and humanitarian law

34. Though UN peacekeepers are not generally considered parties to armed conflict (i.e. as fighters or combatants), the Secretary General's Bulletin on the Observance by United Nations forces of International Humanitarian Law (ST/SGB/1999/13) stipulates that peacekeepers will, when involved in hostilities, adhere to the principles of IHL as it relates to the use of force and the treatment of civilians and other non-combatants, as well as persons placed hors de combat. MONUSCO's RoEs and DUFs have been drafted to ensure compliance with IHL. UN peacekeepers are also bound at all times by international human rights law, including its stipulations regarding the use of force.

Guidance for the scenarios

Scenario One - Policing a demonstration

1. This scenario primarily relates to policing and an important discussion point should be on the distinct role of the UN Police, in comparison to the military, in the protection of civilians. UN police officers support host-state police and law enforcement agencies in the execution of their functions in line with HRDDP. Their duties are defined by the mandates that the missions are given and can range from executive to advisory functions. **The Formed Police Units (FPUs), in addition to the protection of civilians, also provide support to UN operations in ensuring the safety and security of its personnel and missions, primarily in public order management.** UN Police are not considered as law enforcement officers under the legislation of the host country and their prerogatives are consequently limited. They may, however, stop, detain and search individuals in accordance with the mandate of the mission and specific directives issued by the Department of Peacekeeping Operations.

2. The FPUs should have primacy in addressing situations of public disorder of a *non-military* nature – that is where there is no sustained use of firearms or military weaponry – in support of or in cooperation with host state law enforcement agencies, as applicable. The Head of the Police Component (HOPC) may request personnel of the military component and/or other security personnel of the mission to perform specific missions or tasks, but will retain tactical control and overall command. **In accordance with the Policy on Authority, Command and Control**, the police remain in the lead until the Head of the Police Components (HOPC) deems a situation beyond his capabilities. The assignment of military personnel must be coordinated with the Head of the Military Component (HOMC) or Sector or Battalion Commander, as applicable.

3. In most cases public order management will be in support of host state police, but FPUs can also be called upon to act independently in accordance with the mission mandate and authority allocated therein. The primary focus of public order management is to facilitate the population's exercise of their fundamental rights without any disturbance or unjustified hindrance and to prevent assemblies from threatening or actually harming public safety. This is the most central competence of FPUs and should be applied within a strict legal framework and with the minimum appropriate use of force, keeping in mind the principle of proportionality and the necessity of continued negotiation. **The effective execution of this task depends on a sound threat assessment, as well as on information gathering and knowledge of local conditions**, which should be sought through the information and analysis capacity of the mission and the FPU itself, and in cooperation with the host state police and other partners.

4. The use of force by FPUs is regulated by the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the Code of Conduct for Law Enforcement Officials and mission-specific guidance, such as "Directives on the Use of Force and Firearms". This will be issued in each case to authorize FPUs to carry and use firearms, including the precise specifications of the firearms, and other items of police and law enforcement equipment. A small number of properly trained police can have a greater impact than large numbers of ordinary police or soldiers without proper riot control training and equipment. **Where a situation escalates beyond the capacity of the United Nations police component, enhanced planning and coordination with the military component will be necessary.** If mutual support operations to address situations of public order with FPU personnel and military forces, with or without other security personnel of the mission,

are necessary, actions must be coordinated in order to avoid unhelpful interference, misunderstandings or collisions.

5. There is an obvious potential for political demonstrations to lead to violence and the likelihood of violence in this case appears to be high. The day before the demonstration all markets close, children stop playing in the streets and many shops put up shutters, which are signs that the local community are expecting trouble. **The route will also pass through a quarter of the city, which is well-known as a stronghold of supporters of the ruling party, who are backed by an armed militia. It will also pass close to a camp for internally displaced persons (IDPs), who also have militia links.** Some of the demonstrators may also be armed members of a rival militia. As well as some obvious flash-points on the route of the demonstration, its aftermath could also be volatile and there is a strong potential for clashes either in the city centre or around the IDP camp. The number of police deployed appears small and they are not equipped with defensive shields and helmets. Although the demonstration is supposed to be peaceful, there is no guarantee that it will be or that there will only be 5,000 demonstrators. There is also a real danger that government troops could attack the demonstrators or intervene with lethal force should trouble break out.

6. MONUSCO needs a contingency plan to deal with this eventuality and to ensure that both its available police and military are prepared to respond. As well as protecting vulnerable civilians in the IDP camps, it also needs to protect its own personnel and resources. **Since the main threat of violence arising from this situation will probably be civil, it is vital that MONUSCO FPUs are supplied with riot control equipment** – such as riot shields, protective clothing, tear gas, rubber bullets, water cannons – and trained in riot control techniques in order to enable an effective and non-lethal response. **MONUSCO troops also need to be on stand-by if the police are overwhelmed.** Guidance about the use of forces is provided above.

7. Although the main tasks for those operating at the tactical level will be police and military, some civilian staff may also be involved. Human rights components and other civilian staff (e.g. political affairs) should step up their monitoring and feed the senior leadership with real time information on the developments on the ground. If they cannot be deployed or they have to be withdrawn because of security reasons, they can at least engage in active information gathering through their civil society sources including local human rights NGOs.

8. If any incident occurs, it will also be important to conduct a thorough human rights investigation and share findings and recommendations with the government. The report should be made public to the benefit of national and international stakeholders and to maintain credibility in the eyes of the civilian population. Depending on the scale and type of peacekeepers' intervention, the mission should also consider conducting a lessons learnt exercise to assess its response and address gaps.

9. In the longer-term it is important to re-build the capacity of the national police to deal with such issues themselves. This will require providing its officers with adequate training and sufficient equipment. The UN Police can play additional roles in providing operational support and advice to host-state police on investigations, community-based policing models, and information gathering, which should also be seen as an integral component of the protection of civilians.

Model Operational Protection Plan

1. Before the demonstration

Information, liaison and cooperation: Ensure that MONUSCO has an effective system of information gathering and real time threat assessments in place. A team composed of UN police (UNPOL), military, and relevant civilian units including human rights should hold separate meetings before the demonstration with state representatives, local police commander and the organizers of the demonstration. These meetings should obtain information on the orders given to security forces and overall command, define lines of communications, urge human rights compliance and discuss the participation of UN police and human rights officers as observers of the demonstration. They should exchange information on the purpose, participants and itinerary of the demonstration and stress the importance of it being conducted in a peaceful and orderly manner. The MONUSCO team should also contact elements from the IDP camp as well as from other relevant local leadership for information gathering and planning purposes.

Security and assurance: The itinerary of the demonstration should be reviewed to identify buildings and facilities where it may be necessary to pre-position police and troops, especially in the areas dominated by displaced persons from the south. While the national police retains overall responsibility for security, the UN team should also identify additional security measures needed for the Presidential Palace, with representatives of the Formed Police Units (FPU) and military battalions that could be requested to intervene. A quick reaction force should be placed on stand-by for activation if necessary. MONUSCO human rights observers should be prepared to monitor the demonstration.

Assistance: MONUSCO should propose providing the authorities with advice of UNPOL experts in crowd control and demonstration and to mix patrols UNPOL and national police elements during demonstration and oversee the plan of action in the field.

2. During the demonstration

Information, liaison and cooperation: MONUSCO should establish a Crisis Management Group (CMG) to coordinate its potential responses to developments. It should also deploy human rights observers to monitor the proceedings and ensure timely and horizontal back and forth of information with FPUs and other UN Police officers deployed to assist or advice local police during the demonstration.

Security and assurance: If requested UNPOL officers should assist the national police in policing the demonstration. UNPOL patrols should also monitor local security forces, along the demonstration's route and around likely places for clashes. FPUs and Battalions should be prepared for crowd control from pre-positioned positions. MONUSCO battalions should be prepared for intervention with force if local security apparatus disintegrates or in case of imminent violence threatening civilians. Preparations should be made to reduce possible collateral damage when dealing with demonstrators.

3. If clashes occur

Information: l**iaison and cooperation**: The CMG should already be activated and liaison already established with national security forces so quick decisions can be made on joint patrols or monitoring. Information should also already have been provided to police Commander concerning modalities and limits of support of MONUSCO. The mission should have previously conveyed a clear message of consequences if police forces attack civilians

and provide clear instructions in this regard to peacekeepers. Precautions for coordination of forces and tactics, control, and general observation of the demonstration are presented to Commander and must be adhered prior to authorization of any intervention by MONUSCO forces.

Security and assurance: UNPOL and military forces should be ready to deploy if intervention is decided. This engagement should only take place in so far as local forces are overwhelmed or in a situation in which interposition is needed to prevent imminent clashes between demonstrators and displaced Tatsis. Intervention to assist local security forces should be decided by MONUSCO mission leadership if above defined framework and modalities are approved by local security forces commander. A system needs to be in place for assessing who are the most vulnerable and how can they be best protected and for ensuring that this is translated into clear instructions to UNPOL and military commanders about force deployments.

Assistance: A system needs to be in place for providing non-military assistance (eg medical and psycho-social support) to vulnerable groups of civilians

4. Consolidation

Information, liaison and cooperation: MONUSCO should conduct a human rights investigation and prepare a report (internal and public) on occurrences which establishes responsibilities, includes analysis and short and medium term recommendations on how to avoid reoccurrence. MONUSCO should enter into dialogue with involved parties. It should also prepare and release a statement on the demonstration.

Security and assurance: If needed, MONUSCO should keep forces deployed to prevent recurrence of conflict.

Assistance: MONUSCO should present the human rights report to involved parties and the Government, including factual account of what happened, lessons learned and proposals for the future. It should consider wider distribution of report and political action including offers of technical cooperation and support.

Scenario Two – Mobile Operating Bases (MOBs) / Conflict Related Sexual Violence

1. The patrol commander should report back to his immediate superior to report the situation. The Chapter VII mandate provides MONUSCO with the authority to use force, up to and including lethal force, to protect civilians. The precise circumstances in which force can be used will be described in more detail in the Rules of Engagement for MONUSCO's military component and the Directives on Detention, Searches and Use of Force for members of MONUSCO's Formed Police Units.

2. In this case the perpetrators of the violence constitute an imminent threat to civilians. According to guidance provided by the Department of Peacekeeping Operations (DPKO) a threat is 'imminent' from the moment it is identified as a threat, until such a time that mission analysis determines that the threat no longer exists (in this case, the on the scene commander analysis). MONUSCO military and police are authorized to take action – including use of force – to protect against host government forces if necessary.

3. After a quick analysis of the situation, a patrol should be dispatched to confront the men at the houses who match the description given by the boy, disarm them, by force if need be and detain them for follow on action. There are different aspects to be analyzed when deciding on to follow up the situation and take such action, as lack of precise information, limited resources and other uncertainties but the patrol commander must not hesitate in going to the housing area to protect civilians.

4. If the men turn out to be government soldiers, the commander should try to get in contact (via his own HQ) with the local Governmental military commander. If that is not possible, he should take action to detain them in order to hand them over as soon as possible to the local authorities for prosecution.

5. If they belong to a militia or rebel group, they should be arrested and handed over to the local authorities for further prosecution, unless there are compelling reasons not to do so (ie good grounds for believing that they may be tortured or killed or subject to similar persecution). **The patrol should detain the men in custody until they can be handed over. The maximum limit for such a detention is 48 hours if this is practically feasible.**

6. The boy should receive immediate medical attention and be transferred to a medical clinic as soon as possible. Only after he has received medical attention and depending on the situation, should he be further questioned about the incident. If he is a minor, military should contact child protection colleagues and refer the case without interviewing the child.
Any other person to be found in the houses in need of medical care should be assisted by the patrol.

7. The MOB should continue patrolling the area and conduct unannounced spot checks.

8. The trainer/facilitator should also encourage participants to reflect on and discuss the MOB strategy. How can the force be made more mobile, why are **night patrols** so important and why is it so important to base troops as close to vulnerable populations as possible?

Scenario Three - Land disputes and refugee return

1. This situation raises issues of governance, democracy, justice, corruption, intimidation, land rights and forced evictions, all taking place within a context of rising ethnic tension. These issues are described in the scenario and so are not repeated here. The basic point for the trainer/facilitator is to ensure that the participants have understood them.

2. Arguably, the biggest single problem revolves around land rights, since it is settlement, forced evictions and possible land-grabbing that appears to be causing the greatest tension. This is linked to a governance issue: that the local justice mechanisms cannot be relied upon to uphold people's land and property rights arbitrate any disputes that arise in a fair and transparent manner. **The long-term solution to this is to strengthen the institutions** that uphold the rule of law, address the relationship between customary and state law and develop a strategy to reconcile the rights and interests of all stakeholders in a non-discriminatory way.

3. The most immediate issue of concern is that the IDP group may be vulnerable to reprisals because of an organizational mistake made by MONUSCO (CLA). Security at the camp should be stepped up by MONUSCO patrols. The activities of the former militia leader and his relatives also need to be carefully monitored. MONUSCO's Human Rights Due Diligence Policy (HRDDP) obligations mean that no support should be given to any military commanders or units which have been responsible for Human Rights Violations (HRVs) and MONUSCO can also lobby for state officials or commanders to be removed from office if they are abusing their positions. All legal disputes surrounding evictions should be closely monitored to ensure that due process is followed, based on reliable evidence, and that evictions are not carried in a forced manner (ie without proper consultation with affected communities, including notice periods for appeal, and with alternative land being found for them to live on; or with excessive use of force). **Various UN monitoring bodies have stated that the practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing.**

4. Given the complexities of the issues involved in land rights and customary law, it would be unwise for MONUSCO to directly involve itself in any attempts to mediate land disputes or to form judgements about who are the legitimate owners of a particular piece of land. However, this dispute has security implications, which are of concern. **Civilian staff should visit the area, take statements and interview the local state authorities. The military should give consideration to stepping up patrols. By showing the presence of MONUSCO in troubled areas they can enhance confidence, improve intelligence and provide prompt and timely responses to hostilities.** For further guidance on action to be taken to protect civilians when land disputes escalate into violence see the relevant sections above. **The existence of IDP camps is always matter of concern and appropriate security must be planned; the infantry company could provide external security, leaving internal camp security to police elements.**

5. Since most disputes over rural land are settled through customary law, the UN needs to understand how such mechanisms work and have a detailed knowledge of their 'jurisprudence'. Some non-government organizations (NGOs) have projects working on land rights, mediation or rule of law issues. They can be a valuable source of expertise. **Liaison is a key aspect for military units and police elements to know the local actors and better understand the operational environment.**

Scenario Four – Civilian- Military Cooperation

1. Much of the information on the projects is contained in the scenario itself and so is not repeated here. **The basic point for the trainer/facilitator is to ensure that the participants have understood the three projects, how they contribute to the concept of POC and why this is such an innovation compared to both traditional peacekeeping and combat operations**. The first task of the exercise is to reflect on these challenges. The second part involves presenting the information in a clear and accessible way.

2. The three concepts all involve an unprecedented degree of civilian-military cooperation and also involve the military in taking on tasks which are more usually associated with policing eg crowd control.

3. It is clearly impossible for a UN mission to protect all civilians at all times in a country emerging from a violent conflict, with weak state institutions and a fragile rule of law. Nevertheless, **the POC strategy involves pro-active attempts to increase MONUSCO's presence in remote areas with frequent patrolling to instill confidence among the population, increase situational awareness and establish mechanism's where threats can be reported and responded to**. It also aims to develop mutual respect and trust among the local people by increasing interaction, while at the same time building up their capacity to strengthen local mechanisms for civilian protection. This means that the military has to be far more flexible, mobile, approachable and responsive than in traditional operations.

4. Participants should show that they have thought through the cultural challenges of civilian-military cooperation and how civilians and the military will often approach the same task in very different ways.

5. The deployment of Joint Protection Teams has highlighted this in particular and, although the experiences have been largely positive, has sometimes created tensions in the field. Civilians and the military need to develop relations based on an understanding of these difference and mutual respect for how the strengths of their respective professions. **Particular issues that might be raised could include**: <u>speed of deployment (it might take longer for civilians to mobilize); whose information to act on and rely on (civilians are likely to have developed relations with a particular community over time and so have sources that they consider reliable, the military are more likely to only rely on their own reports or what they can confirm at the time); how to conduct questioning (the military may take a less empathetic approach) and gender issues (civilian teams are likely to include women).</u>

6. The Community Liaison Assistants are national civilian staff embedded in the military and, as such, there could be issues of reporting and accountability. <u>As the military's main point of contact with particular communities this gives them considerable local power and influence and one important concern will be that they do not use this, even inadvertently, to benefit particular groups or individuals or discriminate against others.</u>

7. The CANs have considerable <u>resource implications</u> since someone will have to monitor the calls and a minimum structure to process the information. <u>It will be important for communities to understand which issues should be reported and to which it is reasonable to expect a response</u> (eg a fight between neighbors). There could also be numerous technical issues regarding the functions of the phones and access to networks.

Scenario Five – Joint Operations

1. A joint operation will require extensive pre-planning between a variety of different actors to ensure that every effort is made to protect the civilian population and to ensure a timely response to any human rights violations that they may suffer. **This will include between MONUSCO and the national armed forces and within MONUSCO itself, between the civilian and military components of the mission.**

2. It will also require coordination with the humanitarian agencies who are working to provide assistance to affected communities and who will need to be prepared to step up their assistance efforts. MONUSCO holds regular discussions with Protection Cluster members regarding the conduct of joint operations and these have resulted in adjustments to its military deployments and sometimes to those of the national armed forces as well. Mechanisms also need to be established to communicate with the civilian population in the affected area and to respond to their concern before, during and after the operation. Given that much of the planning of the operation will involve the discussion of classified military information this will be a sensitive and complex task.

3. Prior to the decision to launch a joint operation there needs to be a joint analysis to address decisions of which operations to support and advance alternative means to resolve conflicts. There also needs to be an agreement with the national armed forces about the establishment of monitoring mechanisms to assess whether those battalions that are receiving support are complying with their Human Rights Due Diligence Policy (HRDDP) obligations. Civilian staff members need to be closely linked into this monitoring process to ensure that any human rights violations (HRVs) that occur are reported and lead to a rapid curtailment of support.

4. If MONUSCO receives a report of a HRV during an operation, it will need to confirm this using its network of contacts amongst local authorities and community leaders. **It should also immediately dispatch a patrol to the scene to intervene, stop the HRV, assess the situation and detain the culprits if on the scene (in the absence of local authorities)**. It should also inform Battalion Headquarters of initial information and, if necessary, request additional forces. Guidance on the use of force to accomplish such tasks is provided above. MONUSCO is authorized to take all necessary means, including the use of lethal or non-lethal force if necessary to stop the incident and rescue any victims (in accordance with established ROE). **If the HRV has been committed by government soldiers, the patrol should try to get in contact (via Battalion Headquarters) with the local military commander**. If that is not possible, he should take action to detain them (since MONUSCO military is also authorized to use force against local security forces).
in order to hand them over as soon as possible to the local authorities for prosecution.

5. The patrol should also secure the occurrence site, support the victims, including medical aid and evacuation if necessary, and collect and protect all evidence. The patrol may interview witnesses to obtain any important and urgent information that might affect its initial response, but should not take detailed interview statements from women or children, particularly if these may have witnessed or experienced sexual violence. This is a task which should be carried out by child protection and gender specialists in the civilian component of the mission. Finally, the patrol should provide a detailed report of the incident to the chain of command and share it with the human rights component along the information sharing modalities that should be in place in every mission to timely transmit to the human rights component any allegations of human rights violations recorded by military personnel (as per the OHCHR/DPKO/DPA/DFS Policy on Human Rights in UN Peace Operations and Political Missions – 2011).

6. When an HRV has been reported the civilian component of the mission and/or the police will usually carry out a follow-up investigation. This would usually include re-interviewing the original source of the investigation, visit the scene of the incident, interviewing other witnesses and local authorities, police, military, etc. and write up a detailed report specifically recommending any lessons identified. Such an investigation may be carried out by a Joint Protection Team if this is considered useful. Even if no HRVs have been reported during the joint operation, it will be important to carry out follow-up monitoring, visits to the affected area and interviews with the population, particularly because some HRVs may not be reported at the time. Assessments of the effectiveness of the operation, the behavior of national armed forces and any lessons learned, with practical recommendations, should also be written up.

Scenario Six - Burnt village

1. The villagers are not likely to return home while the current commander remains in place. There is a prime facie case that he ordered an attack on a group of civilians, which needs to be investigated. If the allegations are credible, he should be removed from his office and prosecuted.

2. A criminal investigation and prosecution would be a matter for the national police and courts. However, MONUSCO needs to conduct its own investigation and, according to its Human Rights Due Diligence Policy (HRDDP) should withhold support from the military units involved, including his immediate superiors, until action has been taken. **This investigation will mainly be taken forward by the civilian and police components of the mission**. The villagers that the initial visiting team spoke to did not mention a massacre, but this claim needs to be fully investigated, which will require another visit and re-interviewing the villagers. **The investigation team will certainly need security to be provided by military and or police.**

3. Creating the other conditions for the villagers to be able to return home will mainly involve liaison between the civilian components of the mission and humanitarian actors. The villagers are currently living in the bush and may need emergency assistance, which needs to be delivered while their village is being occupied. What are the logistical challenges and security considerations involved?

4. Assuming that the military commander can be removed to enable the villagers to go home (and it requires political engagement with national authorities), they will also need assistance to rebuild their lives. **This poses a new set of logistical and security challenges**. Initially this will, again, mainly involve liaison between the civilian components of the mission and humanitarian actors. However, beyond the immediate humanitarian assistance, a viable return to the village will require development assistance that goes beyond the emergency phase. In particular, it will require discussion with the state authorities on what support can be provided. This may include material assistance to help in re-building as well as income-generating activities to support a durable return.

5. The state authorities would also need to make provision for the security of the village. Would the existing garrison of soldiers be withdrawn? Could they be replaced by police? Is there a danger that the villagers could face retaliatory attacks? If some members of the village had connections to a militia could it pose a potential security threat to others?

6. MONUSCO has been asked to provide security for the villagers to return and to station an MOB in the village. This has resource implications for the military and only makes sense if the other conditions for a durable return are in place. An infantry company or platoon can temporarily establish the village security through internal and defense perimeter, intensive patrolling, check points etc. The Protection Working Group can decide to support such a deployment in principle, but only if the humanitarian agencies and state authorities can support a durable return as otherwise the MOB would end up guarding an empty village.

Scenario Seven - Deploying a Joint Protection Team

1. The priority for the MOB is to head for Lixpet since civilians there are under imminent threat. If they encounter the CRA group, MONUSCO police and soldiers have authority to arrest disarm and detain it members and to use reasonable force, up to and including lethal force, if it is absolutely necessary to do so.

2. The request for separately screened washing and toilet facilities should be refused. It would take too long to construct this and it is not a priority. A rotation system can be used instead so that the women have a separate time in which their privacy is respected.

3. The commander was wrong to have ordered his troops to question women about sexual violence that they experienced (ideally, the female HR officer in the JPT female officers that will arrive can should be used for that purpose) and also wrong to have taken a statement from a child soldier. The latter point may be controversial, but from the moment that the child soldier was disarmed he should have been treated as a child and is entitled to the rights and protections guaranteed under the UN Convention on the Rights of the Child (CRC). Facilitation should also be provided for referral and assistance for victims of sexual violence.

4. The decision by some of the soldiers to share their rations with the civilians was a commendable humanitarian gesture. **The MOB is not under a general obligation to provide assistance to civilians, but should provide life-saving assistance where it is able to**. It was right to provide medical assistance to the wounded CRA members. The commander should ensure that there is no inappropriate fraternization between male troops and female civilians.

5. The commander's decision not to advance on the village when it was under attack is controversial. Civilians were clearly under threat and MONUSCO, arguably, had the resources and capability to defend them. On the other hand, the commander did not know the strength of the attacking force and did not want to jeopardize the lives of his own troops. **However, as a minimum, he should detach a reconnaissance patrol to find out on the situation to enable him to make an appropriate decision**. There will probably be strong views on this issue amongst the participants and so the trainer/facilitator should ensure that both sides of the dilemma are explored. **The decision to fire live rounds as a 'deterrence', without aiming at specific targets it is not seen to be adequate**. It could cause other loss of innocent life. The mission's RoE's will specify whether or not this was permissible along with the commander judgment on the scene.

6. All of the above issues are likely to have generated considerable discussion (particularly if most of the participants are military) and so it will be important for the trainer/facilitator to ask them if they left enough **time to make a proper plan for the tasks that the MOB and JPT** should now undertake.

7. As discussed above the priority now for the MOB is to head for Lixpet to protect civilians there. This may mean that additional troops have to be sent with the JPT to Pillo, which raises planning and logistical issues. Annex A to the Scenarios, Doc C, (Draft Protection Plan for MOB) is useful to express the chosen course of action.

8. The human rights officer in the JPT will gather preliminary information on what happened at Pillo and a human rights investigative team should be dispatched asap.
The JPT needs to carry out an investigation in to what happened at Pillo. This will involve interviewing the villagers, examining the scene and writing up a report. The trainer/facilitator should press participants to expand on what is involved in these tasks. Who needs to be interviewed, who by and seeking what information? What needs to go in the report? What

details are useful to record and what should be omitted? What is the purpose of such reports and what type of recommendations are useful? The answers to such questions are all fairly obvious, but it will be important for participants (particularly if most of them are military) to understand why these tasks are so important.

Scenario Eight - Border crisis

1. The POC issues in this scenario are those that directly involve threats to civilians. A key point to bring out of the discussion of this scenario is that the POC mandate is narrower than the mandate for the mission as a whole, but it often requires a mission-as-a-whole approach to addressing the challenges that it raises. DPKO have developed a three tier model of POC, which should have already been explained during the presentations. Tier I - Protection through Political Process, Tier II - Protection from physical violence, Tier III – Establishing a protective environment. Those working at the tactical level will mainly be concerned with Tier II actions (protection from physical violence), but they should be aware of how their own actions contribute to, and often inform the development of the whole of mission POC strategy. **Some of the POC issues are operational and will require a Mission level response (political engagement, public information, coordination with the UNCT etc). Other issues require to be addressed by tactical actions carried out by tactical commanders (Battalion, Company and FPU).** These actions are not only related to physical protection but also encompass liaison and coordination with actors dealing with political engagement and the protective environment at tactical level. The militia groups (Tatsi, Kori and Falin 'self-defense' militia group), their **capabilities, intentions and opportunities** to threaten the civilians must be analysed in conjunction with the **vulnerable groups** (local population in Alur and Norke, IDP camps, children etc).

2. It is the primary responsibility of the government itself to protect its own population and to enforce the rule of law within its own territory. MONUSCO should, therefore, liaise with the national and local authorities, share information about the threat with them and attempt to coordinate a joint response. This may involve **conducting joint mobile patrols or reinforcing fixed positions such as police stations, military barracks or check-points**. MONUSCO may need to provide logistical support to its national counter-parts. Note should be taken of MONUSCO's Human Rights Due Diligence Policy (HRDDP) to ensure that no support is provided to units or individuals with a record of human rights violations (HRVs).

3. MONUSCO may also mount patrols independently. A decision on whether to do so, and whether to seek to engage directly with the armed group, will be made by the Force Commander, who will also issue directives regarding the use of force. This responsibility can be delegated and a local commander should not have to wait for permission to engage with armed actors who represent an imminent threat to civilians if such a delay would put their lives at risk. The Chapter VII mandate provides MONUSCO with the authority to use force, up to and including lethal force, to protect civilians. The precise circumstances in which force can be used will be described in more detail in the Rules of Engagement for MONUSCO's military component and the Directives on Detention, Searches and Use of Force for members of MONUSCO's Formed Police Units.

4. MONUSCO police and soldiers have authority to arrest disarm and detain members of the armed group and to use reasonable force, up to and including lethal force, if it is absolutely necessary to do so. **The prisoners should then be handed over to the national authorities as soon as is practicable** (subject to the qualifications above concerning their likely treatment). Both MONUSCO police and soldiers have this authority and either or both forces could be involved in the operation. The decision about which force or combination of forces to deploy would be taken through the usual chain of command. Civilians do not have authority to use force and so would not be deployed. However, it might be useful to deploy a civilian team to the village to liaise with the local community and state authorities. They also would need protection.

5. If child soldiers are found amongst the militias, after they have been disarmed and detained, these should be separated from the adults and handed over to the

appropriate social services immediately. The moment that they are disarmed they should be treated as children and are entitled to the rights and protections guaranteed under the UN Convention on the Rights of the Child (CRC). They should not, for example, be interrogated by adult soldiers. Prior to their disarmament, however, they should be treated in the same way as the armed adults. Recruitment of child soldiers is a particularly serious crime and it will be important to identify those responsible for this so that charges can be brought. The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The protocol prohibits any recruitment of children under 18 by armed groups distinct from the armed forces of a state and obliges governments to take measures to prevent and criminalize such practices.

6. The immediate humanitarian priority is to ensure that life-saving assistance is provided to those who have been displaced from their homes. UN agencies such as UNHCR and WFP may be providing emergency assistance. Individual non-governmental organizations may also be intervening. MONUSCO has a mandate to protect the humanitarian workers who are delivering this assistance and could also provide logistical support such as transport on request. MONUSCO is not mandated to deliver such assistance itself. It also should not attempt to interfere with the work of the humanitarian actors, or in any way jeopardize their independence and impartiality. Coordination mechanisms for humanitarian distribution already exist and MONUSCO should work with these and ensure that appropriate staff members attend the appropriate Cluster group meetings at the provincial level.

7. The importance of monitoring and reporting and political advocacy in this scenario cannot be over-stated and the information on which this is based will depend on those working at the tactical level. Timely and accurate reporting is, therefore, crucial.

8. Claims and counter-claims are being made about the cross-border support that the rebels are alleged to be receiving. The UN has produced its own report, which confirms these claims and called for it to end. It has also called for the two governments to back the deployment of a neutral international armed force in the region. The Security Council would probably convene an urgent session to discuss responses and it is obviously vital that this receives as accurate, comprehensive and up-to-date information as possible from the MONUSCO. This should include specific proposals to ensure the protection of civilians and a realistic estimate of the number of UN peacekeeping troops that will be required for this task. The role of the national and international media should also not be forgotten as these play an important role in shaping perceptions and allocating blame when things go wrong. A pro-active strategy should be adopted towards the media, providing them with accurate and up to date information and actively rebutting false or negative stories about the UN. While much of this will be coordinated by headquarters, those working at the tactical level have a vital role to play through their monitoring and reporting.

Module 2 - MONUSCO

Glossary of Acronyms

MONUSCO Glossary of Acronyms

ADF/NALU	Allied Democratic Forces-National Army for the Liberation of Uganda
AFDL	Alliance of Democratic Forces for the Liberation of Congo-Zaire
AG	Armed Group
AOR	Area of Responsibility
CAN	Community Alert Network
CAS	Civil Affairs Section
CIMIC	Civilian and Military Cooperation
CLA	Community Liaison Assistant
CMG	Crisis Management Group
CNDP	The National Congress for the Defence of the People
CNP	Carana National Police
COB	Company Operation Base
CPS	Child Protection Section
CRA	Christ Rennaisance Axis
CRC	Convention on the Rights of the Child
DDRRR	Disarmament, Demolization, Repatriation, Resettlement and Reintegration
DRC	The Democratic Republic of Congo
DUF	Directives on the Use of Force
FARDC	Congolese Armed Forces
FDLR	Forces Democratiques de Liberation du Rwanda
FM	Falin Militia
FNI	The National and Integrationist Front
FPU	Formed Police Unit
HOMC	Head of Military Component
HOPC	The Head of the Police Component
HRDDP	The UN Human Right Due Diligence Policy
HRV	Human Rights Violations
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
IDP	Internally displaced People
IEMF	Interim Emergency Multinational Force
JHRO	Joint Human Rights Office
JMAC	Joint Mission Assessment Centre
JPT	Joint Protection Team
IPO	Individual Police Officer
KM	Kori Militia
LRA	The Lords Resistance Army
MILOB	Military Observer
MOB	Mobile Operating Base
MONUC	The United Nations Organization Mission in the Congo
MONUSCO	The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NGO	Non Governmental Organization

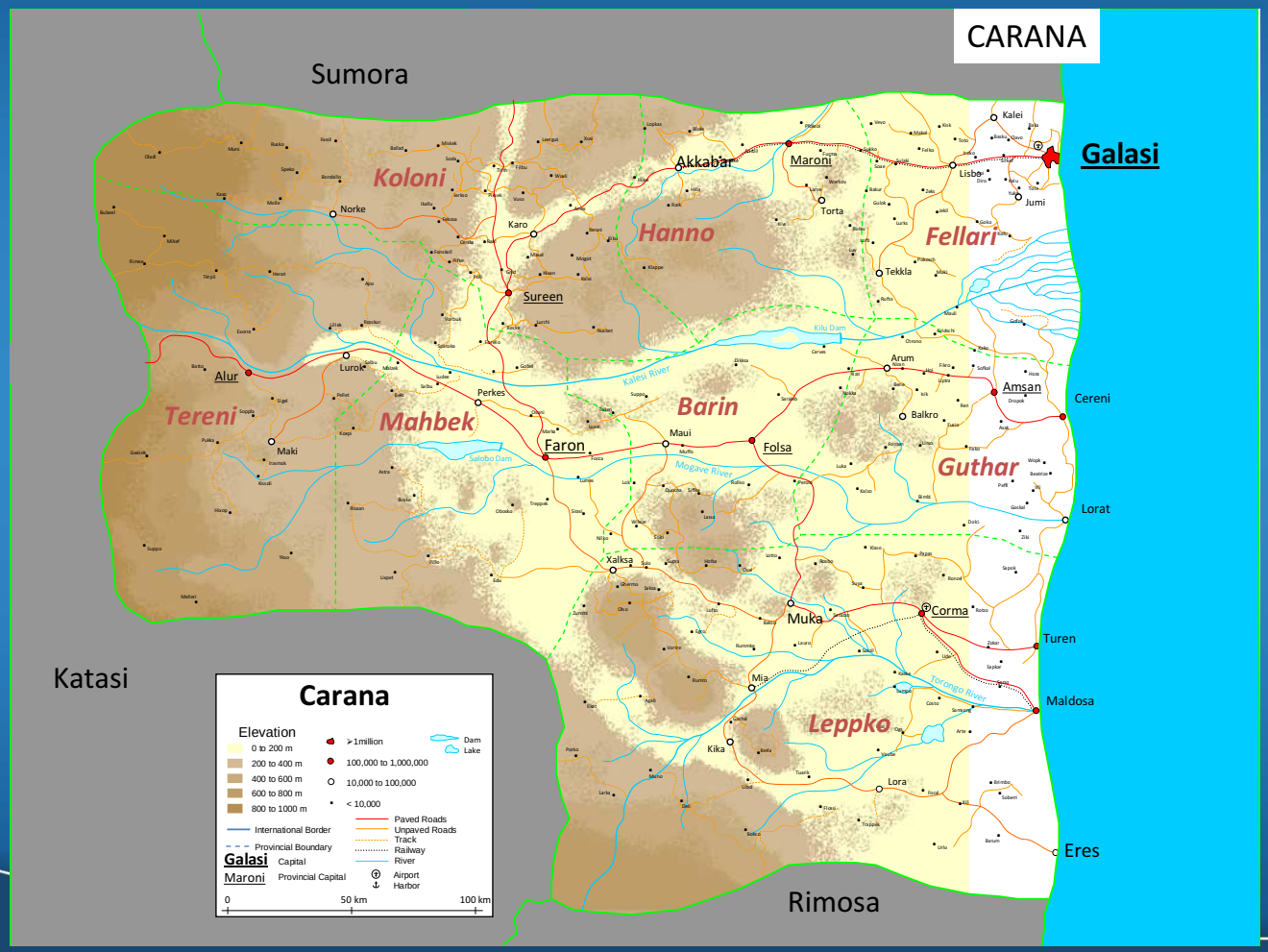
PCG	Protection Cluster Group
PWG	Protection Working Group
RCD	The Congolese Rally for Democracy
RPG	Rocket Propelled Grenade
SMG-PP	The Senior Management Group-Protection Provincial
SVU	Sexual Violence Unit
TM	Tatsi Militia
TOB	Temporary Operation Base
UNHCR	The UN High Commissioner for Refugees
UNSC	UN Security Council
UPC	Union of Congolese Patriots

Carana Context

Carana Context

- Scenarios) were developed on the grounds of a fictitious country named Carana
- Although the scenarios are set in a fictional country, all of the information contained within them is based on real incidents and challenges which have confronted MONUSCO in implementing its POC mandates
- Despite being mission-specific training materials, the scenario-based exercises can not furnish sensitive or classified information. They portray realistic situations but they do not use real names, locations and events

Carana Map


CARANA
Sumora
Katasi
Rimosa
Galasi
Koloni
Hanno
Fellari
Tereni
Mahbek
Barin
Guthar
Leppko
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Maroni
Kalei
Lisbo
Jumi
Torta
Norke
Karo
Tekkla
Sureen
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Perkes
Arum
Amsan
Cereni
Balkro
Maki
Faron
Maui
Folsa
Lorat
Xalksa
Muka
Corma
Turen
Mia
Maldosa
Kika
Lora
Eres
Kilu Dam
Kalesi River
Salobo Dam
Mogave River
Toronga River
Carana
Elevation
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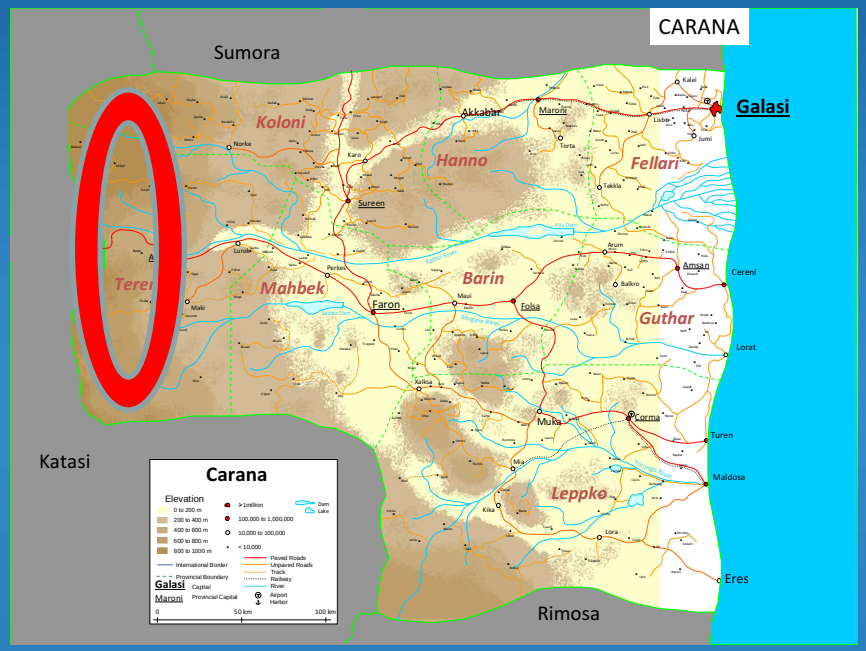
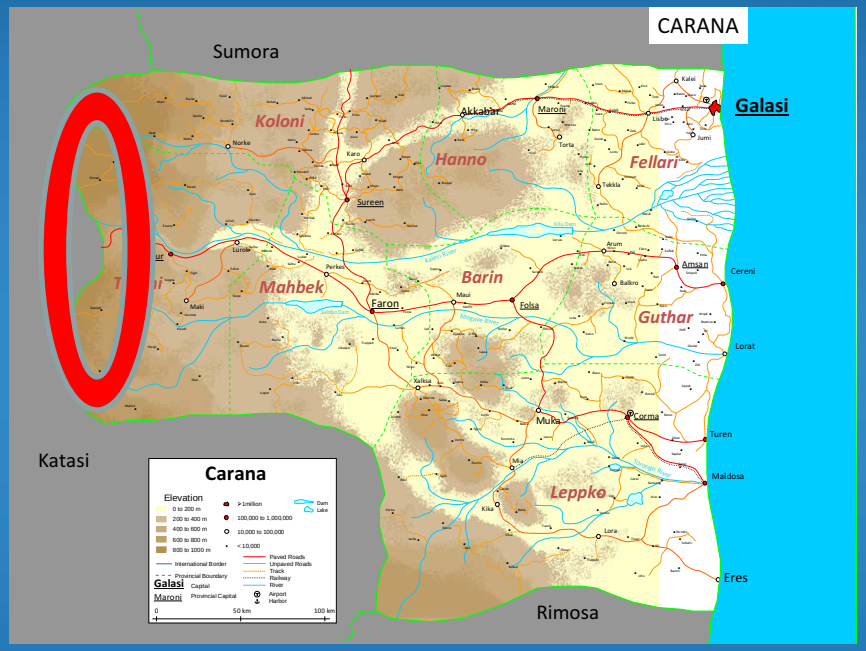
200 to 400 m
400 to 600 m
600 to 800 m
800 to 1000 m
>1million
100,000 to 1,000,000
10,000 to 100,000
< 10,000
Dam
Lake
International Border
Provincial Boundary
Galasi Capital
Maroni Provincial Capital
Paved Roads
Unpaved Roads
Track
Railway
River
Airport
Harbor
0
50 km
100 km

Module 2 - MONUSCO

- Carana/Katasi multi ethnic states with ethnic groups across border.
- 1994 genocide in Katasi - 1.2m Katasian Koris fled to western Carana and used the refugee camp in Carana to attack Katasi which also led to cross border raids from Katasi
- A rebellion in 1996 led to the overthrow of the Carana Government.
- The new President fell out with Katasi and Sumora who had supported his rebellion, leading to two bloody conflicts in which many of Carana's neighbours intervened and which cost millions of lives.



MONUSCO

- Western Carana has remained unstable to date with frequent clashes between various militia groups, self defence groups and the CDF. Attempts to integrate the militias into the national defence structure - limited success.
- The conflict is motivated by political, ethnic and economic reasons.
- Carana and Katasi continue to trade accusations about each harbouring enemy militia although they have carried out some joint operations in this regard.
- MONUSCO is concentrated in Western Carana with a mandate to protect civilians.