



# A Reoriented Approach to Atrocity Prevention in UN Peace Operations

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## DISCLAIMER

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## METHODOLOGY

This white paper draws predominantly on desk research and case studies, as well as on supplementary data obtained from written and in-person interviews with experts (hereafter referred to as 'respondents') based in a range of United Nations agencies from December 2019 to January 2020. This white paper also draws upon first-hand observations by the author, who served in several capacities with the United Nations Assistance Mission in Somalia in 2017 and 2018. This research received ethical clearance from the Blavatnik School of Government research ethics committee, reference number: SSD/CUREC1A/BSG\_C1A-19-14.

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## EXECUTIVE SUMMARY

United Nations (UN) Peace Operations (POs) are central to the protection of civilians from egregious human rights violations. UN Peacekeepers have helped to minimise the intentional targeting of civilians, reduce conflict recidivism, and provide immediate physical security for vulnerable populations. However, UN Peace Operations are yet to effectively integrate the ethos of atrocity prevention into their field missions. The purpose of this white paper is to determine how UN Peace Operations might better contribute to preventing atrocities in their territories of deployment. In doing so, the white paper proposes a reoriented approach to atrocity prevention – one that leverages existing civilian peacekeeper capabilities in UN Peace Operations. A burgeoning area of scholarly inquiry suggests that Protection of Civilians (PoC) mandates are conceptually and operationally compatible with other UN human protection frameworks rooted in international law. As such, integrating an atrocity prevention ethos into POs is not likely to conflict with the missions' operational agendas. Moreover, improving atrocity prevention mechanisms in POs may help to further the Human Rights Up Front (HRuF) initiative and the Sustaining Peace agenda.

In order to determine how to strengthen atrocity prevention in POs, the white paper will analyse the 1) structural dynamics, 2) monitoring and reporting, and 3) strategic communications of the missions in Iraq (UNAMI), South Sudan (UNMISS), Somalia (UNSOM), and the Democratic Republic of the Congo (MONUSCO). The purpose of the case studies is to highlight each mission's respective successes and missed opportunities in relation to the three key areas described above. Based on this, as well as responses from written and in-person interviews and first-hand field-observations, the white paper will then suggest how UN Peace Operations might be strengthened to help prevent atrocity crimes. The following recommendations are to be considered by the UN Security Council, UN Department of Peace Operations, UN Department of Political and Peacebuilding Affairs, and UN Office on Genocide Prevention and the Responsibility to Protect (UN Joint Office):

### Structural Changes

- UN Peace Operations might consider installing a dedicated Senior Atrocity Prevention Adviser (SAPA) in field missions where the UN Joint Office identifies risks of atrocity crimes.
- The UN Joint Office may consider supplementing existing training programs by educating Chiefs of Staff on the Joint Office's 2014 'Framework of Analysis for Atrocity Crimes'.
- An 'Atrocity Prevention Forum' may be established where UN Peace Operations are present and the UN Joint Office identifies risks of atrocity crimes.

### Monitoring and Reporting

- Stronger monitoring and analysis of atrocity risks may be undertaken in internal (via code cables) and public reporting (via the Secretary-General).
- The Special Advisers of the Joint Office may consider requesting a quarterly summary of identity-based violence and risk analyses from UN Peace Operations.
- The UN Joint Office may undertake a 'best practices and lessons learned' exercise on atrocity prevention in UN Peace Operations to develop a 'Compendium on Atrocity Prevention'.

### Strategic Communications

- UN Public Information Offices (PIOs) may consider supporting more frequent official visits by the Special Advisers to missions.
- UN PIOs may consider integrating stronger atrocity prevention components into their communications.
- UN PIOs may aim to consistently utilise atrocity terminology, particularly the names of crimes, where applicable.

## ABBREVIATIONS

DOS	Department of Operational Support (formerly DFS)
DPPA	Department of Political and Peacebuilding Affairs
DPO	Department of Peace Operations (formerly DPKO)
DSRSG	Deputy Special Representative to the UN Secretary-General
HRuF	Human Rights up Front
MONUSCO	United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo
OHCHR	Office of the High Commissioner for Human Rights
PIO	United Nations Peace Operations Public Information Office
PO	Peacekeeping Operations
PoC	Protection of Civilians
RtoP	Responsibility to Protect
SAPA	Senior Atrocity Prevention Adviser
SGBV	Sexual and Gender Based Violence
SPM	Special Political Missions
UNAMI	United Nations Assistance Mission for Iraq
UNMISS	United Nations Mission in South Sudan
UNSOM	United Nations Assistance Mission in Somalia
UNSC	United Nations Security Council

## INTRODUCTION

Since the 1990s the protection of civilians from serious human rights abuses has been at the forefront of the United Nations' agenda.<sup>1</sup> The development and adoption of normative frameworks such as Conflict Prevention, Protection of Civilians, and the Responsibility to Protect (RtoP) illustrate the institution's commitment to the prevention of such crimes. For instance, the incumbent Secretary-General of the UN, António Guterres, reiterated the importance of atrocity prevention in June 2019, stating that:

the prioritisation of atrocity prevention makes it more likely that the international community will take early and concerted action [...] Where the prevention of atrocity crimes is not made a priority at all, prevention efforts can be sharply impaired and their effectiveness reduced.<sup>2</sup>

Despite these efforts, vulnerable populations continue to face genocide, crimes against humanity, war crimes, and ethnic cleansing.<sup>3</sup> In the last five years, genocides and mass atrocities have taken place in Iraq and South Sudan.<sup>4</sup> Likewise, extremist and other armed groups such as Al-Shabaab in Somalia, and a range of actors in the Democratic Republic of the Congo, have continued to commit atrocities and inflict considerable hardship on civilians living within their territorial control.<sup>5</sup> As an increasingly field-based organisation, the UN relies on Peace Operations in affected territories to protect populations from such crimes.<sup>6</sup> According to a 2015 report from the High-Level Independent Panel on Peace Operations, UN Peace Operations can comprise of Peacekeeping Operations (PKO), whose mandate may include the physical protection of civilians, and/or Special Political Missions (SPM), which focus on conflict prevention.<sup>7</sup> These field presences come under the auspices of the Department of Peace Operations (DPO) and the Department of Political and Peacebuilding Affairs (DPPA),

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<sup>1</sup> Hultman, Lisa, 'UN peace operations and protection of civilians: cheap talk or norm implementation?' *Journal of Peace Research*, 50, 1 (2012): 59-73, p. 60; Jean-Marie Guéhenno, 'The United Nations and the Protection of Civilians' in *Protection of Civilians*, edited by Haid Willmot, Ralph Mamiya, Marc Weller, and Scott Sheeran (Oxford: Oxford University Press, 2016), p. 258; Jon Harald Sande Lie and Benjamin de Carvalho, 'Conceptual Uncertainty and Competition: the Protection of Civilians and the Responsibility to Protect', in *The Protection of Civilians in UN Peacekeeping: Concept, Implementation and Practice*, edited by Benjamin de Carvalho and Ole Jacob Sending (Baden-Baden: Nomos, 2012): 47-61, p. 41; Hitoshi Nasu, 'Operationalising the Responsibility to Protect in the Context of Civilian Protection by UN Peacekeepers' *International Peacekeeping*, 18, 4 (2011): 364-78, p. 364.

<sup>2</sup> United Nations Security Council, *Report of the Secretary-General on the Responsibility to Protect*, A/73/898, New York: UN, 10 June 2019, para. 28.

<sup>3</sup> Hunt, Charlie T. and Shannon Zimmerman, 'Twenty Years of the Protection of Civilians in UN Peace Operations: Progress Problems and Prospects' *Journal of International Peacekeeping* (2020): 1-32, p. 5; see also Lisa Hultman, Jacob Kathman, and Megan Shannon, 'United Nations Peacekeeping and Civilian Protection in Civil War' *American Journal of Political Science* 57, 4 (2013): 875-91; Anup Phayal and Brandon C. Prins, 'Deploying to Protect: The Effect of Military Peacekeeping Deployments on Violence Against Civilians' *International Peacekeeping* (2019): 1-26; Virginia Page Fortna, *Does Peacekeeping Work? Shaping Belligerents' Choices after Civil War* (Princeton: Princeton University Press, 2008).

<sup>4</sup> United Nations General Assembly, *Report of the Commission of Inquiry on the Syrian Arab Republic*, A/HRC/32/CRP.2, New York: UN, 15 June 2016, para. 150; United Nations General Assembly, *Report of the Commission on Human Rights in South Sudan*, A/HRC/34/63, New York: UN, 06 March 2017, para. 82.

<sup>5</sup> Cannon, Brendon, and Wisdom Iyekekpolo, 'Explaining Transborder Terrorist Attacks: The Cases of Boko Haram and Al-Shabaab' *African Security* 11, 4 (2019): 370-96; United Nations General Assembly and Security Council, *Report of the Secretary-General on the Responsibility to Protect, A vital and enduring commitment: implementing the responsibility to protect*, A/69/981 – S/2015/500, New York: UN, 13 July 2015, para. 46; Michael Broache, 'International prosecutions and atrocities in the Democratic Republic of the Congo: A case study of FDLR' *The Journal of the Middle East and Africa*, 7, 1 (2016): 19-38, p. 42; Human Rights Watch, *"You Will be Punished": Attacks on Civilians in Eastern Congo* (New York: Human Rights Watch, 2009).

<sup>6</sup> United Nations General Assembly and Security Council *Report of the Secretary-General on the Responsibility to Protect, Responsibility to protect: from early warning to early action*, A/72/525 – S/2018/525, New York: UN, 1 June 2018, para. 29.

<sup>7</sup> This report considers "a broad range of issues facing peacekeeping and special political missions", see United Nations General Assembly and Security Council, *Identical letters dated 17 June 2015 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council*, A/70/95-S/2015/446, New York: UN, 17 June 2015, p. 3; see also Report of the High-Level Independent Panel on United Nations Peace Operations, *Uniting Our Strengths for Peace – Politics, Partnership, and People*, New York: UN, 16 June 2015, accessible at: [https://reliefweb.int/sites/reliefweb.int/files/resources/HIPPO\\_Report\\_1\\_June\\_2015.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/HIPPO_Report_1_June_2015.pdf).



respectively. However, the ethos of atrocity prevention has not yet been adequately incorporated into UN Peace Operations, and civilians continue to experience atrocities in countries where UN Peace Operations have a mandate to protect.<sup>8</sup> The events of the last thirty years in particular highlight the urgency to forge a common, overarching atrocity prevention strategy that can be embedded within such Peace Operations.

**The purpose of this white paper is to examine how atrocity prevention mechanisms might be better integrated and operationalised in UN Peace Operations beyond the physical protection of civilians.** More specifically, the white paper seeks to determine how *civilian* peacekeepers, in both PKOs and SPMs, might more effectively leverage the UN field presence to prevent atrocity crimes, while remaining committed to their PoC mandate. Indeed, intrinsic to the peacekeeping mandate of protection is the *prevention* of extreme harms to civilians – including, but not limited to, atrocity crimes. By drawing on desk research, case study analyses, in-person and written interview responses, and fieldwork observations, the white paper recommends engaging civilian peacekeeping capabilities to reconfigure a more holistic approach to atrocity prevention in UN Peace Operations.

**The focus on the roles and responsibilities of civilian peacekeepers is a novel approach adopted by this white paper.** Civilian peacekeepers, according to the UN, refer to those staff members who “perform many of the mandated tasks of peacekeeping operations.”<sup>9</sup> This includes:

promoting and protecting human rights, helping to strengthen the rule of law, fostering political and reconciliation processes, promoting mine-awareness, and serving as public information officers who explain and build support for the peace processes and the work of the UN.<sup>10</sup>

All UN Peace Operations have civilian components that can be leveraged to more effectively implement an atrocity prevention strategy. This includes those civilian peacekeepers working to protect human rights and supporting the host state authorities to strengthen the rule of law. Unlike other forms of UN field presences, PKOs and SPMs are mandated by the UN Security Council and have multi-million dollar budgets. Each Security Council resolution that authorises a UN Peace Operation includes language that recognises the primary role of the host state government in protecting its population and the subsidiary role of the UN in achieving this goal. The Secretary-General has, at various points, highlighted the importance of using civilian capacities within UN Peace Operations to implement an atrocity prevention strategy. For example, in 2015 Ban Ki-moon called for a “more focused approach to identifying and tracking atrocity crime risks as part of integrated threat analysis and as outlined by the Framework of Analysis for Atrocity Crimes developed by the Office on Genocide Prevention and the Responsibility to Protect.”<sup>11</sup> More recently, in his annual report on the Responsibility to Protect (RtoP) in 2018, Secretary-General Guterres called on Member States to take early action to prevent atrocity crimes by supporting and implementing initiatives to improve training, operational readiness, and the efficiency of peace operations.<sup>12</sup> This white paper responds to those calls to better operationalise atrocity prevention in UN field missions.

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<sup>8</sup> Throughout this white paper, ‘atrocity prevention’ refers more broadly to the normative obligation to safeguard populations from genocide, war crimes, crimes against humanity and ethnic cleansing.

<sup>9</sup> United Nations, “What is Peacekeeping?”, accessible at: [www.peacekeeping.un.org/en/civilians](http://www.peacekeeping.un.org/en/civilians).

<sup>10</sup> United Nations, ‘What is Peacekeeping?’

<sup>11</sup> United Nations General Assembly, *Report of the Secretary-General on the Responsibility to Protect*, A/69/981, New York: UN, 13 July 2015, para. 34. Please also see United Nations Office on Genocide Prevention and the Responsibility to Protect, *Framework of Analysis for Atrocity Crimes: A Tool for Prevention* (United Nations Headquarters: New York 2014), accessible at: [https://www.un.org/en/genocideprevention/documents/publications-and-resources/Genocide\\_Framework%20of%20Analysis-English.pdf](https://www.un.org/en/genocideprevention/documents/publications-and-resources/Genocide_Framework%20of%20Analysis-English.pdf). For the Framework of Analysis as an official UN document, please also see United Nations General Assembly and Security Council, *Promotion and protection of human rights: Letter dated 22 January 2016 from the Secretary-General of the United Nations addressed to the President of the General Assembly and the President of the Security Council*, A/70/741–S/2016/71, New York: UN, 16 February 2016.

<sup>12</sup> United Nations General Assembly, *Report of the Secretary-General on the Responsibility to Protect*, A/72/525, New York: UN, 1 June 2018, para. 45.



## Compatibility of UN Protection Frameworks

A burgeoning area of scholarly inquiry has been concerned with interrogating the conceptual and (arguably) operational overlap of UN protection frameworks.<sup>13</sup> For instance, Emily Paddon Rhoads and Jennifer Welsh argue that, irrespective of their differences, RtoP and PoC are ‘close cousins’ in the sense that they have “similar structures, strengths and vulnerabilities.”<sup>14</sup> Comparably, Charles T. Hunt traces the ‘co-evolution’ of the RtoP and PoC by contrasting the concepts’ nature, scope, and applicability, and noting that “at times POC in peace operations [is] seen as an implementation vehicle for R2P [and], at others, R2P is deployed as a rallying call for peace operations to get serious about POC [sic].”<sup>15</sup> Hunt also points to instances where UN Security Council debates have explicitly linked the PoC and RtoP agendas, such as Resolution 1674 (2006), regarding the mission in Darfur-Sudan.<sup>16</sup> Specifically, and controversially at the time, Resolution 1674 “*Reaffirm[ed]* the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”<sup>17</sup> Moreover, in his comparative analysis of RtoP and PoC, Paul Williams argues that efforts to ‘divorce’ RtoP and PoC are impossible and counter-productive, as “they stem from the same normative goal and have significant operational overlap in the issues they address”.<sup>18</sup> Consequently, he argues that because “UN peacekeepers are called upon to operationalise both the R2P and POC agendas [sic]” efforts must be made to guarantee both concepts – although related – do not become problematically conflated.<sup>19</sup> In a similar vein, Hugo Slim argues that “the ethical goals of R2P and humanitarian action therefore overlap in an urgent concern for protecting individuals in extremis.”<sup>20</sup> Finally, Hitoshi Nasu goes further to argue that operationalising RtoP may actually “*assist* in defining the scope of civilian protection mandates for peacekeepers, which are ambiguously restricted by three caveats – ‘imminent threat of physical violence’, ‘areas of deployment’ and ‘capabilities’”.”<sup>21</sup>

Efforts to examine the conceptual and operational parallels of PoC, RtoP, and atrocity prevention in UN Peace Operations have not been limited to strictly academic analyses. United Nations Peace Operations have also increasingly noted the importance of preventing identity-based violence. For instance, the 2015 UNDP’s report

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<sup>13</sup> Paddon Rhoads, Emily and Jennifer Welsh, ‘Close cousins in protection: the evolution of two norms’, *International Affairs* 95, 3 (2019): 597-617; Vesselin Popovski, ‘The Concepts of Responsibility to Protect and Protection of Civilians: “Sisters but not twins”’, *Security Challenges* 7, 4 (2011): 1-12; Frédéric Mégret, ‘Between R2P and ICC: “Robust Peacekeeping” and the quest for civilian protection’, *Criminal Law Forum* 26, 1 (2015): 101-51, p. 104. Thierry Tardy cautions that – although there are parallels between the concepts – scholars should be wary of ‘issue-linkage’ “between RtoP and the protection of civilians in peacekeeping operations”, as this (among other concerns) jeopardises the efficacy of each concept; see Thierry Tardy, ‘The Dangerous Liaisons of the Responsibility to Protect and the Protection of Civilians in Peacekeeping Operations’, *Global Responsibility to Protect* 4, 4 (2012): 424-48, p. 425. Sande Lie and de Carvalho also point to the co-development of PoC and RtoP as presenting challenges to both concepts in terms of interpretation and implementation, arguing that RtoP is more ‘interventionist’ than PoC; see Sande Lie and de Carvalho, ‘Conceptual Uncertainty and Competition’, p. 51, 60. Similarly, Eglantine Staunton and Jason Ralph argue that, in the context of the European Union, atrocity prevention has been unhelpfully “‘grafted’ onto the EU’s other normative commitments – including conflict resolution and democracy promotion – without sufficient acknowledgement of the cluster’s complexity”; see Eglantine Staunton and Jason Ralph, ‘The Responsibility to Protect Norm Cluster and the Challenge of Atrocity Prevention: An analysis of the European Union’s strategy in Myanmar’, *European Journal of International Relations* (2019): 1-27, p.1.

<sup>14</sup> Paddon Rhoads and Welsh also highlight that RtoP and PoC both face a “disjuncture between macro-level institutionalisation and inconsistent or inadequate implementation”; see Paddon Rhoads and Welsh, ‘Close cousins in protection’, p. 18.

<sup>15</sup> Charles T. Hunt, ‘Analysing the Co-Evolution of the Responsibility to Protect and the Protection of Civilians in UN Peace Operations’ *International Peacekeeping* 26, 5 (2019): 630-59, p. 636.

<sup>16</sup> Hunt, ‘Analysing the Co-Evolution of the Responsibility to Protect and the Protection of Civilians’, p367.

<sup>17</sup> United Nations Security Council, *Resolution 1674 (2006) Adopted by the Security Council at its 5430<sup>th</sup> meeting, on 28 April 2006*, S/RES/1674, New York: UN, 28 April 2006, para. 4.

<sup>18</sup> Paul D. Williams, ‘The R2P, Protection of Civilians, and UN Peacekeeping Operations’, in *The Oxford Handbook on the Responsibility to Protect*, edited by Alex J. Bellamy and Tim Dunne (Oxford: Oxford University Press, 2016): 524-40; p. 526.

<sup>19</sup> Williams, ‘The R2P, Protection of Civilians, and UN Peacekeeping Operations’, p. 524.

<sup>20</sup> Slim, Hugo, ‘Saving Individuals from the Scourge of War: complementary and tension between R2P and humanitarian action’, in *The Oxford Handbook of the Responsibility to Protect*, edited by Alex J. Bellamy and Tim Dunne (Oxford: Oxford University Press, 2016): 546-59, p. 549.

<sup>21</sup> Emphasis added, Nasu, ‘Operationalising the Responsibility to Protect’, p. 364.

‘The Protection of Civilians in United Nations Peace Operations’ explicitly articulates that **prevention is part of peacekeepers’ responsibilities**:

[w]here the state is unable or unwilling to protect civilians, or where government forces themselves pose such a threat to civilians, peacekeepers have the authority and the responsibility to provide such protection within their capabilities and areas of development. Particularly, peacekeepers will act to *prevent*, deter, pre-empt or respond to threats of physical violence in their areas of development, *no matter the scale of the violence and irrespective of the source of the threat*.<sup>22</sup>

Further, and perhaps most critically, the 2020 UN ‘Protection of Civilians in United Nations Peacekeeping Handbook’ advocates for “[i]ntegrating indicators of potential mass atrocities” in UN missions.<sup>23</sup> When “identifying and analysing threats to civilians,” the PoC Handbook notes, “it might be useful for missions to identify and monitor specific early warning and other indicators that could point to the possibility of the preparation or commission of *atrocity crimes*.”<sup>24</sup> The UN PoC Handbook explicitly advocates that UN mission analysts utilise an “atrocity prevention lens”, as well as the UN Office of Genocide Prevention and Responsibility to Protect’s 2014 ‘Framework of Analysis for Atrocity Crimes’ (noted above) as a ‘tool’ in their respective missions.<sup>25</sup> Using the Framework of Analysis for Atrocity Crimes, the 2020 PoC Handbook reasons, mission analysts:

can develop their awareness of the political and societal conditions that may increase the likelihood of *atrocities* or trigger their commission... Equipped with such analysis, those leaders can determine appropriate *prevention* action, including support to and coordination with national mechanisms for the *prevention of genocide*, as appropriate.<sup>26</sup>

Indeed, as the UN PoC Handbook explains, mission analysts “*should* consider any pattern of threats or incidents or past records of a similar nature that could act as early warning signs for the commission of atrocity crimes.”<sup>27</sup> It is becoming increasingly clear, then, that UN Peace Operations’ mandate to protect civilians is not conceptually or operationally antithetical to atrocity prevention. Rather, scholars and UN Peace Operations seem to imply that missions have an intrinsic obligation to **protect via the prevention of mass atrocity crimes**; as such, it might be beneficial to determine how atrocity prevention strategies could be better operationalised in POs.

Determining how civilian peacekeepers could contribute to atrocity prevention in POs might also help to **further the Human Rights up Front initiative and the Sustaining Peace agenda**.<sup>28</sup> For instance, the Secretary-General has called for a closer relationship between atrocity prevention and Sustaining Peace agenda.<sup>29</sup> Moreover, as UN Peace Operations have regular public reporting obligations, they have a duty to highlight risks of impending atrocities in line with the Human Rights Up Front agenda. According to Emily Paddon Rhoads:

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<sup>22</sup> Emphasis added, United Nations Department of Peacekeeping Operations/Department of Field Support, *The Protection of Civilians in United Nations Peacekeeping* (New York: United Nations Headquarters, 2015), p. 6.

<sup>23</sup> Emphasis added, United Nations Peacekeeping, *The Protection of Civilians in United Nations Peacekeeping: Handbook* (United Nations Headquarters: New York, 2020), p. 92.

<sup>24</sup> Emphasis added, United Nations Peacekeeping, *The Protection of Civilians in United Nations Peacekeeping*, p. 92.

<sup>25</sup> United Nations Peacekeeping, *The Protection of Civilians in United Nations Peacekeeping*, p. 93; see also UNOGPR2P, *Framework of Analysis for Atrocity Crimes*.

<sup>26</sup> Emphasis added, United Nations Peacekeeping, *The Protection of Civilians in United Nations Peacekeeping*, p. 93.

<sup>27</sup> Emphasis added, United Nations Peacekeeping, *The Protection of Civilians in United Nations Peacekeeping*, p. 87.

<sup>28</sup> OCHA Interagency Standing Committee, *United Nations Human Rights up Front: An Overview*, 2013, accessible at: [https://interagencystandingcommittee.org/system/files/overview\\_of\\_human\\_rights\\_up\\_front\\_july\\_2015.pdf](https://interagencystandingcommittee.org/system/files/overview_of_human_rights_up_front_july_2015.pdf); see also United Nations Development Program, *Putting Human Rights Up Front*, 7 August 2018, accessible at: <https://stories.undp.org/putting-human-rights-up-front#>; Cedric De Coning, *Sustaining Peace: Can a New Approach Change the UN?* (Washington DC: International Peace Institute, 2018).

<sup>29</sup> United Nations General Assembly, *Report of the Secretary-General on the Responsibility to Protect*, A/73/898, New York: UN, 10 June 2019, para. 16(e).

HRuF puts the imperative to protect people from serious violations of human rights and international humanitarian law at the core of the UN's strategy and operational activities, and obliges staff to speak out about abuses and looming crises.<sup>30</sup>

In short, an **effective strategy for maintaining peace requires an atrocity prevention lens** that can be used to identify early warning signs, and appropriately advise policymakers and political leaders.<sup>31</sup> Integrating an atrocity prevention agenda into UN Peace Operations is unlikely to complicate or frustrate the missions' operational requirements; instead, it might even help realise those protection obligations.<sup>32</sup> As such, this white paper begins from the argument that **integrating an atrocity prevention ethos into PO would not conflict with the mission's operational agenda**.

The next section offers a case study analysis of four UN Peace Operations. The aim of this section is to highlight the missions' existing approaches to atrocity prevention in terms of 1) structural dynamics, 2) monitoring and reporting, and 3) strategic communications. The white paper then presents a series of **recommendations** for how atrocity prevention efforts might be better integrated into these three areas in future UN Peace Operations. Given the environment within which the UN currently operates, the recommended changes to UN Peace Operation's structure, monitoring and reporting, and strategic communications are both **practical and cost-effective**.

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<sup>30</sup> Paddon Rhoads, Emily, 'Putting Human Rights up Front: Implications for Impartiality and the Politics of UN Peacekeeping' *International Peacekeeping* (2019): 281-301, p. 282.

<sup>31</sup> Bellamy, Alex J, 'Mass Atrocities and Armed Conflict: Links, Distinctions, and Implications for the Responsibility to Prevent' (Washington DC: Stanley Foundation, 2011).

<sup>32</sup> United Nations Peacekeeping, *The Protection of Civilians in United Nations Peacekeeping*, p. 92.

## CASE STUDIES

The purpose of this section is to contrast how each mission prevented or responded to atrocity crimes within their territories. It highlights the missions' respective successes and shortcomings – as observed by the author – in **Iraq (UNAMI), South Sudan (UNMISS), Somalia (UNSOM), and Democratic Republic of the Congo (MONUSCO)**. Specifically, each case study examines: 1) the **structural dynamics** of the mission – including engagements with the UN Office on Genocide Prevention and RtoP (and their Special Advisers); 2) the mission's **monitoring and reporting** of atrocity crimes; and 3) **strategic communications** – that is, the extent to which the mission and other UN bodies utilised atrocity terminology, where appropriate. The intention is to highlight each mission's successes and missed opportunities regarding these three key areas, which will then lay the foundations for the white paper's recommendations.

The justification for selecting these missions as case studies is to demonstrate that a more holistic approach to atrocity prevention might be better integrated within *both* Peacekeeping Operations and Special Peace Missions. UNAMI and UNSOM are SPMs that fall under the responsibility of the UN Department of Political and Peacebuilding Affairs, while UNMISS and MONUSCO are PKOs that come under the auspices of UN Peace Operations. MONUSCO and UNMISS are responsible for protecting civilians from inter-ethnic violence, while UNSOM and UNAMI have addressed atrocities perpetrated by proscribed terrorist groups. The four UN Peace Operations also have regular reporting cycles and detailed mandates.<sup>33</sup> Despite the on-going presence of UN Peace Operations in Iraq, Somalia, South Sudan, and the Democratic Republic of the Congo, however, civilians continue to experience atrocity crimes.

The case studies also rely on supplementary data obtained from **written and in-person interviews** with experts (hereafter referred to as 'respondents') based in a range of UN agencies from December 2019 to January 2020. The written interview questions were developed in consultation with prominent experts working in the field of atrocity prevention, and are centred on understanding the structure, monitoring and reporting mechanisms, and strategic communications in Peace Operations. The aim of obtaining written responses was to gain a deeper understanding of existing atrocity prevention strategies within Peace Operations, and how such initiatives may intersect with broader UN initiatives.

The respondents were experts with experience of working with UN Peace Operations, as well as UN agencies, funds, and programmes located in country, or in their respective offices at UN Headquarters in New York and Geneva. This includes officers from the Political Affairs, Human Rights, Rule of Law and Public Information divisions. Due to the high mobility of UN staffers, many of the respondents have worked for the UN Secretariat, as well as several Peace Operations, including the case studies analysed herein. As such, respondents were able to provide diverse perspectives from multiple parts of the UN system. Participation was voluntary, responses were fully anonymised to protect the confidentiality of participants and encourage more candid responses about UN processes, and all research data was password protected and encrypted. All quotes from respondents in the white paper are included verbatim from the written-interviews. To refine the scope of the white paper, working-level discussions were also had with UN officials from UNAMI, UNMISS, MONUSCO and UNSOM, as well as those working in departments that focus on human rights and civilian protection in UN Peace Operations.

Finally, the white paper draws upon **first-hand observations by the author** who served in several capacities with UNSOM in 2017 and 2018. During this time, the author made observations at field-mission level regarding the shortcomings of UNSOM's reactions to atrocity crime, and subsequently identified pragmatic changes that could

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<sup>33</sup> The decision not to choose the UN Peace Operations in Mali, which is a peacekeeping Mission with a mandate to protect civilians from terrorist groups, was due to the number of other peace operations in the country, which makes it difficult to fully understand MINUSMA's responsibility and capacity to protect civilians. Similar arguments can be made for not selecting Somalia and Iraq, but since these are Special Political Missions, they have different responsibilities to a fighting force.

be made to improve UNSOM's capacity. For example, he observed the lack of implementation of the 'Framework of Analysis for Atrocity Crimes' within UNSOM, and questioned whether changes in the monitoring and reporting of early warning risks could be improved.<sup>34</sup> Additionally, these observations noted the importance of within-country strategic communications and the public reporting of atrocity crimes.<sup>35</sup>

## 1. IRAQ

Between June 2014 and December 2017, the self-declared jihadist group the Islamic State of Iraq and the Levant (ISIL) occupied large swathes of territory in Iraq with the aim of establishing a purported Islamic Caliphate.<sup>36</sup> During this period the militant group perpetrated widespread and systematic attacks against civilians, particularly religious minority groups in northern Iraq, leaving over 30,000 dead.<sup>37</sup> Successive military victories in Syria provided ISIL with the arms, recruits, and finances to launch a large-scale offensive across western Iraq in June and July 2014.<sup>38</sup> ISIL rapidly seized control of major cities, including Mosul, and imposed their brutal rule over the local population.<sup>39</sup> On 3<sup>rd</sup> August 2014, ISIL launched a coordinated attack against the Yazidi community.<sup>40</sup> Militants deliberately targeted the Sinjar region, which is predominantly inhabited by the Yazidis, with ISIL fighters pursuing a concerted campaign to destroy the population.<sup>41</sup> The United Nations Assistance Mission for Iraq (UNAMI) have been in Iraq since the UN Security Council passed Resolution 1500 in August 2003, and has been actively working to counter the threat of ISIL since its emergence.<sup>42</sup>

### Structural Dynamics

The first visit of the UN Special Adviser on the Prevention of Genocide Adama Dieng to Iraq took place in November 2015.<sup>43</sup> In March 2020, the Special Adviser visited Iraq for the second time, including to areas once

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<sup>34</sup> The failure to implement the Framework of Analysis for Atrocity Crimes might be due to the lack of an official request to do so from the Special Advisers on Genocide Prevention and the Responsibility to Protect.

<sup>35</sup> This is specifically relevant in regard to UNSOM's advocacy efforts with the Federal Government of Somalia on issues relating to human rights. This prompted further thinking on the use of strategic communications that focused on atrocity risks and crimes perpetrated by Al-Shabaab, in order to mobilize timely action by the international community.

<sup>36</sup> Vick, Karl, 'ISIS Militants Declare Islamist "Caliphate"', *Time*, 29 June 2014, accessible at: <https://time.com/2938317/isis-militants-declare-islamist-caliphate/>; Rod Said, 'Islamic State "caliphate" defeated, yet threat persists', *Reuters*, 23 March 2019, accessible at: <https://www.reuters.com/article/us-mideast-crisis-islamic-state-idUSKCNIR407D>.

<sup>37</sup> Miller, Erin, *Patterns of Islamic State-Related Terrorism, 2002-2015*, National Consortium for the Study of Terrorism and Responses to Terrorism, August 2016, accessible at: [https://www.start.umd.edu/pubs/START\\_IslamicStateTerrorismPatterns\\_BackgroundReport\\_Aug2016.pdf](https://www.start.umd.edu/pubs/START_IslamicStateTerrorismPatterns_BackgroundReport_Aug2016.pdf)

<sup>38</sup> Chulov, Martin, 'ISIS insurgents seize control of Iraqi city of Mosul', *The Guardian*, 11 June 2014, accessible at: <https://www.theguardian.com/world/2014/jun/10/iraq-sunni-insurgents-islamic-militants-seize-control-mosul>; Yonah Alexander and Dean C. Alexander, *The Islamic State: combatting the caliphate without borders* (London: Lexington Books, 2015), p.12-13; Jen Psaki, 'US Condemns ISIL Assault on Mosul', *US State Department*, Washington DC, 10 June 2014, accessible at: <https://2009-2017.state.gov/r/pa/prs/ps/2014/06/227378.htm>.

<sup>39</sup> Specia, Megan, 'The Evolution of ISIS: from rogue state to stateless ideology' *New York Times*, 20 May 2019, accessible at: <https://www.nytimes.com/2019/03/20/world/middleeast/isis-history-facts-islamic-state.html>; Alexander and Alexander, *The Islamic State*, p. 14-15; Anthony Celso, *The Islamic State: a comparative history of jihadist warfare*, (London: Lexington Books, 2018), p.xi.

<sup>40</sup> United Nations Human Rights Council, 'Commission of Inquiry on Syria calls for justice on the occasion of the third anniversary of ISIL's attack on the Yazidis', OHCHR, 3 August 2017, accessible at: <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=21935>; UN News, 'ISIL's "genocide" against Yazidis is ongoing, UN rights panel says, calling for international action', 3 August 2017, accessible at: <https://news.un.org/en/story/2017/08/562772-isis-genocide-against-yazidis-ongoing-un-rights-panel-says-calling>;

<sup>41</sup> Taylor, Lin, 'Nearly 10,000 Yazidis killed, kidnapped by Islamic State in 2014, study finds', *Reuters*, 10 May 2017, accessible at: <https://www.reuters.com/article/us-mideast-crisis-iraq-yazidis-idUSKBN185271>; John Beck, 'Iraq's Yazidis living in fear on Mount Sinjar', *Al Jazeera*, 26 July 2016, accessible at: <https://www.aljazeera.com/news/2016/07/iraq-yazidis-living-fear-mount-sinjar-160726063155982.html>; Raya Jalabi, 'Who are the Yazidis and why is ISIS hunting them?' *The Guardian*, 11 August 2014, accessible at: <https://www.theguardian.com/world/2014/aug/07/who-yazidi-isis-iraq-religion-ethnicity-mountains>.

<sup>42</sup> United Nations Assistance Mission for Iraq, 'Facts and Figures', 2020, accessible at: [https://www.uniraq.org/index.php?option=com\\_k2&view=item&layout=item&id=945&Itemid=475&lang=en](https://www.uniraq.org/index.php?option=com_k2&view=item&layout=item&id=945&Itemid=475&lang=en);

<sup>43</sup> United Nations News, 'Protecting Iraq's minorities "part of our humanity" says genocide expert', November 21, 2015, accessible at: <https://news.un.org/en/audio/2015/11/606842>.

controlled by ISIL.<sup>44</sup> During this visit, he also met with Iraqi President Salih to “discuss the international efforts aimed at putting an end to the crimes and violations committed by terrorist organisations against citizens which can only be described as genocide.”<sup>45</sup> On 21<sup>st</sup> September 2017, Resolution 2379 was unanimously passed by the UN Security Council, establishing “an Investigative Team headed by a Special Adviser, to support domestic efforts to hold ISIL (Da’esh) accountable by collecting, preserving, and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide committed by the terrorist group.”<sup>46</sup> Greater coordination within UNAMI and across relevant UN bodies, however, would further enhance efforts to support the survivors of the genocide, and to safeguard the return of displaced communities to their homes, thereby protecting vulnerable communities from the risk of future atrocities.

## Monitoring and Reporting

Ever since UN Special Adviser Dieng’s first visit to Iraq, UNAMI reports have consistently highlighted that atrocity crimes were perpetrated by ISIL. For instance, on 26<sup>th</sup> September 2014, UNAMI and the OHCHR stated: “the indiscriminate and systematic attacks by ISIL and associated armed groups may amount to war crimes and crimes against humanity.”<sup>47</sup> Similarly, in June 2015, UNAMI and the OHCHR published another report on the violations and abuses committed by ISIL, detailing that, “[i]n some instances, these may amount to war crimes, crimes against humanity, and possibly genocide.”<sup>48</sup> A year later, in June 2016, an Independent UN Commission of Inquiry provided a legal analysis determining that atrocities, including genocide, had been perpetrated by ISIL against the Yazidis – a rare measure that reflected the flagrant and heinous nature of the crimes.<sup>49</sup> In response to Resolution 2368, the Secretary-General has also consistently released reports that “reflect the gravity of the threat, as well as the range of United Nations efforts in support of Member States in countering the threat” posed by ISIL.<sup>50</sup> Indeed, the language in the Secretary-General’s reports on Iraq has underlined that ISIL “sought to deliberately cleanse areas” and that civilians “fled for fear of genocide.”<sup>51</sup> Furthermore, UNESCO Director General Irina Bokova also emphasised that ISIL’s efforts to erase Iraq’s cultural heritage by burning religious

<sup>44</sup> United Nations Iraq, ‘Introduction by Alice Walpole, Deputy Special Representative of the Secretary-General, at an event on Hate Speech in the presence of Under-Secretary General Adama Dieng’, 3 March 2020, accessible at: [http://uniraq.com/index.php?option=com\\_k2&view=item&id=11942:introduction-by-alice-walpole,-deputy-special-representative-of-the-secretary-general.-at-an-event-on-hate-speech-in-the-presence-of-under-secretary-general-adama-dieng-3-march-2020&lang=en](http://uniraq.com/index.php?option=com_k2&view=item&id=11942:introduction-by-alice-walpole,-deputy-special-representative-of-the-secretary-general.-at-an-event-on-hate-speech-in-the-presence-of-under-secretary-general-adama-dieng-3-march-2020&lang=en).

<sup>45</sup> Iraqi Presidency, ‘President Received UN Under-Secretary General and Special Adviser on the Prevention of Genocide, Adama Dieng’, 3 March 2020, accessible at: <https://www.presidency.iq/EN/Details.aspx?id=1815>; President of the Kurdistan Region – Iraq, ‘Kurdistan Region President meets with UN delegation’, 3 March 2020, accessible at: <https://president.gov.krd/en/kurdistan-region-president-meets-with-un-delegation/>.

<sup>46</sup> United Nations Security Council, *Resolution 2379 (2017) Adopted by the Security Council at its 8052<sup>nd</sup> meeting, on 21 September 2017*, S/RES/2379, New York: UN, 21 September 2017, para. 2.

<sup>47</sup> United Nations Assistance Mission for Iraq and the Human Rights Office of the United Nations High Commissioner for Human Rights, *Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014* (New York: UN, 2014), p. 25.

<sup>48</sup> United Nations Assistance Mission for Iraq and the Human Rights Office of the United Nations High Commissioner for Human Rights, *Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 – 30 April 2015* (New York: UN, 2015), p. i.

<sup>49</sup> Human Rights Council, *They came to destroy: ISIS Crimes Against the Yazidis*, A/HRC/32/CRP.2, New York: UN, 15 June 2016, accessible at: [https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A\\_HRC\\_32\\_CRP.2\\_en.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A_HRC_32_CRP.2_en.pdf). Moreover, the Commission determined the genocide against the Yazidis were “on-going”. In a statement issued by the Commission of Inquiry on the 3<sup>rd</sup> August 2017, the Commission urged “the international community to recognise the crime of genocide being committed by ISIL against the Yazidis and to undertake steps to refer the situation to justice,” see *Commission of Inquiry Calls on Syria calls for justice on the occasion of the third anniversary of ISIL’s attack on the Yazidis*, 3 August 2017, accessible at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21935&LangID=E>.

<sup>50</sup> The Secretary-General releases these reports every six months. Please see, for instance, United Nations Security Council, *Ninth report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of the United Nations efforts in support of Member States in countering the threat*, S/2019/612, New York: UN, 31 July 2019, par. 1; see also United Nations Security Council, *Resolution 2368 (2017), Adopted by the Security Council at its 8007<sup>th</sup> meeting on 20 July 2017*, S/RES/2368 (2017), New York: UN, 20 July 2017.

<sup>51</sup> United Nations Security Council, *Report of the Secretary-General Submitted Pursuant to Paragraph 6 of Resolution 2169 (2014)*, S/2014/9774, New York: UN, 31 October 2014, para. 19.



manuscripts, defaming places of worship, and destroying archaeological sites such as Nimrud, constituted a war crime.<sup>52</sup>

### Strategic Communications

As thousands of displaced people sought refuge on Mount Sinjar or abandoned the region altogether, the initial international response was varied. On 7<sup>th</sup> August 2014 United States (US) President Barack Obama authorised a military operation to provide humanitarian relief to stranded Yazidis on the mountain, and to attack nearby ISIL positions.<sup>53</sup> Obama cited the Iraqi government's consent and the risk of genocide as justifications for the American intervention: "We can act, carefully and responsibly, to prevent a potential act of genocide. That's what we're doing on that mountain."<sup>54</sup> Yet, on the same day, the UN Security Council issued a qualified press statement, claiming: "widespread or systematic attacks directed against any civilian populations because of their ethnic background, political grounds, religion or belief *may* constitute a crime against humanity, for which those responsible must be held accountable."<sup>55</sup> Five days later, the Secretary-General similarly issued a statement in which he expressed his concern about the thousands trapped on Mount Sinjar: "The plight of the Yazidis and others on Mount Sinjar is especially harrowing".<sup>56</sup> However, in these early days, the Secretary-General failed to describe the crimes committed by ISIL as atrocity crimes.<sup>57</sup>

The Special Advisers on the Prevention of Genocide and for the RtoP were the first within the UN system to raise concerns about the risk of genocide. On the 12<sup>th</sup> of August, the Special Advisers noted that acts committed by ISIS:

constitute grave violations of human rights and international humanitarian law and may amount to war crimes and crimes against humanity. The reports we have received of acts committed by the 'Islamic State' may also point to the risk of genocide...The current plight of populations in Iraq... calls for a concerted effort from a variety of actors, both regional and global, to ensure that victims receive desperately needed support and to avert further atrocity crimes.<sup>58</sup>

On the whole, the Special Advisers were successful in using language commensurate with the gravity of the crimes, and were quick to highlight the potential risk to the Yazidi population when ISIL captured the northern Iraqi town of Tel Afar. Indeed, as early as the 18<sup>th</sup> June 2014, the Special Advisers issued a statement warning of potential atrocities in the region.<sup>59</sup> These public declarations and use of explicit atrocity language are critical to the prevention of future atrocities, and should be commended. Although statements have been made by Adama

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<sup>52</sup> UNESCO Director General Irina Bokova, *UNESCO Director General condemns destruction of Nimrud in Iraq*, 6 March 2015, accessible at: <https://whc.unesco.org/en/news/1244>; World Heritage Centre, *UNESCO mobilises the international community to end cultural cleansing in Iraq*, 11 March 2015, accessible at: <https://whc.unesco.org/en/news/1247>.

<sup>53</sup> Barack Obama, *The White House Office of the Press Secretary For Immediate Release: Statement by the President*, 7 August 2014, accessible at: <https://obamawhitehouse.archives.gov/the-press-office/2014/08/07/statement-president>

<sup>54</sup> Barack Obama, *The White House Office of the Press Secretary*.

<sup>55</sup> United Nations Security Council, *Security Council Press Statement on Iraq*, 7 August 2014, accessible at: <https://www.un.org/press/en/2014/sc11515.doc.htm>.

<sup>56</sup> United Nations Press Conference, *Press Conference by Secretary-General Ban Ki-moon at United Nations Headquarters*, SG/SM/16083, 12 August 2014, accessible at: <https://www.un.org/press/en/2014/sgsm16083.doc.htm>.

<sup>57</sup> The author suggests that the reticence of the UN Security Council and the Secretary-General to use stronger language on the risk of genocide at the time may, among other factors, be due to a limitation in the analysis of the situation on the ground.

<sup>58</sup> United Nations Press Release, *Statement by Adama Dieng, Special Adviser to the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Adviser to the Secretary-General on the Responsibility to Protect, on the situation in Iraq*, New York, 12 August 2014, accessible at: <https://www.un.org/en/genocideprevention/documents/media/statements/2014/English/2014-08-12.Statement%20of%20the%20Special%20Advisers%20on%20Iraq.pdf>.

<sup>59</sup> United Nations Press Release, *Statement by Adama Dieng, Special Adviser to the Secretary-General on the Prevention of Genocide, and Jennifer Welsh, Special Adviser to the Secretary-General on the Responsibility to Protect, on the situation in Iraq*, New York, 18 June 2014, accessible at: <https://www.un.org/en/genocideprevention/documents/media/statements/2014/English/2014-06-18-Special%20Advisors%20Statement%20on%20situation%20in%20Iraq.pdf>.

Dieng on ISIL and the situation in Iraq, no further public statement on the genocide of the Yazidis *specifically* has been issued by the Special Advisers.<sup>60</sup>

## Conclusion

UNAMI, the UN Joint Office, and the Secretary-General have been successful in drawing attention to the atrocity crimes that had occurred in Iraq. UNAMI were also well placed to seek effective UN-wide and international responses, including to recognising the survivors' experiences. Overall, however, the atrocity prevention strategies in response to the situation in Iraq could have been stronger and better streamlined. UNAMI and the Secretary-General took efforts to publicly report on the crimes committed by ISIL, but such monitoring and reporting mechanisms were fractured and oftentimes delayed.

## 2. SOUTH SUDAN

The short history of South Sudan has seen the inadequate protection of civilians from widespread violence along mainly ethnic lines. On 8<sup>th</sup> July 2011, the UN Security Council adopted Resolution 1996, which established the United Nations Mission in South Sudan (UNMISS) – a robust Peacekeeping Mission operating with a Chapter VII mandate to protect civilians.<sup>61</sup> The Republic of South Sudan gained its independence following the culmination of a six-year process that started with the signing of the Comprehensive Peace Agreement (CPA) in 2005, which ended over twenty years of civil war between the Sudan People's Liberation Movement/Army and the Government of Sudan.<sup>62</sup> The initial years of independence were marred by tense and sometimes violent confrontations with the Government of Sudan in the north, and by inter-communal conflict in various parts of the country. In December 2013, after months of simmering tensions, a political struggle between President Salva Kiir and his then Vice President Riek Machar led to violent conflict, particularly between Dinka and Nuer ethnic communities.<sup>63</sup> Under strong international pressure in 2015, both Kiir and Machar signed the Agreement on the Resolution of the Conflict in South Sudan (ARCSS).<sup>64</sup> ARCSS provided the framework for a power-sharing and

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<sup>60</sup> See, for instance, United Nations Secretary General, *Note to correspondents: Statement by Adama Dieng, Special Adviser on the Secretary-General on the Prevention of Genocide, on the situation in and around Mosul (Iraq)*, New York: UN, 1 November 2016, accessible at: <https://www.un.org/sg/en/content/sg/statement/2016-11-01/note-correspondents-statement-adama-dieng-special-adviser-secretary>. This is also not to overlook other important initiatives taken by other bodies in the UN. This includes, for instance, the UN Human Rights Council mandated an Independent International Commission into the genocide of the Yazidis. See UN Human Rights Council, *"They came to destroy": ISIS Crimes Against the Yazidis*, A/HRC/32/CRP.2, New York: UN, 15 June 2016, accessible at:

[https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A\\_HRC\\_32\\_CRP.2\\_en.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A_HRC_32_CRP.2_en.pdf); see also UN Human Rights Office of the High Commissioner, 'UN Commission of Inquiry on Syria: ISIS is committing genocide against the Yazidis', Geneva, 16 June 2016, accessible at: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20113>.

<sup>61</sup> United Nations Security Council, *Resolution 1996 (2011) Adopted by the Security Council at its 6576<sup>th</sup> meeting, on 8 July 2011*, S/RES/1996, New York: UN, 8 July 2011, p. 2-3; see also Walt Kilroy, 'The Evolution of Civilian Protection in Peacekeeping Mandates: the Reality of UNMISS Operations in South Sudan' *Irish Studies in International Affairs*, 29, 1 (2018): 133-43; Ray Murphy, 'The United Nations Mission in South Sudan and the Protection of Civilians' *Journal of Conflict and Security Law*, 22, 3 (2017): 367-94, p.367.

<sup>62</sup> United Nations Mission in South Sudan, *Background*, accessible at: <https://unmiss.unmissions.org/background>; Steven C. Roach, 'South Sudan: a volatile dynamic of accountability and peace' *International Affairs*, 92, 6 (2016): 1343-59, p. 1347.

<sup>63</sup> de Conig, Cedric and Diana Felix da Costa, 'United Nations Mission in the Republic of South Sudan (UNMISS)', in *The Oxford Handbook of United Nations Peacekeeping Operations*, edited by Joachim A. Koops, Thierry Tardy, Norrie MacQueen, and Paul D. Williams (Oxford: Oxford University Press, 2014): 831- 839, p. 831; see also Daniel Howden, 'South Sudan: the state that fell apart in a week' *The Guardian*, 24 December 2013, accessible at:

<https://www.theguardian.com/world/2013/dec/23/south-sudan-state-that-fell-apart-in-a-week>; Murphy, 'The United Nations Mission in South Sudan', p. 368; Steven C. Roach, 'South Sudan's Troubled Peace: How the peace deal got stuck' *Foreign Affairs*, 3 April 2016, accessible at: <https://www.foreignaffairs.com/articles/south-sudan/2016-04-03/south-sudans-troubled-peace>; Lotje de Vries and Mareike Schomerus, 'South Sudan's Civil War Will Not End with a Peace Deal' *Peace Review: A Journal of Social Justice*, 29, 1 (2017): 333-40, p. 334; Love Calissendorff, Johan Brosché and Ralph Sundberg, 'Dehumanization Amidst Massacres: An Examination of Dinka-Nuer Intergroup Attitudes in South Sudan' *Peace and Conflict: Journal of Peace Psychology*, 25, 1 (2019): 37-48; de Waal, 'The Price of South Sudan's Independence', p. 195.

<sup>64</sup> Intergovernmental Authority on Development (IGAD), *Agreement on the Resolution of the Conflict in the Republic of South Sudan*, Addis Ababa, Ethiopia, 17 August 2015, accessible at:

a hybrid court for South Sudan (HCSS), under the auspices of the African Union, to prosecute cases of genocide, crimes against humanity and war crimes.<sup>65</sup> Regular rounds of fighting prevented implementation of the deal until Kiir and Machar signed an updated peace agreement on 12<sup>th</sup> September 2018, known as the Revitalised Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS).<sup>66</sup> This ceasefire however has failed to be upheld and civilians have continued to be caught up in further fighting as armed groups continue to proliferate across the country.<sup>67</sup>

## Structural Dynamics

In response to the initial outbreak of violence, UNMISS opened their bases to protect tens of thousands of civilians, which became known as ‘Protection of Civilian Sites.’<sup>68</sup> The PoC Sites’ purpose was twofold: 1) the immediate physical protection of civilians, as well as 2) the effective delivery of humanitarian aid.<sup>69</sup> According to Ray Murphy, UNMISS was “providing protection in its camps for over 160, 000 internally displaced persons (IDPs) and humanitarian assistance to millions of others,” in 2016.<sup>70</sup> The move has generally been seen a positive step to protect civilians from imminent atrocities, whilst others have remarked that it impeded UNMISS in protecting civilians residing outside the bases, i.e. the majority of the population.<sup>71</sup> Despite UNMISS’ best efforts, the then head of UNMISS, Hilde Johnson, stated in January 2014 that the mission was ‘overstretched’;

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[https://unmiss.unmissions.org/sites/default/files/final\\_proposed\\_compromise\\_agreement\\_for\\_south\\_sudan\\_conflict.pdf](https://unmiss.unmissions.org/sites/default/files/final_proposed_compromise_agreement_for_south_sudan_conflict.pdf); see also Clayton Hazvinei Vhumunu, ‘Conflict Resurgence and the Agreement on the Resolution of the Conflict in the Republic of South Sudan: A Hurried and Imposed Peace Pact?’, *African Centre for the Constructive Resolution of Disputes*, (ACCORD), March 2016, accessible at: <https://www.accord.org.za/conflict-trends/conflict-resurgence-agreement-resolution-conflict-republic-south-sudan/>; Roach, ‘South Sudan: a volatile dynamic of accountability and peace’, p. 1350-51.

<sup>65</sup> IGAD, *Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS)*, p. 43; see also Bior K Bior, ‘Evaluation of the implementation of the Security Arrangements of the Agreement on the Resolution of Conflict in South Sudan (ARCSS): Implications for the Security Sector Reforms (SSR) in South Sudan’ *The Sudd Institute*, 12 September 2018; *Conflict and impasse in South Sudan*, Strategic Comments, 23, 4 (2017), p. i; Roach, *South Sudan’s Troubled Peace*.

<sup>66</sup> Joint Monitoring and Evaluation Commission, *Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS)*, 12 September 2018, accessible at: [http://ctsamm.org/wp-content/uploads/2019/06/JMEC-R-ARCSS-2018-Summary-PUBLISHED-VERSION\\_.pdf](http://ctsamm.org/wp-content/uploads/2019/06/JMEC-R-ARCSS-2018-Summary-PUBLISHED-VERSION_.pdf); Intergovernmental Authority on Development, *Revitalized Agreement on the Resolution of the Conflict in South Sudan (R-ARCSS)*, 12 September 2018, accessible at:

<https://igad.int/programs/115-south-sudan-office/1950-signed-revitalized-agreement-on-the-resolution-of-the-conflict-in-south-sudan>; see also Clayton Hazvinei Vhumunu, ‘Reviving peace in South Sudan through the Revitalised Peace Agreement’ *African Centre for the Constructive Resolution of Disputes (ACCORD)*, April 2018, accessible at:

<https://www.accord.org.za/conflict-trends/reviving-peace-in-south-sudan-through-the-revitalised-peace-agreement/>;

<sup>67</sup> Awolich, Abraham, *South Sudan Peace Process: The Challenge to the Implementation of the R-ARCSS*, The Sudd Institute, 4 November 2019, accessible at:

[https://www.suddinstitute.org/assets/Publications/5dc027966fe22\\_SouthSudanPeaceProcessTheChallengeToThe\\_Full.pdf](https://www.suddinstitute.org/assets/Publications/5dc027966fe22_SouthSudanPeaceProcessTheChallengeToThe_Full.pdf).

<sup>68</sup> For the latest update on the PoC sites, please see United Nations Mission in South Sudan, *UNMISS “Protection of Civilians” Update*, 20 April 2020, accessible at [https://unmiss.unmissions.org/sites/default/files/poc\\_update\\_20\\_a.pdf](https://unmiss.unmissions.org/sites/default/files/poc_update_20_a.pdf); see also Jenna Stern, *Establishing Safety and Security at Protection of Civilian Sites: Lessons from the United Nations Peacekeeping Mission in South Sudan* (Washington DC: Stimson Center, 2015); Norwegian Refugee Council, *Protection of Civilian Sites: Lessons from South Sudan for Future Operations*, 31 May 2017, accessible at:

[https://www.nrc.no/globalassets/pdf/reports/poc-sites\\_lessons-from-south-sudan-copy.pdf](https://www.nrc.no/globalassets/pdf/reports/poc-sites_lessons-from-south-sudan-copy.pdf).

<sup>69</sup> Murphy, Ray, ‘The United Nations Mission in South Sudan and the Protection of Civilians’ *Journal of Conflict and Security Law*, 22, 3 (2017): 367-94, p. 376.

<sup>70</sup> Murphy, ‘The United Nations Mission in South Sudan and the Protection of Civilians’, p. 373; UN Children’s Fund, ‘UNICEF South Sudan Humanitarian Situation Report #88, 3-16 June 2016’, 16 June 2016, accessible at: <https://reliefweb.int/sites/reliefweb.int/files/resources/UNICEF%20South%20Sudan%20Humanitarian%20SitRep%20%2388%20-%2016%20June%202016.pdf>.

<sup>71</sup> Paddon Rhoads, Emily Paddon, ‘Putting Human Rights up Front’, p. 294; see also Michael Arensen, *If we leave we are killed: Lessons learned from South Sudan Protection of Civilian Sites 2013-2016* (International Organisation for Migration South Sudan, 2016); Murphy, ‘The United Nations Mission in South Sudan’, p. 368, 377-78; UN News, ‘UN action in South Sudan has saved thousands of lives, says peacekeeping chief’ *UN News*, 3 February 2014, accessible at:

<https://news.un.org/en/story/2014/02/461092>; Caelin Briggs, ‘Protection of Civilians (POC) sites and their impact on the broader protection environment in South Sudan’ *Humanitarian Exchange*, 68, January 2017, p. 17-20, accessible at:

<https://odihpn.org/wp-content/uploads/2017/01/HE-68-web.pdf>; Conor Foley, ‘What are the Human Rights Obligations of UNMISS to those Sheltering on its Protection Sites’ *Accord*, February 2016, accessible at:

<https://www.accord.org.za/conflict-trends/human-rights-obligations-unmiss-sheltering-protection-sites/>; Walt Kilroy, ‘The Evolution of Civilian Protection in Peacekeeping Mandates: the reality of UNMISS Operations in South Sudan’ *Irish Studies in International Affairs* 29, 1 (2018): 133-43, p. 137-40.

subsequently, UNMISS had been struggling to protect civilians due to the large terrain they had to cover.<sup>72</sup> This was echoed by one respondent, who stated: “I personally experienced in South Sudan where my mission hosted thousands of internally displaced persons (IDP) inside the UN compound for prolonged period during infighting. The mission was stretched to its limit in supporting the IDPs and was threatened by the government to allow them access to our camps to find out some targeted persons.”<sup>73</sup>

Aside from the PoC Sites, UNMISS has also organised town hall meetings that focus specifically on the deterrence and prevention of identity-based violence.<sup>74</sup> These were a cost-effective way of engaging the host state population in atrocity prevention, as well as providing an avenue through which UN representatives – including the Secretary-General – could connect with local populations.<sup>75</sup> In addition to the Secretary-General visiting South Sudan, the United Nations Special Adviser on the Prevention of Genocide has also visited the country to engage with local populations.<sup>76</sup> Unfortunately, however, the respondent who had worked with UNMISS reported that they had no engagement with the UN Office on Genocide Prevention and RtoP or the Special Advisers.<sup>77</sup> The structural dynamics of UNMISS suggest that whilst there are some important and effective PoC mechanisms in place, the mission might have benefited from structural changes that concentrates specifically on atrocity prevention.

## Monitoring and Reporting

According to a report funded by the US State Department and the US Institute of Peace, at least 400,000 people have died since the outbreak of civil war in 2013, mostly as a consequence of ethnic and politically motivated attacks.<sup>78</sup> UN reports have concluded that government and opposition forces have committed violations of international humanitarian law.<sup>79</sup> For instance, on 24<sup>th</sup> December 2013, the UN Office on Prevention of Genocide and RtoP was the first to release a statement that referenced targeted attacks against civilians and UN personnel,

<sup>72</sup> United Nations Secretary-General, ‘Remarks from Hilde F. Johnson Special Representative of UN Secretary-General and Head of United Nations Mission in South Sudan (UNMISS) Press Conference on South Sudan’, Juba, South Sudan, 1 January 2014, accessible at: <https://www.un.org/sg/en/content/sg/note-correspondents/2014-01-01/remarks-hilde-f-johnson-special-representative-un>; see also de Conig and Da Costa, ‘United Nations Mission in the Republic of South Sudan’, p. 836, p839; Alex de Waal, ‘The Price of South Sudan’s Independence’, *Perspectives* 114, 772 (2015): 194-196; Lindah Mogeni, ‘Report details UN failings in Juba, South Sudan Violence’, *Iner Press Service*, New York, 11 October 2016, accessible at: [https://search-proquest-com.wwwproxy1.library.unsw.edu.au/docview/1827856477?rfr\\_id=info%3Axri%2Fsid%3Aprimo](https://search-proquest-com.wwwproxy1.library.unsw.edu.au/docview/1827856477?rfr_id=info%3Axri%2Fsid%3Aprimo); UN News Service, ‘UN setting up new camps to deal with refugee overflow from South Sudan’, *Global Security*, 17 January 2014, accessible at: <https://www.globalsecurity.org/military/library/news/2014/01/mil-140117-unnews04.htm>.

<sup>73</sup> Respondent 12, in response to the question: ‘Please provide examples of successful efforts that you might be aware of taken by your mission to prevent identity-based violence.’

<sup>74</sup> United Nations Mission in South Sudan, ‘UNMISS Staff Union Issues Aired at Town Hall Meeting’ 16 August 2012, accessible at: <https://unmiss.unmissions.org/unmiss-staff-union-issues-aired-town-hall-meeting>.

<sup>75</sup> Secretary-General Holds UN Town Hall Meeting in Juba, 6 May 2014, accessible at: <https://www.unmultimedia.org/photo/detail.jsp?id=587/587684>.

<sup>76</sup> United Nations Mission in South Sudan (UNMISS), ‘Media briefing by Mr. Adama Dieng, United Nations Special Adviser on the Prevention of Genocide on his visit to South Sudan’, *Juba, Republic of South Sudan*, 11 November 2016, accessible at: [https://unmiss.unmissions.org/sites/default/files/near\\_verbatim\\_transcript\\_press\\_conference\\_usg\\_on\\_the\\_prevention\\_of\\_genocide.pdf](https://unmiss.unmissions.org/sites/default/files/near_verbatim_transcript_press_conference_usg_on_the_prevention_of_genocide.pdf).

<sup>77</sup> Respondent 12, in response to the question: ‘Have you previously interacted with the UN Office on Genocide Prevention and the Responsibility to Protect in the course of your ordinary responsibilities? If so, when and how?’

<sup>78</sup> Ryan, Klem, *Taking Stock of the Revitalized Agreement on the Resolution of the Conflict in South Sudan*, Africa Center for Strategic Studies, 12 January 2019, accessible at: <https://africacenter.org/spotlight/taking-stock-of-the-revitalized-agreement-on-the-resolution-of-the-conflict-in-south-sudan/>; see also Francesco Checchi, Adrienne Testa, Abdihamid Warsame, Le Quach, and Rachel Burns, *Estimates of crisis attributable mortality in South Sudan December 2013-April 2018*, London School of Hygiene and Tropical Medicine, April 2018, accessible at: <https://www.lshrm.ac.uk/south-sudan-full-report>; Edward Hunt, ‘With nearly 400,000 dead in South Sudan, will the U.S. change policy?’ *Foreign Policy in Focus*, 15 November 2018, accessible at: <https://fpif.org/with-nearly-400000-dead-in-south-sudan-will-the-u-s-change-policy/>; Megan Specia, ‘383,000 estimated death toll in South Sudan’s war’ *New York Times*, 26 September 2018, accessible at: <https://www.nytimes.com/2018/09/26/world/africa/south-sudan-civil-war-deaths.html>.

<sup>79</sup> For instance, United Nations Human Rights Office of the High Commissioner and UNMISS, ‘Indiscriminate Attacks Against Civilians in Southern Unity, April-May 2018’, May 2018, accessible at: [https://unmiss.unmissions.org/sites/default/files/unmissohchr\\_report\\_on\\_indiscriminate\\_attacks\\_against\\_civilians\\_in\\_southern\\_unity\\_april-may\\_2018.pdf](https://unmiss.unmissions.org/sites/default/files/unmissohchr_report_on_indiscriminate_attacks_against_civilians_in_southern_unity_april-may_2018.pdf).



which may amount to war crimes or crimes against humanity.<sup>80</sup> The UNMISS Human Rights division has also released public reports, which claim that crimes against humanity and war crimes might have been perpetrated. For instance, a UNMISS public report on 8<sup>th</sup> May 2014 notes that:

the widespread and systematic nature of many of the attacks, and information suggesting coordination and planning, there are also reasonable grounds to believe that the crimes against humanity of murder, rape and other acts of sexual violence, enforced disappearance, and imprisonment have occurred.<sup>81</sup>

It is worth noting that two days before this report was published, UN Secretary-General Ban Ki-moon visited South Sudan and remarked at a press conference that there had been “serious violations of human rights”.<sup>82</sup> However, he did not mention atrocity crimes *specifically*.<sup>83</sup> Similarly, according to the author’s first hand account, the UNMISS Public Information Office does not often release statements referencing the commission of atrocity crimes.

In short, it seems that external reporting has at times been inconsistent; however, according to a few respondents, internal reporting within UNMISS to local governments and to UNHQ is strong. For instance, one respondent noted that UNMISS was “particularly good at reporting on [sexual and gender based violence] SGBV as well as violence against children”.<sup>84</sup> Another respondent stated that early warning mechanisms do exist: “the team works on the empirical data, provide [sic] timely early warning based on proper data analysis and ground situation”, and that “[w]e provide timely information to the government and raise awareness among the local communities and international stakeholders.”<sup>85</sup> Moreover, the respondent noted that potential weakness of state structures are also “monitored and reported seriously in my current mission”.<sup>86</sup>

In terms of monitoring atrocity crimes one interviewee noted that UNMISS was effective at identifying early warning signs of identity-based violence through the Mission’s Joint Mission Analysis Centre.<sup>87</sup> According to the interviewee, the Joint Mission Analysis Centre:

was effective in identifying a potential threat posed to the residents of the town of Akobo in the eastern part of South Sudan’s Jonglei State by columns of Lou Nuer fighters who were marching towards that community in December 2011. The residents of Akobo are overwhelmingly Murle by ethnicity, and the

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<sup>80</sup> United Nations Press Release, *Statement by Adama Dieng, United Nations Special Adviser on the Prevention of Genocide, and Jennifer Welsh, United Nations Special Adviser on the Responsibility to Protect, on the situation in South Sudan*, 24 December 2013, accessible at: <https://www.un.org/en/genocideprevention/documents/media/statements/2013/English/2013-12-24-Statement%20on%20South%20Sudan.pdf>.

<sup>81</sup> UNMISS Media and Spokesperson Unit, Communications and Public Information Office, *UNMISS Releases Comprehensive Public Human Rights Report on South Sudan Crisis*, 8 May 2014, accessible at: <https://unmiss.unmissions.org/sites/default/files/14%20-%2005%20HR%20report%20.pdf>

<sup>82</sup> United Nations Secretary-General, ‘Secretary General’s remarks at press conference prior to departure from South Sudan’, UNMISS Compound, Juba, South Sudan, 6 May 2014, accessible at: <https://www.un.org/sg/en/content/sg/press-encounter/2014-05-06/secretary-generals-remarks-press-conference-prior-departure>; United Nations Secretary-General, ‘Activities of Secretary-General in South Sudan, 6 May’, SG/T/2957, New York: UN, 14 May 2014, accessible at: <https://www.un.org/press/en/2014/sgt2957.doc.htm>.

<sup>83</sup> United Nations Secretary-General, ‘Secretary General’s remarks at press conference prior to departure from South Sudan’.

<sup>84</sup> Respondent 6, in response to the question: What terminology, if any, does your mission use when reporting on: a. Inflammatory rhetoric, propaganda campaigns or hate speech targeting protected groups, populations or individuals?; b. signs of a widespread or systematic attack against any civilian population, or a plan or policy to attack any civilian population?; c. Establishment of new political, military, or paramilitary entities that could be leveraged to commit violent acts?; d. Widespread and systematic acts of sexual and gender-based violence or recruitment and use of child soldiers?

<sup>85</sup> Respondent 12 in response to the question: ‘Does an early warning mechanism on possible risks of identity-based violence exist within your mission or is any such analysis currently undertaken? If so, how?’ and ‘Does your mission support the host State or local authorities in protecting populations from identity-based violence? If so, how?’

<sup>86</sup> Respondent 12 in response to the question: ‘Does your mission monitor and report on potential weakness of State structures, if so, how are the following assessed: a. Lack of ratification and domestication of relevant international human rights and humanitarian law treaties? b. Lack of effective civilian control of security forces?’

<sup>87</sup> Structured interview with former UN spokesperson.

sounding of an early warning prompted UNMISS leadership to deploy a row of uniformed blue-helmet Peacekeepers prior to the arrival of the Lou Nuer fighters that spared Akobo a frontal assault.<sup>88</sup>

## Strategic Communications

The use of explicit language on risks of atrocities has helped to strengthen the international response to the situation in South Sudan. Following a visit to South Sudan on 11<sup>th</sup> November 2016, the Special Adviser on the Prevention of Genocide announced: “there is a strong risk of violence escalating along ethnic lines, with the potential for genocide.”<sup>89</sup> He reiterated these warnings in a briefing to the Security Council on 17<sup>th</sup> November 2016:

Last week, I saw all the signs that ethnic hatred and targeting of civilians could evolve into genocide if something is not done now to stop it. I urge the Security Council and Members States of the region to be united, and to take action.<sup>90</sup>

The following month, the Security Council adopted Resolution 2327. Resolution 2327 took note of the Special Adviser’s statement, and called on UNMISS “to monitor, investigate and report on incidents of hate speech and incitement to violence in cooperation with the UN Special Adviser on the Prevention of Genocide.”<sup>91</sup> This is the first time such a reference has been made in a UN Security Council resolution.

## Conclusion

The developments in South Sudan demonstrate that the UN has responded to analysis and reporting of atrocity crimes. South Sudan is an example of how the UN Office on Prevention of Genocide RtoP, and the UNMISS Human Rights division have played important roles in monitoring and reporting atrocities. Innovative approaches to engaging local communities, the Special Adviser’s explicit use of atrocity language, and the subsequent adoption of Resolution 2327 further suggest promising developments in safeguarding civilians. Nevertheless, at a time when UN Peacekeepers have limited capabilities and resources, it is important to acknowledge that UNMISS could be better oriented to protect. The continuation of conflict and violence in the country also illustrates the need for UNMISS to further enhance their capacity to prevent atrocities. Although various organs in the UN have effectively classified human rights violations in South Sudan as crimes against humanity and war crimes, it has failed to do so *consistently* across the UN system.

## 2. SOMALIA

Al-Shabaab, a Salafist militant group operating in Somalia, routinely and deliberately attacks the civilian population, including schools, hotels, and markets.<sup>92</sup> Since its emergence in 2006, Al-Shabaab has become the

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<sup>88</sup> Structured interview with former UN spokesperson.

<sup>89</sup> United Nations Press Release, ‘Media Briefing by Adama Dieng, United Nations Special Adviser on the Prevention of Genocide on his visit to South Sudan’ *UN Press Release*, 11 November 2016, accessible at: [https://www.un.org/en/genocideprevention/documents/2016-11-11%20Mr.%20Dieng's%20statement%20at%20press%20conference%20\(Juba\).rev%20FINAL.pdf](https://www.un.org/en/genocideprevention/documents/2016-11-11%20Mr.%20Dieng's%20statement%20at%20press%20conference%20(Juba).rev%20FINAL.pdf)

<sup>90</sup> United Nations Press Release, ‘Statement to the Security Council by Adama Dieng, United Nations Special Adviser on the Prevention of Genocide, on his visit to South Sudan’ *UN Press Release*, 17 November 2016, accessible at: <https://www.un.org/en/genocideprevention/documents/media/statements/2016/English/2016-11-17.AD.Statement%20to%20SC.South%20Sudan%20-%20final.pdf>

<sup>91</sup> United Nations Security Council, *UN Security Council Resolution 2327 (2016) on South Sudan and the Extension of the Mandate of UNMISS*, S/2016/1066, New York: UN, 16 December 2016, p. 7.

<sup>92</sup> Marchal, Roland, ‘Motivations and Drivers of Al-Shaabb’, in *War and Peace in Somalia: National Grievances, Local Conflict and Al-Shabaab*, edited by Michael Keating and Matt Waldman (Oxford: Oxford University Press, 2019): 309-317, p. 309; Global Centre for the Responsibility to Protect, ‘Somalia’, 15 September 2019, accessible at: <https://www.globalr2p.org/countries/somalia/>.



most powerful terrorist group operating in Somalia, and continues to terrorise civilian populations.<sup>93</sup> According to the 2018 Global Terrorism Index, Al-Shabaab is one of the deadliest groups operating in Africa, having proclaimed its affiliation to al-Qaeda and openly holding “Islamist statehood aspirations in Somalia.”<sup>94</sup> In 2020, “Al-Shabaab was responsible for 4,910 cases of recruitment and use of children” in conflict; this is up from 1,770 in 2017 and 1,865 in 2018.<sup>95</sup> Whilst African Union Mission in Somalia (AMISOM) peacekeepers drove the group out of Mogadishu in 2011, Al-Shabaab continues to control large swathes of Somalia and wages brutal counter-insurgency campaign.<sup>96</sup> According to the UN Office for the Coordination of Humanitarian Affairs, one third of the Somali population is living in areas under Al-Shabaab’s strict control.<sup>97</sup> This has pinned the Federal Government of Somalia and the Federal Member States to their respective capitals in each of the states. It was in response to the dire situation in Somalia that – in May 2013 – the UN Security Council adopted Resolution 2102, which mandates that the United Nations Assistance Mission in Somalia (UNSOM) support AMISOM and the Federal Government of Somalia.<sup>98</sup>

## Structural Dynamics

The UN Special Advisers for the Prevention of Genocide and RtoP have yet to visit Somalia, and have not – to the author’s knowledge – released any public statements on the situation in the country in the past five years.<sup>99</sup> This is in contrast to the Special Representative of the Secretary-General for Sexual Violence in Conflict, and the Special Representative of the Secretary General for Children in Armed Conflict, who have both visited the country to discuss how the Government of the Federal Republic of Somalia can fulfil their protection agendas.<sup>100</sup>

Nevertheless, in 2016 the Somali government began developing a National Action Plan for Preventing and Countering Violent Extremism (P/CVE), and has been supported by a UN Senior Advisor on PVE in a UN Peace Operations.<sup>101</sup> The installation of a Senior Adviser on P/CVE should be commended, as – according to a few respondents – it has the potential to enable UNSOM to more effectively monitor, report, and address extreme

<sup>93</sup> For a history of Al-Shabaab, please see Stig Jarle Hansen, *Al-Shaabb in Somalia: The History and Ideology of a Militant Islamic Group, 2005-2012* (Oxford: Oxford University Press, 2014); see also remarks by James Swan, Special Representative of the Secretary-General and head of the United Nations Assistance Mission in Somalia (UNSOM) on the situation in Somalia during the Security Council, 22 May 2020; United Nations Security Council, *Situation in Somalia: Report of the Secretary-General*, S/2020/388, 13 May 2020, accessible at: <https://undocs.org/en/S/2020/398>.

<sup>94</sup> Institute for Economics and Peace, *Global Terrorism Index 2018*, 2018, accessible at: <https://reliefweb.int/sites/reliefweb.int/files/resources/Global-Terrorism-Index-2018-1.pdf>

<sup>95</sup> United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict in Somalia*, 2/2020/174, New York: UN, 4 March 2020, para. 82.

<sup>96</sup> Chonghaile, Clar Ni, ‘Al-Shabaab pushed back in Somalia by African peace enforcers’ *The Guardian*, 15 June 2012, accessible at: <https://www.theguardian.com/world/2012/jun/15/africa-peacekeepers-push-al-shabaab-somalia>; Xan Rice, ‘Somali troops move to secure Mogadishu as rebels pull out’ *The Guardian*, 8 August 2011, accessible at: <https://www.theguardian.com/world/2011/aug/07/somali-troops-mogadishu-rebels-out>.

<sup>97</sup> United Nations Office for the Coordination of Humanitarian Affairs, ‘Famine response and prevention: “Humanitarian assistance is saving lives and livelihoods. But it is not enough”’, 13 April 2017, accessible at: <https://www.unocha.org/fr/node/943811>.

<sup>98</sup> United Nations Security Council, *Resolution 2102 (2013) Adopted by the Security Council at its 6959<sup>th</sup> meeting on 2 May 2013*, S/RES/2102, New York: UN, 2 May 2013.

<sup>99</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, ‘Public Statements’, 2020, accessible at: <https://www.un.org/en/genocideprevention/public-statements.shtml>.

<sup>100</sup> Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, ‘Special Representative Patten welcomes the commitment of the Government of the Republic of Somalia to develop a National Action Plan to End Sexual Violence in Conflict’, Mogadishu/New York, 22 July 2019, accessible at: <https://reliefweb.int/sites/reliefweb.int/files/resources/UNSOMPressRelease.pdf>; United Nations Assistance Mission in Somalia, ‘Press release on SRSG Zerrougui’s visit to Somalia’, 23 August 2014, accessible at: <https://unsom.unmissions.org/press-release-srsg-zerrouguis-visit-somalia>.

<sup>101</sup> Federal Republic of Somalia, ‘National Strategy and Action Plan for Preventing and Countering Violent Extremism’, 27 June 2016, accessible at: <http://www.radiomuqdisho.net/wp-content/uploads/2016/08/CVE-Strategy-26-August-English.pdf>; African Union Mission in Somalia, ‘Somalia moves to develop an inclusive National Action Plan to prevent and counter violent extremism’ *AMISOM*, Mogadishu, 28 March 2018, accessible at: <http://amisom-au.org/2018/03/somalia-moves-to-develop-an-inclusive-national-action-plan-to-prevent-and-counter-violent-extremism/>; United Nations Careers, ‘Senior Political Affairs Officer (Prevention and Countering of Violent Extremism)’, 6 February 2019, accessible at: <https://careers.un.org/lbw/jobdetail.aspx?id=110557>.

human rights violations.<sup>102</sup> The main issues relating to P/CVE, however, are dealt with by more substantive sections of the mission, and the Senior Adviser on P/CVE is – as one interviewee described it – “more or less simply a coordination function.”<sup>103</sup> Conversely, a respondent who worked in UNSOM stated that the appointment of thematic Senior Advisers has “definitely [been effective in advancing their respective thematic issues within the mission], at the very least to have coordination and delivery of activities under a focal point that can bring together different areas of work.”<sup>104</sup> In addition to having a P/CVE, a few respondents noted that UNSOM has responded to risks of atrocities in innovative ways.<sup>105</sup> For instance, one respondent stated:

[a]fter the 28<sup>th</sup> December IED incident when over 90 people lost [their] lives and over 140 were injured, the mission had a blood [drive] to assist the Somali population in the protection of civilians. Awareness raising campaigns and Risk Education activities are [often] undertaken for the Protection of Civilians.<sup>106</sup>

## Monitoring and Reporting

According to respondents interviewed for this research, UNSOM has a strong monitoring and reporting system. For instance, one respondent stated that, within UNSOM:

there is a robust structure including an Integrated Analysis Team [...], a political affairs and mediation team, and an integrated information hub that cover all potential sources of territorial and/or clan-based conflicts.<sup>107</sup>

Similarly, another respondent stated “[t]here is continuous monitoring of the issues, discussion with Government counterparts and reporting of progress.”<sup>108</sup> Monitoring and reporting in UNSOM appears to be particularly effective in terms of sexual and gender based violence, as a few respondents noted the extensiveness of such mechanisms.<sup>109</sup> Although monitoring and reporting in UNSOM is strong, one respondent suggests that there could be a more efficient way of reporting identity-based violence in the mission. According to this respondent:

It will be important to promote stronger interactions between warners and responders, and exchanges to discuss strategies for response, as well as timely and quick responses to warning; monitoring the impact of responses to conflict to inform decision-making and strategies; a better understanding of value-added of EWS among institutions, the proximity and quality of interface between early warning and response mechanisms; designing evidence-based response instruments to adequately respond to warning.<sup>110</sup>

<sup>102</sup> Respondent 7 and Respondent 10, in response to the question: ‘Do you find that the appointment of thematic Senior Advisers, e.g. for Preventing Violent Extremism and Protection of Civilians, has been effective in advancing their respective thematic issues within the mission?’

<sup>103</sup> Structured interview with former UN spokesperson.

<sup>104</sup> Respondent 10, in response to the question: ‘Do you find that the appointment of thematic Senior Advisers, e.g. for Preventing Violent Extremism and Protection of Civilians, has been effective in advancing their respective thematic issues within the mission?’

<sup>105</sup> Respondent 7 and Respondent 10, in response to the question: ‘Please provide examples of successful efforts that you might be aware of taken by your mission to prevent identity-based violence.’

<sup>106</sup> Respondent 7, in response to the question: ‘Please provide examples of successful efforts that you might be aware of taken by your mission to prevent identity-based violence.’

<sup>107</sup> Respondent 10, in response to the question: ‘Does an early warning mechanism on possible risks of identity-based violence exist within your mission or is any such analysis currently undertaken? If so, how?’

<sup>108</sup> Respondent 7, in response to the question: Does your mission monitor and report on potential weakness of State structures, if so, how are the following assessed: a. Lack of ratification and domestication of relevant international human rights and humanitarian law treaties? b. Lack of effective civilian control of security forces?’

<sup>109</sup> Respondent 4 and Respondent 7, in response to the question: ‘What terminology, if any, does your mission use when reporting on: a. Inflammatory rhetoric, propaganda campaigns or hate speech targeting protected groups, populations or individuals?; b. signs of a widespread or systematic attack against any civilian population, or a plan or policy to attack any civilian population?; c. Establishment of new political, military, or paramilitary entities that could be leveraged to commit violent acts?; d. Widespread and systematic acts of sexual and gender-based violence or recruitment and use of child soldiers?’

<sup>110</sup> Respondent 4, in response to the question: ‘Could there be a more efficient way of reporting risks of identity-based violence, in your opinion?’

## Strategic Communications

Unlike their monitoring and reporting mechanisms, UNSOM often falls short in consistently condemning Al-Shabaab's gross violations of international humanitarian law and human rights law (including acts of widespread, indiscriminate killing) as *specifically* war crimes or crimes against humanity. To date, UNSOM has highlighted only once in a public report that the violations perpetrated by Al-Shabaab likely amount to war crimes.<sup>111</sup> This is despite other UN reports concluding that Al-Shabaab is, and has been, one of the worst perpetrators of atrocities. The UN Secretary-General's Report on Children in Armed Conflict, for example, notes that Somalia had the highest number of cases of the recruitment and use of children for conflict (2,300), the highest verified figures for sexual violence against children (331), and the most abducted children (1,609).<sup>112</sup> In December 2018, UN Special Representatives on Sexual Violence in Conflict, Children and Armed Conflict, and Special Adviser on the Prevention of Genocide reported on extensive sexual and gender-based violence against women and girls.<sup>113</sup> Similarly, human rights organisations, such as Human Rights Watch, have also previously labelled Al-Shabaab acts as 'war crimes' and violations of international humanitarian law.<sup>114</sup> However, the organisation has seemingly refrained from using such explicit language in recent years, choosing instead to concentrate on "targeted and indiscriminate attacks against civilians and civilian infrastructure", and "aggressive" recruitment of child soldiers.<sup>115</sup> This might, in part, be due to difficulties accessing areas under the control of Al-Shabaab; for instance, a 2020 UN Security Council Report 'Children and Armed Conflict in Somalia' verified 82 incidents in which Al-Shabaab denied humanitarian access.<sup>116</sup> Moreover, a member of UNSOM Human Rights Protection Group claimed that, due to underreporting and security constraints, it is difficult to verify human rights violations.<sup>117</sup>

Furthermore, in his most recent report, the Independent Expert on the Situation of Human Rights in Somalia describes Al-Shabaab's violent extremist ideology and the imposition of a "draconian justice system" in the areas under its control.<sup>118</sup> Yet, he seldom mentions human rights violations perpetrated by Al-Shabaab beyond references to recruitment of children and attacks against the civilian population. The Independent Expert does not describe the egregious human rights transgressions perpetrated in areas under Al-Shabaab's control as *explicitly* atrocity crimes, and he does not call for an atrocity prevention strategy against Al-Shabaab.<sup>119</sup>

One respondent who had worked in UNSOM suggested that atrocity terminology might not have been consistently used in mission, because most of the violence in Somalia is clan-based:

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<sup>111</sup> United Nations Human Rights Office of the High Commissioner and UNSOM, *Protection of Civilians: Building the Foundation of Peace, Security and Human Rights in Somalia*, New York: UN, December 2017, p. 5.

<sup>112</sup> United Nations Security Council, *Report of the Secretary-General on Children and Armed Conflict, A/73/907*. New York: UN, 20 June 2019, para. 139.

<sup>113</sup> UN Press Release, 'UN Special Representatives on Sexual Violence in Conflict, Children and Armed Conflict, and Special Advisor on the Prevention of Genocide urge the Government of South Sudan to ensure accountability for sexual violence against women and girls in Bentiu', New York, 3 December 2018, accessible at:

[https://www.un.org/en/genocideprevention/documents/20181203\\_South%20Sudan%20\(Bentiu\)%20Press%20Release.pdf](https://www.un.org/en/genocideprevention/documents/20181203_South%20Sudan%20(Bentiu)%20Press%20Release.pdf).

<sup>114</sup> Human Rights Watch, "'You Don't Know Who to Blame': War Crimes in Somalia", 14 August 2011, accessible at:

<https://www.hrw.org/report/2011/08/14/you-dont-know-who-blame/war-crimes-somalia>; Human Rights Watch, 'Somalia: Stop War Crimes in Mogadishu', 14 February 2011, accessible at: <https://www.hrw.org/news/2011/02/14/somalia-stop-war-crimes-mogadishu>.

<sup>115</sup> Human Rights Watch, 'World Report 2020: Somalia', 2020, accessible at: <https://www.hrw.org/world-report/2020/country-chapters/somalia>; Human Rights Watch, 'Somalia' 2020, accessible at: <https://www.hrw.org/africa/somalia>.

<sup>116</sup> United Nations Security Council, Report of the Secretary-General on *Children and Armed Conflict in Somalia*, 2/2020/174, New York: UN, 4 March 2020, para. 82.

<sup>117</sup> Structured interview with member of the UNSOM Human Rights Protection Group.

<sup>118</sup> United Nations General Assembly, *Report of the Independent Expert on the Situation of Human Rights in Somalia*, A/HRC/39/72, New York: UN, 19 July 2018, para. 83.

<sup>119</sup> United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, 'Remarks of Special Representative of the Secretary-General on Sexual Violence in Conflict (SRSG-SVC) Pramila Patten, Security Council Session on Somalia 21 August 2019, accessible at: <https://www.un.org/sexualviolenceinconflict/statement/remarks-of-special-representative-of-the-secretary-general-on-sexual-violence-in-conflict-srsg-svc-pramila-patten-security-council-session-on-somalia-21-august-2019/>; Human Rights Watch, 'World Report 2020: Somalia', 2020, accessible at: <https://www.hrw.org/world-report/2020/country-chapters/somalia>.

In this mission (Somalia), identity-based violence comes from inter-clan conflict (i.e., there is virtually no religious minorities, and the ethnic minorities are also marginalised on the basis of clan identities), so most if not all of the terminology is related to clan divisions (clan militia, clan-affiliated forced recruitment, clan-based justice, etc.).<sup>120</sup>

Nevertheless, it is the view of the author that UNSOM has not been as effective as it could be in using atrocity-terminology.

## Conclusion

Any comprehensive strategy against Al-Shabaab must be anchored in human rights and must include a focus on atrocity prevention. As Somalia moves forward in the early stages of its post-conflict state building process, it is paramount that mechanisms of prevention and resilience are integrated into UNSOM's continued presence in the country. The lack of strong terminology by both UNSOM and the Independent Expert demonstrates that UNSOM might aim to describe Al-Shabaab's actions as atrocity crimes. Moreover, although a Senior Adviser on P/CVE within UNSOM is an innovative development, more might be done to integrate awareness regarding early warning signs and risks of atrocities. UNSOM might thus benefit from an atrocity-prevention lens atop the focus on preventing/countering violent extremism more broadly.<sup>121</sup>

## 4. DEMOCRATIC REPUBLIC OF THE CONGO

The Second Congo War (1998-2003), also known as the Great War of Africa or Africa's World War, is estimated to have left approximately three million people dead.<sup>122</sup> The roots of the conflict are in the Rwandan genocide of 1994, as the growing presence of Hutu militant groups operating in Eastern Congo resulted in an intervention by Rwandan and Ugandan forces in 1997.<sup>123</sup> This sparked a widespread, interstate conflict across the continent, involving at least nine national armies.<sup>124</sup> In 1999, the UN Security Council established a Peacekeeping force,

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<sup>120</sup> Respondent 10, in response to the question: 'What terminology, if any, does your mission use when reporting on: a. Inflammatory rhetoric, propaganda campaigns or hate speech targeting protected groups, populations or individuals?; b. signs of a widespread or systematic attack against any civilian population, or a plan or policy to attack any civilian population?; c. Establishment of new political, military, or paramilitary entities that could be leveraged to commit violent acts?; d. Widespread and systematic acts of sexual and gender-based violence or recruitment and use of child soldiers?'

<sup>121</sup> Bellamy, Alex, 'Operationalising the "Atrocity Prevention Lens": Making Prevention a Living Reality', in *Reconstructing Atrocity Prevention*, edited by Sheri P Rosenberg, Tibi Galis, and Alex Zucker (Cambridge: Cambridge University Press, 2015): 61-80. The author suggests that UNSOM's Justice and Corrections and Human Rights teams might also consider working with their Somali counterparts to include atrocity crimes in the Somali penal code and publicly advocate that there must be no amnesty for individuals who have perpetrated atrocity crimes. A new investigative mechanism, similar to UNITAD in Iraq, could also play a role in supporting a stronger role transitional justice strategy, and collecting evidentiary materials to support domestic efforts to hold Al-Shabaab accountable for their crimes.

<sup>122</sup> L Roberts and M Zantop, 'Elevated mortality associated with armed conflict – Democratic Republic of Congo' *MMWR Morbidity and Mortality Weekly Report* 52, 20 (2003): 469; Benjamin Coghlan, et al. 'Mortality in the Democratic Republic of the Congo: a nation wide survey' *The Lancet*, 367, 9504 (2006): 44-51, p. 44; see also Prunier, Gérard, *Africa's World War: Congo, the Rwandan genocide, and the making of a continental catastrophe* (Oxford: Oxford University Press, 2008); Marta Iñiguez de Heredia, *Everyday Resistance, Peacebuilding and State-making: Insights from 'Africa's World War'* (Manchester: Manchester University Press, 2017); Eirin Mobekk, 'Security Sector Reform and the UN Mission in the Democratic Republic of the Congo: Protecting Civilians in the East' *International Peacekeeping* 16, 2 (2009): 273-86, p. 273.

<sup>123</sup> Cooper, Tom, *Great Lakes Conflagration: Second Congo War, 1998-2003* (West Midlands: Helion & Company Limited, 2013), p. 16; Christopher Williams, 'Explaining the Great War in Africa: How Conflict in the Congo Became a Continental Crisis' *The Fletcher Forum of World Affairs*, 37, 2 (2013): 81-100, p86-89; Broache, 'International prosecutions and atrocities in the Democratic Republic of the Congo', p. 23; Chris McGreal, 'The Roots of the war in eastern Congo', *The Guardian*, 16 May 2008, accessible at: <https://www.theguardian.com/world/2008/may/16/congo>; de Heredia, *Everyday Resistance, Peacebuilding and State-making*, p.86.

<sup>124</sup> Prunier, *Africa's World War*, p. 1; Kjeksrud, Stian and Jacob Aasland Ravndal, 'Emerging lessons from the United Nations mission in the Democratic Republic of Congo: military contributions to the protection of civilians' *African Security Review*, 20, 2 (2011): 3-16, p. 5.

United Nations Organisation Mission in the Democratic Republic of the Congo (MONUC), to observe the implementation of the Lusaka Ceasefire Agreement, which sought to end the conflict.<sup>125</sup>

In 2006, the UN helped the country to organise its first free and fair elections in 46 years.<sup>126</sup> Despite the gains in extending state authority, non-state armed groups continued to mushroom across the country, particularly in eastern Congo. Civilians bore the brunt of the conflict between the government, non-state groups, and external actors who fought for control over Congo's vast natural resource wealth.<sup>127</sup> Atrocities and considerable suffering have been inflicted on the civilian population, including systematic targeted attacks against the civilian population, widespread sexual violence, recruitment and use of child soldiers, and extrajudicial executions.<sup>128</sup> In 2010, the UN Security Council adopted Resolution 1925, establishing MONUSCO.<sup>129</sup> MONUSCO's core mandate is focused on the protection of civilians and human rights, support for the stabilisation and strengthening of state institutions in the DRC, and key governance and security reforms.<sup>130</sup>

## Structural Dynamics

By providing physical protection, strengthening human rights monitoring, and disarming and reintegrating combatants, MONUSCO has been working to prevent atrocities by state and non-state armed groups against the civilian population. Resolution 1925 included one reference to atrocities, which stressed the importance of holding those responsible for war crimes and crimes against humanity to account.<sup>131</sup> In 2012, 2014, and 2019 the International Criminal Court successfully convicted individuals for war crimes and crimes against humanity in the Democratic Republic of Congo.<sup>132</sup> In 2014, the UN Security Council created a specialised Force Intervention

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<sup>125</sup> United Nations Security Council, *Resolution 1279 (1999)*, Adopted by the Security Council at its 4076<sup>th</sup> meeting, on 30 November 1999, S/RES/1279, New York: UN, 30 November 1999; see also United Nations Organisation Mission in the Democratic Republic of the Congo, 'Helping bring peace and stability in the DRC', 18 May 2009, accessible at: <https://peacekeeping.un.org/en/mission/past/monuc/>; see also Mats Berdal, 'The State of UN Peacekeeping: Lessons from Congo' *Journal of Strategic Studies*, 41, 5 (2018): 721-50, p.731-32.

<sup>126</sup> Gettleman, Jeffrey, 'Congo holds first multiparty election in 46 years' *New York Times*, 31 July 2006, accessible at: <https://www.nytimes.com/2006/07/31/world/africa/31congo.html>; Jyoti Tyagi, 'Managing Mistrust: An analysis of Indo-Congolese relations in light of MONUSCO', in *The Democratic Republic of the Congo: Problems, Progress, and Prospects*, edited by Julien Bobineau and Philipp Gieg (Berlin: Lit Verlag, 2016), p. 285; United Nations Organisation Mission in the Democratic Republic of the Congo, 'MONUC Background', 2020, accessible at: <https://peacekeeping.un.org/mission/past/monuc/background.shtml>.

<sup>127</sup> For an analysis of the 'resource wars thesis' pertaining to the DRC, please see de Heredia, *Everyday Resistance, Peacebuilding and State-making*, p. 78-79.

<sup>128</sup> Nations Human Rights Office of the High Commissioner, 'DRC: inter-ethnic violence in Ituri may constitute "crimes against humanity" – UN report', UNOHCHR, Kinshasa, 10 January 2020, accessible at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25459&LangID=E>; Christian R. Manahl, 'Protection of civilians in a peacekeeping context: challenges and dilemmas of MONUC/MONUSCO' *Regions and Cohesion*, 1, 2 (2011): 117-28, p. 117-18; Mobekk, 'Security Sector Reform and the UN Mission in the Democratic Republic of Congo', p. 273; UNICEF, 'Forced recruitment of child soldiers in DRC' *UNICEF Press Centre*, 12 February 2010, accessible at: [https://www.unicef.org/infobycountry/media\\_52762.html](https://www.unicef.org/infobycountry/media_52762.html); UN News, 'Killing and violence targeting ethnic group in DR Congo "may amount to crimes against humanity"', *UN News*, 10 January 2010, accessible at: <https://news.un.org/en/story/2020/01/1055141>; United Nations Organisation Stabilisation Mission in the Democratic Republic of Congo, 'DRC: UN calls for the prosecution of perpetrators of summary executions and enforced disappearances of civilians in Kinshasa', *MONUSCO*, Kinshasa/Geneva, 15 October 2014, accessible at: [https://www.ohchr.org/Documents/Countries/CD/PRLikofiReport\\_fr.pdf](https://www.ohchr.org/Documents/Countries/CD/PRLikofiReport_fr.pdf); Human Rights Watch, "You Will be Punished", p. 48-76.

<sup>129</sup> United Nations Security Council, *Resolution 1925 (2010)* Adopted by the Security Council at its 6324<sup>th</sup> meeting on 28 May 2020, S/RES/1925, New York: UN, 28 May 2010.

<sup>130</sup> United Nations Peacekeeping, 'Mandate', *United Nations Organisation Stabilisation Mission in the DR Congo*, 2020, accessible at: <https://monusco.unmissions.org/en/mandate>; see also United Nations Security Council, *Resolution 1925 (2010)*, para. 9, para. 11; Manahl, 'Protection of civilians in a peacekeeping context', p. 121; Ray Murphy, 'UN Peacekeeping in the Democratic Republic of the Congo and the Protection of Civilians' *Journal of Conflict and Security Law*, 21, 2 (2016): 209-46, p. 222.

<sup>131</sup> United Nations Security Council, *Resolution 1925 (2010)* Adopted by the Security Council at its 6324<sup>th</sup> meeting on 28 May 2020, S/RES/1925, New York: UN, 28 May 2010, p. 2.

<sup>132</sup> See International Criminal Court, *The Prosecutor v. Thomas Lubanga Dyilo*, ICC-01/04-01/06, 14 March 2012, accessible at: <https://www.icc-cpi.int/drc/lubanga>; International Criminal Court, *The Prosecutor v. Germain Katanga*, ICC-01/04-01/07, 7 March 2014; accessible at <https://www.icc-cpi.int/drc/katanga>; International Criminal Court, *The Prosecutor v. Bosco Ntaganda*, ICC-01/04-02/06, 8 July 2009, accessible at: <https://www.icc-cpi.int/drc/ntaganda>.



Brigade, operating under MONUSCO, with the “responsibility of neutralising armed groups and the objective of contributing to reducing the threat posed by armed groups to state authority and civilian security in eastern DRC and to make space for stabilisation activities.”<sup>133</sup> A respondent who had worked with MONUSCO provided examples of MONUSCO providing physical protection to civilians:

[p]riorities are re-assessed on a daily and weekly basis based on assessed risk. Recent examples include deployment of MONUSCO Force to Djugu, Ituri province, since June 2019 to stop identity based violence targeting Hema communities and provide protection to IDPs; deployment of MONUSCO Force to several locations in Minembwe area, South Kivu, since September 2019 to prevent further inter-ethnic violence, secure roads used by IDPs and provide physical protection to IDPs.<sup>134</sup>

The mission has also instituted a civilian Senior Adviser on the Protection of Civilians (Senior PoC Adviser), who sits in the mission’s Political and Human Rights team and ensures coordination between the military, police and civilian components of the mission.<sup>135</sup> The Senior PoC Adviser also liaises with the wider UN family and other protection actors operating in the Democratic Republic of the Congo to mainstream civilian protection.<sup>136</sup> One respondent noted that the presence of this adviser:

has been useful as – with direct reporting line to DSRSG – she has authority to rapidly convene senior uniformed and civilian leadership to respond to emerging situations, and has a role in reviewing / improving PoC tools, identifying gaps and problems, and ensuring that the mission’s strategies are focused on PoC.<sup>137</sup>

Through its Prosecution Support Cells (PSCs), MONUSCO has also provided technical and logistical support to military justice authorities to investigate and prosecute for war crimes, crimes against humanity, and other serious crimes allegedly committed by rebel groups, elements of the *Forces Armées de la République Démocratique du Congo* (FARDC), and the *Police Nationale Congolaise* (PNC).<sup>138</sup> The use of joint investigation missions resulted in the indictment of FARDC and national police officers for war crimes.<sup>139</sup>

According to one respondent, MONUSCO is reportedly the only mission to have “used the Framework of Analysis when reviewing the threat matrix used to assess threats to civilians.”<sup>140</sup> Moreover, in contrast to UNAMI, UNMISS, and UNSOM, MONUSCO has successfully worked with the UN Office on Prevention of Genocide and RtoP to develop “a strategy to address and counter hate speech, in line with the UN Secretary-General’s

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<sup>133</sup> United Nations Peacekeeping, ‘Background’, *United Nations Organisation Stabilisation Mission in the DR Congo*, 2020, accessible at: <https://monusco.unmissions.org/en/background>.

<sup>134</sup> Respondent 3, in response to the question, ‘Please provide examples of successful efforts that you might be aware of taken by your mission to prevent identity-based violence.’

<sup>135</sup> UNOPS Jobs, ‘Senior Protection Advisor, Democratic Republic of the Congo’, 20 July 2012, accessible at: <https://jobs.unops.org/pages/viewvacancy/VADetails.aspx?id=657#4>.

<sup>136</sup> UNOPS Jobs, ‘Senior Protection Advisor, Democratic Republic of the Congo’.

<sup>137</sup> Respondent 3, in response to the question: ‘Do you find that the appointment of thematic Senior Advisers, e.g. for Preventing Violent Extremism and Protection of Civilians, has been effective in advancing their respective thematic issues within the mission?’

<sup>138</sup> The establishment of PSCs was mandated by Resolution 1925, see United Nations Security Council, *Resolution 1925 (2010) Adopted by the Security Council at its 6324<sup>th</sup> meeting on 28 May 2010*, S/RES/1925, New York, 28 May 2010, para. 12 (d); United Nations Peacekeeping, *Report of the Criminal Law and Judicial Advisory Service, Combatting Impunity in the Democratic Republic of the Congo: Lessons Learned from the United Nations Prosecution Support Cell Programme*, June 2015, p. 1; United Nations Peacekeeping, ‘What is the Rule of Law Section Mandate?’ *United Nations Organisation Stabilisation Mission in the DR Congo*, 2020, accessible at: <https://monusco.unmissions.org/en/what-rule-law-section-mandate>; Leila Zerrougui, ‘Strengthening the Rule of Law and the Protection of Civilians in the Democratic Republic of the Congo’ *UN Chronicle*, 55, 2 (2018), p. 8-11.

<sup>139</sup> United Nations Peacekeeping, *Report of the Criminal Law and Judicial Advisory Service, Combatting Impunity in the Democratic Republic of the Congo: Lessons Learned from the United Nations Prosecution Support Cell Programme*, June 2015, p. iv.

<sup>140</sup> Respondent 3, in response to the question: ‘Has the 2014 UN Framework of Analysis for Atrocity Crimes been applied in either your current or any of your past peace operations?’



strategy and action plan, and is supporting the Presidency on initiatives in this regard.”<sup>141</sup> In 2017 the UN Special Adviser on the Prevention of Genocide visited the DRC following the deteriorating situation and human rights violations in Kasai province and North Kivu.<sup>142</sup> A respondent who had worked with MONUSCO noted that the mission is “currently discussing possible [future] dates of a visit by the SAPG to add his voice to efforts to stop identity-based violence in South Kivu.”<sup>143</sup> The respondent further stated that the mission is “discussing options for the Office to support capacity building activities with civil society in the Eastern DRC to strengthen local capacity to protect civilians and prevent identity-based violence.”<sup>144</sup> Aside from this visit, however, the Special Adviser has not released any other public statement on the situation.<sup>145</sup>

## Monitoring and Reporting

The UN Secretary-General’s reports have consistently outlined how the mission is working to “support efforts by Congolese authorities to fight impunity and address cases of war crimes, crimes against humanity and other serious human rights violations.”<sup>146</sup> The most recent UN Security Council resolution on the Democratic Republic of Congo, Resolution 2409, includes eight references to atrocity crimes, including in the operative paragraphs relating to MONUSCO’s teams working on Security Sector Reform, Disarmament, Demobilisation and Reintegration, and UN Police.<sup>147</sup> MONUSCO is also part of the provincial Early Warning Centres (EWs) and the civil-military Early Warning and Rapid Response Cell (EWRRC).<sup>148</sup> As one respondent also noted:

[a]n early warning system exists at the level of each regional office for threats to civilians, which includes threat of serious human rights violations and violations of International Humanitarian Law that could amount to crimes against humanity and war crimes. In most cases, conflict and the threat to civilians have an identity element. Risks are analysed at regular and ad-hoc meetings of a provincial-level protection working group, which includes MONUSCO uniformed and civilian personnel, as well as other UN actors with a protection mandate.<sup>149</sup>

This same respondent further explained that MONUSCO is in daily contact with UNHQ regarding possible instances of identity-based violence: “[r]isks are analysed at regional office level and shared systematically with senior mission leadership. Developments of concern and the mission’s response are shared on a daily basis with UNHQ.”<sup>150</sup>

<sup>141</sup> Respondent 3, in response to the question: ‘What is your knowledge of agendas aimed at preventing identity-based violence, such as the Responsibility to Protect? For PKOs, how does it relate to the Protection of Civilians mandate of your mission? For SPMs, how does it relate to conflict analysis in your mission?’

<sup>142</sup> United Nations Press Release, ‘Statement by Adama Dieng, United Nations Special Adviser of the Secretary-General on the Prevention of Genocide, on his visit to the Democratic Republic of the Congo’, Kinshasa, 24 June 2017, accessible at: [https://www.un.org/en/genocideprevention/documents/24062017%20Statement\\_SA%20Mission%20to%20DRC%20Final.pdf](https://www.un.org/en/genocideprevention/documents/24062017%20Statement_SA%20Mission%20to%20DRC%20Final.pdf).

<sup>143</sup> Respondent 3, in response to the question: ‘Have you previously interacted with the UN Office on Genocide Prevention and the Responsibility to Protect in the course of your ordinary responsibilities? If so, when and how?’

<sup>144</sup> Respondent 3, in response to the question: ‘Have you previously interacted with the UN Office on Genocide Prevention and the Responsibility to Protect in the course of your ordinary responsibilities? If so, when and how?’

<sup>145</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, ‘Press Statements’, 2020, accessible at: <https://www.un.org/en/genocideprevention/public-statements.shtml>.

<sup>146</sup> United Nations Security Council, *Report of the Secretary-General on the Situation in the Democratic Republic of Congo, S/2019/218*, New York: UN, 7 March 2019, para. 36.

<sup>147</sup> United Nations Security Council, *Resolution 2409 Adopted by the Security Council at its 8216<sup>th</sup> meeting on, 27 March 2018, S/RES/2409*, New York: 27 March 2018; see also Mobekk, ‘Security Sector Reform and the UN Mission in the Democratic Republic of the Congo’, p. 275-76.

<sup>148</sup> United Nations, *Concept note on the Establishment of a Rapid Response Mechanism in the context of Joint Operations MONUC/FARDC*, Kinshasa, 2010, cited in Kjeksrud and Ravndal, ‘Emerging lessons from the United Nations mission in the Democratic Republic of Congo’, p. 7.

<sup>149</sup> Respondent 3, in response to the question: ‘Does an early warning mechanism on possible risks of identity-based violence exist within your mission or is any such analysis currently undertaken? If so, how?’

<sup>150</sup> Respondent 3, in response to the question: ‘Are risks of identity-based violence reported by your peace operation to senior leadership within the mission and back to UN headquarter? If so, how?’

## Strategic Communications

MONUSCO successfully organises activities to mark the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime on 9 December.<sup>151</sup> A respondent who has worked with MONUSCO stated that “[a] range of activities are carried out in the capital and at provincial level, organised by the human rights component, in collaboration with public information and other components – public events, seminars, competitions, etc.”<sup>152</sup> Recognising this day not only pays respect to those victims of atrocities within the DRC, but also serves to demonstrate MONUSCO’s commitment to the prevention of future atrocities. The UN Security Council, UN Human Rights Office of the High Commissioner, and the UN Secretary-General have also successfully used atrocity terminology in their resolutions and reports.<sup>153</sup> In 2015, the Secretary-General reported that “armed groups and elements of the national security forces continue to commit human rights abuses, including rape, extrajudicial killings, violations against minors, arbitrary arrest, torture and abduction” in the DRC.<sup>154</sup> Similarly, in January 2020, the UN OHCHR released a report stating: “the violence documented [in the Democratic Republic of Congo province of Ituri]... could contain some elements of crimes against humanity through murder, torture, rape and other forms of sexual violence, pillage and persecution.”<sup>155</sup> One respondent noted while the mission “does not often issue public statements, [it] condemns hate speech/inflammatory speech and identity based violence during press briefings by senior mission leadership, in public reports, social media and through Radio Okapi broadcasts.”<sup>156</sup> It is the view of the author that this is the strongest UN peacekeeping mandate with regards to use of atrocity terminology.

## Conclusion

MONUSCO have put in place structures and strategies that have helped to prevent atrocities, such as the installation of the Senior PoC Adviser. Moreover, atrocity language utilised by the mission could be further refined and more consistently employed, but it is nonetheless crucial for obtaining resources geared toward addressing atrocities. A key success of MONUSCO is the working relationship between the UN Office on Prevention of Genocide and RtoP, the Government of the Democratic Republic of the Congo, and MONUSCO.<sup>157</sup> The involvement of the UN Joint Office allows for a greater focus on atrocity prevention, and greater awareness regarding the compatibility between PoC and RtoP. The key respondent on matters related to MONUSCO intimated that the involvement with the UN Joint Office and the Framework of Analysis were initiated as a result of their own experience working at the UN Office for Prevention of Genocide and RtoP.<sup>158</sup> This corroborates the idea that an individual with a focused interest on atrocity prevention can help to advance specific agenda items in the field.

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<sup>151</sup> Respondent 3, in response to the question: ‘Does your peace operation participate in International Days for the Elimination of Sexual Violence in Conflict (19 June), the Commemoration of the Victims of Genocide (9 December), or Against the Use of Child Soldiers (12 February)? If so, what types of activities are undertaken?’

<sup>152</sup> Respondent 3, in response to the same question.

<sup>153</sup> United Nations Human Rights Office of the High Commissioner ‘Report of a Mission of the United Nations High Commissioner for Human Rights – accounts of Congolese fleeing the crisis in the Kasai region, in the Democratic Republic of the Congo’, August 2017, accessible at:

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21937&LangID=E>; *Report of the Secretary-General on the Situation in the Democratic Republic of Congo*, S/2019/218, New York: UN, 7 March 2019, para. 36; United Nations Human Rights Office of the High Commissioner, ‘Democratic Republic of the Congo, 1993-2003’, August 2010, accessible at: [https://www.ohchr.org/Documents/Countries/CD/DRC\\_MAPPING\\_REPORT\\_FINAL\\_EN.pdf](https://www.ohchr.org/Documents/Countries/CD/DRC_MAPPING_REPORT_FINAL_EN.pdf).

<sup>154</sup> United Nations Security Council, *Report of the Secretary-General of the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo*, S/2015/172, New York: UN, 10 March 2015, p. 14.

<sup>155</sup> United Nations Human Rights Office of the High Commissioner, ‘DRC: inter-ethnic violence in Ituri may constitute “crimes against humanity” – UN report’, UNOHCHR, Kinshasa, 10 January 2020, accessible at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25459&LangID=E>.

<sup>156</sup> Respondent 3, in response to the question: ‘Does your peace operation’s public information team release statements condemning instances of identity-based violence? If so, how often?’

<sup>157</sup> Further advocacy from the UN Office on Genocide Prevention could lead to MONUSCO working with the government to develop a National Action Plan on Atrocity Prevention.

<sup>158</sup> Respondent 3, in response to the question: ‘Have you undertaken any training on risk assessments and prevention of identity-based violence either prior or during a deployment? If so, when and how?’

## SUMMARY OF CASE STUDIES

As the above analysis demonstrates, efforts have been made to incorporate atrocity prevention mechanisms in UNAMI, UNMISS, UNSOM, and MONUSCO. The existing structural dynamics in mission, the monitoring and reporting of atrocities, and strategic communications regarding atrocity prevention are critical to safeguarding populations from future instances of egregious human rights violations. Nonetheless, as the case study analysis highlights, each of these areas in Peace Operations might be improved.

### Structural Dynamics

With the exception of MONUSCO, there appears to be relatively little engagement across the missions with the UN Office on Genocide Prevention and RtoP and the Special Advisers. Indeed, most respondents noted that they had not had any contact with the UN Joint Office in the course of their duties relating to POs.<sup>159</sup> UNAMI, UNMISS, and UNSOM might therefore have benefitted from strengthening the relationships between their missions, the Joint Office, and the Special Advisers. Improving structural coordination and communication lines from the mission to the UN Joint Office, as well as encouraging visits from the Special Advisers, might have also benefitted the Peace Operations' awareness of atrocity risks, and their capacity to respond to those risks.

A key success was the establishment of a Senior Adviser on P/CVE in UNSOM and a Senior PoC Adviser in MONUSCO. Having a dedicated Senior Adviser with a specialised focus on extreme violence might have helped bolster UNSOM and MONUSCO's structural capacity to protect vulnerable populations. Whilst Senior Advisers are thought by a few respondents to be an important part of Peace Operations, they do not concentrate specifically on atrocity crimes.<sup>160</sup> Indeed, as the UN Joint Office's 'Framework of Analysis for Atrocity Crimes: A Tool for Prevention' document highlights, genocide, war crimes, crimes against humanity, and ethnic cleansings each have indicia and triggers that are distinct from each other, as well as from violent extremism and violence against civilians more broadly.<sup>161</sup>

### Monitoring and Reporting

On the whole, the monitoring and reporting of each mission might have been improved. UNMISS and MONUSCO, in particular, have taken efforts to monitor and publicly report on the situation in South Sudan and the DRC. However, at times, the monitoring and reporting of atrocity crimes to the UN Security Council and UN Joint Office has been relatively inconsistent, slow, and fractured. The efficacy of monitoring and reporting from mission to decision-making bodies, notably the UN Security Council and the Secretary-General, is central to the adoption of resolutions (such as Resolution 2409 pertaining to the DRC and Resolution 2327 pertaining to South Sudan) that are attentive to atrocity prevention.<sup>162</sup>

### Strategic Communications

One of the key findings was that the UN Peace Operations might have improved in describing instances of violence with atrocity terminology: specifically, genocide, war crimes, crimes against humanity, and ethnic cleansing. While UNAMI, UNMISS, and MONUSCO utilised atrocity terminology, UNSOM largely avoided

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<sup>159</sup> Respondent 1, Respondent 4, Respondent 5, Respondent 6, Respondent 7, Respondent 8, Respondent 9, Respondent 10, Respondent 12, and Respondent 13 in response to the question: 'Has the 2014 UN Framework of Analysis for Atrocity Crimes been applied in either your current or any of your past peace operations?'

<sup>160</sup> Respondent 3, Respondent 7, and Respondent 10, in response to the question: 'Do you find that the appointment of thematic Senior Advisors, e.g. for Preventing Violent Extremism and Protection of Civilians, has been effective in advancing their respective thematic issues within the mission?'

<sup>161</sup> UNOGPR2P, *Framework of Analysis for Atrocity Crimes*, p. 6-7.

<sup>162</sup> United Nations Security Council, *Resolution 2409 Adopted by the Security Council at its 8216<sup>th</sup> meeting on, 27 March 2018*, S/RES/2409, New York: UN, 27 March 2018; United Nations Security Council, *UN Security Council Resolution 2327 (2016) on South Sudan and the Extension of the Mandate of UNMISS*, S/2016/1066, New York: UN, 16 December 2016.

such language.<sup>163</sup> This finding is reinforced by one respondent, who commented on the inconsistent use of atrocity terminology within UN Peace Operations.<sup>164</sup> Indeed, another one participant stated that reports received from SPMs and PKOs were varied in terms of terminology, content, and detail: “there was high variation in terms of what these reports covered and to what depth.”<sup>165</sup>

By examining UNAMI, UNMISS, UNSOM, and MONUSCO, this white paper has found that UN Peace Operations have incorporated atrocity prevention strategies. MONUSCO in the DRC, in particular, is exemplary of developing new processes to prevent atrocity crimes in UN Peace Operations. However, inconsistencies in the efficacy of such strategies between missions, and during the missions’ lifetimes, indicate that such capabilities might be better operationalised. Having analysed these four missions’ existing engagements with atrocity prevention tools, the next section provides recommendations for future UN Peace Operations.

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<sup>163</sup> Respondent 6 and Respondent 7, in response to the question: ‘What terminology, if any, does your mission use when reporting on: a. Inflammatory rhetoric, propaganda campaigns or hate speech targeting protected groups, populations or individuals?; b. signs of a widespread or systematic attack against any civilian population , or a plan or policy to attack any civilian population?; c. Establishment of new political, military, or paramilitary entities that could be leveraged to commit violent acts?; d. Widespread and systematic acts of sexual and gender-based violence or recruitment and use of child soldiers?’

<sup>164</sup> Respondent 4, in response to the question: ‘What terminology, if any, does your mission use when reporting on: a. Inflammatory rhetoric, propaganda campaigns or hate speech targeting protected groups, populations or individuals?; b. signs of a widespread or systematic attack against any civilian population , or a plan or policy to attack any civilian population?; c. Establishment of new political, military, or paramilitary entities that could be leveraged to commit violent acts?; d. Widespread and systematic acts of sexual and gender-based violence or recruitment and use of child soldiers?’

<sup>165</sup> Respondent 6, in response to the question: ‘Are risks of identity-based violence reported by your peace operation to senior leadership within the mission and back to UN headquarters? If so, how?’

## CONCLUSIONS AND RECOMMENDATIONS

The following recommendations are to be considered by the UN Joint Office, the UN Security Council, and officials working in the UN Secretariat and UN Peace Operations. The recommendations refer to the 1) structural dynamics, 2) monitoring and reporting, and 3) strategic communications in UN Peace Operations, and aim to complement existing mechanisms rather overburdening structures with radical, costly new approaches.

### 1. STRUCTURAL CHANGES

- **UN Peace Operations may consider installing a dedicated Senior Atrocity Prevention Adviser (SAPA) in field missions where the UN Office on Genocide Prevention and RtoP identify risks of atrocity crimes.** At present, there is no such individual within any UN Peace Operation with the specific mandate to analyse and report on atrocity risks. Instead, atrocity prevention commonly falls within the wider responsibilities of the Senior PoC Adviser or the Human Rights division. Installing a SAPA within Peace Operations might guarantee greater investigative, monitoring, and reporting capabilities regarding atrocity early warning signs and triggers, as well as alleviating the workload borne by the Senior PoC Advisers. The SAPAs would ideally be placed in missions where there is recent history of atrocity crimes or where there is a heightened risk of future atrocities. The SAPA would be tasked with supporting the development and implementation of an atrocity prevention strategy tailored to the host country's circumstances and the mission. An exemplar of the benefits of specialist staff fulfilling their respective protection mandates is the 2001 separation of the responsibilities of Child Protection Advisers (CPA) and Women Protection Advisers (WPA).<sup>166</sup> Acknowledging that the threats and vulnerabilities experienced by women and children are distinct, the Human Rights division created two positions that would work separately yet engage information exchange and close coordination.<sup>167</sup> Similarly, Senior Atrocity Prevention Advisers would work with existing Senior PoC and Senior P/CVE Advisers in mission to safeguard populations from atrocities. The SAPA would also fulfil internally and externally focussed roles.

Internally, the proposed Senior Atrocity Prevention Adviser would act as the primary conduit between the mission and the UN Office on Prevention of Genocide and RtoP, lead investigations into determining atrocity-risks in country, and support existing Senior PoC or Senior P/CVE Adviser/s (where applicable). Specifically, the SAPA would be responsible for providing real-time information and reports analysing the risks of atrocities from the respective UN Peace Operation to the Offices of the Special Advisers on Prevention of Genocide and RtoP. The Senior Atrocity Prevention Adviser would also be required to promote a greater understanding of RtoP within the mission, and emphasise the importance of PoC via prevention. This will help foster a whole-of-mission approach to atrocity prevention.

Externally, the Senior Adviser's role would be to highlight the importance of atrocity prevention in the host country. Indeed, one respondent stated that Senior Advisers on PoC and P/CVE are important in bringing issues into the foreground that might otherwise be ignored,<sup>168</sup> while another remarked that a Senior Atrocity

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<sup>166</sup> United Nations Peacekeeping, 'Child Protection Advisers', 2020, accessible at: <https://peacekeeping.un.org/en/child-protection-advisers>; United Nations Permanent Missions, 'Building Capacity of Women's Protection Advisers', 1 April 2015, accessible at: <https://www.un.int/news/building-capacity-women's-protection-advisers>; Thalif Deen, 'U.N. Deploys Women Protection Advisers to Curb Sexual Violence' *Inter Press Service*, 6 July 2013, accessible at: <http://www.ipsnews.net/2013/07/u-n-deploys-women-protection-advisers-to-curb-sexual-violence/>.

<sup>167</sup> United Nations Assistance Mission in Somalia (UNSOM), 'Women Protection', 2020, accessible at: <https://unsom.unmissions.org/women-protection>.

<sup>168</sup> Respondent 1, in response to the question: 'Do you find that the appointment of thematic Senior Advisers, e.g. for Preventing Violent Extremism and Protection of Civilians, has been effective in advancing their respective thematic issues within the mission?'

Prevention Adviser would be useful for “advocacy, increased visibility and tailor-made action.”<sup>169</sup> Inter alia, the Senior Adviser could also work with a dedicated atrocity prevention focal point in government to develop a national action plan and mobilise donor support from the international community. Such a posting would be most useful in situations where the UN has a positive relationship with the host state government and can support capacity building efforts. The holder of such a post might ideally be found outside the Human Rights sector, such as the Chief of Staff office, or the office of the Deputy Special Representative to the Secretary-General.<sup>170</sup> If the SAPA situated in the Chief of Staff offices or office of the DSRSG, the Senior Adviser would have better access to decision-makers, as well as a ‘whole-of-mission’ view of the Peace Operation. Consequently, the SAPA might be able to better leverage change where it is needed most in the mission.<sup>171</sup>

- **The UN Joint Office may consider supplementing existing trainings of UN Peacekeepers by educating Chiefs of Staffs on the Joint Office’s 2014 ‘Framework of Analysis for Atrocity Crimes’.** Over the past five years, the Global Centre for RtoP has been providing atrocity prevention workshops, conferences, and training to UN Peacekeepers as part of their pre-deployment preparedness. Indeed, as the GCRtoP notes, “despite an increase in mass atrocity risks in many countries where missions are deployed, peacekeepers often remain ill-equipped to identify and respond to these threats.”<sup>172</sup> Similarly, the UN Joint Office “also undertakes training and technical assistance to promote greater understanding of the causes and dynamics of atrocity crimes and of the measures that could be taken to prevent them”.<sup>173</sup> These training sessions are critical for pre-deployment; however, it could be expensive to provide for all peacekeepers.<sup>174</sup> This white paper does not discourage existing pre-deployment trainings. Rather, this white paper recommends supplementing the education provided by the GCRtoP and the UN Office on Prevention of Genocide and RtoP with training aimed at Chiefs of Staff.

Within each mission, Chiefs of Staff are key personnel who play critical roles in the dissemination of information both within the mission as well as to UNHQ. Specifically, the role of the Chief of Staff is to:

[e]nsure effective functioning of coherent communications structures and systems and serves as the focal point for communication with United Nations Headquarters in New York... [the Chief of Staff

<sup>169</sup> Respondent 4, in response to the question: ‘Would the appointment of a Senior Adviser be useful in developing and mainstreaming a strategy to prevent identity-based violence? Why?’

<sup>170</sup> Respondent 5, in response to the question: ‘Given the austere financial reality facing the UN, what small changes do you think could be made to the mission’s structure to enhance its contribution to preventing identity-based violence, if any?’ To be clear, in response to the question ‘Would the appointment of a Senior Adviser be useful in developing and mainstreaming a strategy to prevent identity-based violence?’ Respondent 5 stated: “I do not think so, because it is not more people who are needed but rather the organisation/system to take it seriously and make it a priority.”

<sup>171</sup> Many of the respondents stated that this role could be fulfilled by an existing position in mission (Respondent 2, Respondent 3, Respondent 5, Respondent 7, Respondent 8, Respondent 10, Respondent 12, and Respondent 13, in response to the question ‘Would the appointment of a Senior Adviser be useful in developing and mainstreaming a strategy to prevent identity-based violence? Why?’). For instance, Respondent 3 stated that it is “not necessary to have separate senior advisor – almost all conflict in the DRC is identity-based so the POC adviser effectively performs this function”, and Respondent 7 stated, “I feel this function can be undertaken by the Gender Adviser whose role should be strengthened.” Some of these respondents (such as Respondent 8 and 13), and others (such as Respondent 1, Respondent 4 and Respondent 9) stated that it might be useful to implement a Senior Adviser. For instance, Respondent 8 (in response to the same question) stated: “Yes and no. Yes, because a focus on this topic can be useful in developing strategies and collecting data; no because this can be done using existing resources and within the existing framework of the mission.” The author maintains that the installation of a Senior Atrocity Prevention Adviser is nevertheless key to streamlining a strategy to prevent atrocities, as having an atrocity prevention specific post it is likely to be more effective than adding to the responsibilities of existing Senior Advisers on PoC and P/CVE.

<sup>172</sup> Global Centre for the Responsibility to Protect, ‘Improving Peacekeeping and Civilian Protection’, 2020, accessible at: <https://www.globalr2p.org/improving-peacekeeping-and-civilian-protection/>

<sup>173</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, ‘Mandate’, 2020, accessible at: <https://www.un.org/en/genocideprevention/office-mandate.shtml>.

<sup>174</sup> One respondent noted that “Human rights training required by and provided to peacekeepers yields some positive results but it is not enough”. Respondent 5, in response to the question: ‘Please provide examples of successful efforts that you might be aware of by your mission to prevent identity-based violence.’



also] oversees mission-wide, integrated procedures and systems for information analysis and management.<sup>175</sup>

The Chief of Staff has the requisite level of seniority to ensure that important information is included in relevant reporting methods to UN Headquarters, including classified code cables and public statements and reports. Delivering training specific to these senior civilian staff might help bolster the mission leadership's understanding of atrocity prevention, and facilitate a trickle-down approach to incorporating atrocity prevention in POs. Chiefs of Staff might then also undertake cascade training for relevant members in their respective missions.

This supplementary training of Chiefs of Staff would be based upon the UN Joint Office's 2014 'Framework of Analysis for Atrocity Crimes: A Tool For Prevention' document, which clearly sets out 14 risk factors for atrocities and corresponding indicators.<sup>176</sup> According to the Framework of Analysis, analysts "should use the risk factors and indicators to guide the collection and assessment of information."<sup>177</sup> Chiefs of Staff would thus be trained in identifying and monitoring the eight risk factors common to all atrocities (such as state weakness and previous extreme violations of human rights), and the six risk factors specific to each atrocity crime outlined by the Framework of Analysis.<sup>178</sup> Staff would then be trained to "situate [the risks] within a broader political, contextual, historical and cultural analysis" of the host-country.<sup>179</sup>

This recommendation echoes calls made by the Group of Friends for RtoP in the Annual Report of the OHCHR and the Office of the High Commissioner and the Secretary-General in March 2018: "we strongly encourage the Council to deepen its engagement with the Joint Office for the Prevention of Genocide and the Responsibility to Protect, and to make use of the Framework of Analysis for Atrocity Crimes as appropriate".<sup>180</sup> This recommendation is also based on the data collected from respondents, most of whom had little awareness of, and no engagement with, the Framework of Analysis in their respective UN Peace Operations.<sup>181</sup> Only two respondents stated that they are aware of the Framework of Analysis, and this includes one respondent who stated: "I oversaw the development of the Framework of Analysis. As far as I am aware, there is no such training as part of pre-deployment or induction training for POs."<sup>182</sup> Training Chiefs of Staff in using the Framework of Analysis might help bolster the existing training offered by the GCRtoP and the UN Joint Office, and thereby provide more education to civilian peacekeepers on atrocity prevention.

A few respondents noted that the UN is faced with an overloaded agenda.<sup>183</sup> Indeed, one respondent from UNSOM noted that adding new meetings will not necessarily lead to better results: "I am conscious that

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<sup>175</sup> UN Careers, 'Chief of Staff, UN Support Mission in Libya', 5 August 2018, accessible at: <https://careers.un.org/lbw/jobdetail.aspx?id=101649>.

<sup>176</sup> UNOGPR2P, *Framework of Analysis for Atrocity Crimes*, p. 9-24.

<sup>177</sup> UNOGPR2P, *Framework of Analysis for Atrocity Crimes*, p. 6.

<sup>178</sup> UNOGPR2P, *Framework of Analysis for Atrocity Crimes*, p. 9.

<sup>179</sup> UNOGPR2P, *Framework of Analysis for Atrocity Crimes*, p. 9.

<sup>180</sup> Group of Friends of the Responsibility to Protect, *Annual Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General*, New York: Global Centre for Responsibility to Protect, accessible at: <https://www.globalr2p.org/wp-content/uploads/2019/08/2018-HRC37-GOF-Item2.pdf>.

<sup>181</sup> Respondent 1, Respondent 4, Respondent 5, Respondent 6, Respondent 7, Respondent 8, Respondent 9, Respondent 10, Respondent 12, and Respondent 13, in response to the question: 'Has the 2014 UN Framework of Analysis for Atrocity Crimes been applied in either your current or any of your past peace operations?'

<sup>182</sup> Respondent 3, in response to the questions: 'Has the 2014 UN Framework of Analysis for Atrocity Crimes been applied in either your current or any of your past peace operations?' and 'Have you undertaken any training on risk assessments and prevention of identity-based violence either prior or during a deployment? If so, when and how?' Respondent 2 stated "I'm not working in a peace operation but it is a good framework also for the prevention of violent conflict" in response to the question: 'Has the 2014 UN Framework of Analysis for Atrocity Crimes been applied in either your current or any of your past peace operations?'

<sup>183</sup> Respondent 3, in response to the question: 'In a best case scenario, what improvements, if any, could be made to enhance the mission's efficacy to prevent identity-based violence?'; Respondent 12, in response to the question: 'Given the austere

the number of meetings facing the staffs of UNSOM and other political and peacekeeping missions is already quite burdensome.”<sup>184</sup> Therefore, to ensure the proposed supplementary training is cost effective and does not add to the number of meetings senior staff members are expected to attend, this proposed training could be provided at the annual meeting of Chief of Staffs at UN Headquarters. If this is not possible, the training could be incorporated into other, existing development sessions. For instance, one respondent noted: “I attended the UN Joint Mission Analysis Centre Training in Oslo, Norway in 2011, where a major part of the curriculum was on risk assessments and prevention of identity-based violence.”<sup>185</sup>

- **An ‘Atrocity Prevention Forum’ may be held annually where UN Peace Operations are present and the UN Joint Office identifies risks of atrocity crimes.** The aim of an annual ‘Atrocity Prevention Forum’ would be to discuss country-specific mechanisms for safeguarding populations from atrocity crimes. The forum would be a space for members from local populations, community leaders, regional bodies, and national governments to provide insights to UN Peace Operations regarding early warning signs and triggers specific to that country. Not only might this empower UN Peace Operations’ efforts to protect, the forum might also be a space in which voices from the country’s communities can be heard and prioritised. This recommendation seeks to build upon what one respondent describes as existing “workshops and seminars in which stakeholders identify the risks, identify the signs, [and] find tools to implement” mechanisms to prevent populations from identity-based violence.<sup>186</sup> The Atrocity Prevention Forum might also constitute a platform for discussing long-term, coordinated financial assistance from donors, and to help develop the host government’s plans for atrocity prevention. A notable example of in-country forums is the successful formation of Groups of Friends on Children and Armed Conflict, and their expansion in several countries where UN Peace Operations are deployed, such as Sudan.<sup>187</sup>

This white paper also recommends that members of the Group of Friends of RtoP (GoF) that have a diplomatic presence in the host state might help facilitate the Atrocity Prevention Forum.<sup>188</sup> The presence of the GoF might help stakeholders: (i) agree upon relevant and appropriate atrocity prevention language to be used in negotiations at the UN General Assembly, Security Council, and Human Rights Council; (ii) send a clear message to host governments that atrocity prevention is a priority for the international community by providing a forum to speak with one voice in situations where atrocity crimes are being perpetrated; (iii) coordinate financial assistance to develop and implement the host government’s national action plan on atrocity prevention. The Atrocity Prevention Forum might therefore help bridge discussions on the normative development of RtoP in New York and Geneva with the practical implications of atrocity prevention in the field, and to further highlight the compatibility of PoC and RtoP. Indeed, one respondent noted the disparity between how normative protection frameworks are understood in HQ and in the mission: “RtoP is seen primarily as a New York based agenda that does not have an impact on the ground,

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financial reality facing the UN, what small changes do you think could be made to the mission’s structure to enhance its contribution to preventing identity-based violence, if any?”

<sup>184</sup> Respondent 12, in response to the question: ‘Could there be a more efficient way of reporting risks of identity-based violence, in your opinion?’

<sup>185</sup> Respondent 12, in response to the question: ‘Have you undertaken any training on risk assessments and prevention of identity-based violence either prior or during a deployment? If so, when and how?’

<sup>186</sup> Respondent 11, in response to the question: ‘Does your mission support the host State or local authorities in protecting populations from identity-based violence? If so, how?’

<sup>187</sup> Office on the Special Representative of the Secretary-General for Children and Armed Conflict, *Groups of Friends of Children and Armed Conflict (CAAC) in Sudan*, accessible at: <https://childrenandarmedconflict.un.org/2018/05/group-of-friends-of-children-and-armed-conflict-caac-in-sudan/>.

<sup>188</sup> The GoF promotes dialogues concerning the prevention and halting of gross human rights violations, and champions UN Member States working together to advance such measures. Global Centre for the Responsibility to Protect, ‘Group of Friends of the Responsibility to Protect’, 2020, accessible at: <https://www.globalr2p.org/group-of-friends-of-the-responsibility-to-protect/>

unfortunately.”<sup>189</sup> A few other respondents noted the importance of local ownership at the mission level.<sup>190</sup> For instance, one respondent stated:

I think we need to reflect more with the human rights section and other departments and find a mission owned solution. I don't think if any policy coming from NY will have any impact. People own what they create. If you foster real dialogue in a mission about these issues and come up with a locally owned solution, it will be more efficient.<sup>191</sup>

The Atrocity Prevention Forum might thus provide a platform where country-specific solutions, and mission-owned responses, can be discussed.

## 2. MONITORING AND REPORTING

- **Stronger monitoring and analysis of atrocity risks may be undertaken in internal (via code cables) and public reporting (via the Secretary-General).** Breakdowns in communications between the field and UN Headquarters impede the ability of the UN Security Council to act in an informed and timely manner.<sup>192</sup> In a 2010 UN General Assembly report on ‘Early warning, assessment, and the responsibility to protect’ the Secretary-General noted that “there is insufficient sharing of information and analysis among the exiting streams of information” pertaining to atrocity risks.<sup>193</sup> Moreover, the Secretary-General claimed that with the exception of “the early warning mechanism on the prevention of genocide, the existing mechanisms for gathering and analysing information for the purpose of early warning do not view that information through the lens of the responsibility to protect.”<sup>194</sup> As such, information regarding potential risks of identity-based violence may be included in both internal (e.g. code cables) and public (e.g. Secretary-General’s reports) reporting by the UN. A number of respondents reported early warning mechanisms on possible risks of identity-based violence (often at the level of each regional office), as well as the role of Regional Monthly Reviews.<sup>195</sup> According to one respondent, the Regional Monthly Reviews exist for assessing:

threats to civilians, which includes the threat of serious human rights violations and violation of IHL that could amount to crimes against humanity and war crimes. In most cases, conflict – and the threats to civilians, have an [identity] element. Risks are analysed at regular and ad-hoc meetings of a provincial level protection working group.<sup>196</sup>

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<sup>189</sup> Respondent 3, in response to the question: ‘What is your knowledge of agendas aimed at preventing identity-based violence, such as the Responsibility to Protect? For PKOs, how does it relate to the Protection of Civilians mandate of your mission? For SPMs, how does it relate to conflict analysis in your mission?’

<sup>190</sup> Respondent 1, in response to the question: ‘Given the austere financial reality facing the UN, what small changes do you think could be made to the mission’s structure to enhance its contribution to preventing identity-based violence? Why?’; Respondent 9 in response to the question: ‘Does your mission support the host State or local authorities in protecting populations from identity-based violence? If so, how?’

<sup>191</sup> Respondent 1, in response to the question: ‘Given the austere financial reality facing the UN, what small changes do you think could be made to the mission’s structure to enhance its contribution to preventing identity-based violence? Why?’

<sup>192</sup> Luck, Edward C, ‘Why the United Nations Underperforms at Preventing Mass Atrocities’ *Genocide Studies and Prevention: An International Journal* 11, 3 (2018): 32-47.

<sup>193</sup> United Nations General Assembly, *Early warning, assessment, and the responsibility to protect: Report of the Secretary-General*, A/64/864, New York: UN, 14 July 2010, p. 4, accessible at: <http://www.responsibilitytoprotect.org/N1045020%281%29.pdf>.

<sup>194</sup> UNGA, *Early warning, assessment, and the responsibility to protect*, p. 4.

<sup>195</sup> Respondent 2, Respondent 6, Respondent 9, and Respondent 10, in response to the question ‘Does an early warning mechanism on possible risks of identity-based violence exist within your mission or is any such analysis currently undertaken. If so, how?’; Respondent 4, Respondent 5, Respondent 7, and Respondent 8, in response to the question: ‘Are risks of identity-based violence reported by your peace operation to senior leadership within the mission and back to the UN headquarters? If so, how?’

<sup>196</sup> Respondent 3, in response to the question ‘Does an early warning mechanism on possible risks of identity-based violence exist within your mission or is any such analysis currently undertaken. If so, how?’

Another respondent explained that the Regional Monthly Review meetings “[build] on the Human Rights up Front Initiative, which is focused on general prevention of atrocities, violence and violent conflict. The cases can be escalated to the Deputies Committee and the Secretary-General’s Executive Committee.”<sup>197</sup>

Whilst these early warning monitoring and reporting systems are important, this white paper recommends greater internal and public reporting. The Secretary-General’s regular reports are the most widely accessible and comprehensive accounts of events taking place in at-risk areas, particularly where accessibility is limited due to conflict and instability, or where there is a low diplomatic presence in the field. As such, the Special Advisers might consider working with the Secretary-General to produce more public reports on situations at risk of atrocity crimes. Moreover, it might be helpful to establish a direct line of UN code cables from the UN Peace Operation to the Special Advisers on Prevention of Genocide and RtoP. A few respondents noted that code cables are sent from missions to UNHQ.<sup>198</sup> One respondent, for instance, stated, “I believe there is a constant stream of reports and analytical papers and code cables generated in the Mission and reaching HQ as well.”<sup>199</sup> Moreover, the Special Adviser on Prevention of Genocide is a senior official at under-Secretary-General level; therefore, he has the authority to send code cables requesting each Mission to undertake a whole-of-mission exercise to implement the Framework of Analysis for Atrocity Crimes. This allows for the risk of atrocities to be determined, and for appropriate steps to be taken to mitigate the threat. However, it might be beneficial for these code cables from UN Peace Operations to also be sent directly to the UN Joint Office if it pertains to increased risks of atrocity crimes. This might be particularly helpful in situations where the host state government itself is perpetrating atrocities, and the UN is unable to declaim publicly on the situation.

- **The Special Advisers to the UN on Prevention of Genocide and RtoP may consider requesting a quarterly summary of identity-based violence and risk analyses from UN Peace Operations.** Currently, the UN Joint Office “supports the Special Advisers [by gathering] information from a variety of sources (within and outside the United Nations system) to make an assessment of whether there is a risk of atrocity crimes in a particular situation.”<sup>200</sup> This white paper recommends strengthening this existing reporting mechanism so that the reporting is more regular and systematic. Specifically, the UN Joint Office might request quarterly summaries regarding the risk of atrocities from UN Peace Operations – both from in-field staffers and from the Secretariat. This recommendation follows from a suggestion made by one respondent, who stated:

I think a standardised approach where missions are required to periodically answer a questionnaire or grade/classify the perceived risk could be of use. Or perhaps one of the offices of the Secretariat could be responsible for sending out a quarterly summary of identity-based violence.”<sup>201</sup>

The proposed Senior Atrocity Prevention Adviser (above) could help to develop the quarterly summary and relevant information from all parts of the UN operating in country. For instance, the SAPA could connect with Community Liaison Assistants, who work closely with the local populations, and have a better understanding of the situation on the ground, particularly in areas that the UN is unable to access for security

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<sup>197</sup> Respondent 2, in response to the question: ‘Does an early warning mechanism on possible risks of identity-based violence exist within your mission or is any such analysis currently undertaken. If so, how?’ In response to the question, ‘Could there be a more efficient way of reporting risk of identity-based violence, in your opinion?’ Respondent 2 goes on to note that the “UN should do more in monitoring *horizontal* inequalities among groups, which can easily lead to grievances that can be exploited by political entrepreneurs to mobilize identity-based violence.”

<sup>198</sup> Respondent 4, Respondent 5, and Respondent 10, in response to the question: ‘Are risks of identity-based violence reported by your peace operation to senior leadership within the mission and back to the UN headquarters? If so, how?’

<sup>199</sup> Respondent 10, in response to the question: ‘Are risks of identity-based violence reported by your peace operation to senior leadership within the mission and back to the UN headquarters? If so, how?’

<sup>200</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, ‘Methodology’, 2020, accessible at: <https://www.un.org/en/genocideprevention/office-methodology.shtml>.

<sup>201</sup> Respondent 6, in response to the question: ‘Could there be a more efficient way of reporting risks of identity-based violence, in your opinion?’

reasons. A pro-active Senior Adviser can leverage these contacts to provide better analysis of atrocity risks, which might then form the basis of the quarterly summary of atrocity risk in country.

- **The UN Office on Prevention of Genocide and RtoP may undertake a ‘best practices and lessons learned’ exercise on atrocity prevention in UN Peace Operations to develop a ‘Compendium on Atrocity Prevention’.** In August 2016, the UN Joint Office published the ‘Compendium of Practice: Implementation of the Responsibility to Protect’.<sup>202</sup> The purpose of the Compendium of Practice was to “serve as a public information resource on the implementation of the responsibility to protect. It identifies examples of efforts that advance each of the three pillars of the principle, but it is not an exhaustive list of best practice.”<sup>203</sup> While the Compendium of Practice focuses only on RtoP and draws “on input solicited from Member States, regional organisations and civil society”, this white paper proposes developing a complementary compendium that concentrates on how UN Peace Operations have contributed to atrocity prevention efforts.<sup>204</sup> A representative from the UN Joint Office might liaise with or – where possible – visit UN Peace Operations to do a case-based assessment of the successes and missed opportunities in responding to atrocity crimes. Working with the respective SAPA, Senior P/CVE Adviser, Senior PoC Adviser, and other representatives (where relevant), the Joint Office might then compile what could be called a ‘Compendium on Atrocity Prevention’. The Compendium on Atrocity Prevention might include these ‘best practices and lessons learned’ regarding atrocity prevention from each UN Peace Operations, which has worked in areas of atrocity risks and atrocity crimes. The Compendium on Atrocity Prevention might then constitute another atrocity prevention tool that could be disseminated to future missions. From this proposed compendium, those future missions have an opportunity to learn what worked, and what could have been improved, in order to prevent atrocity crimes in their own territories of deployment.

### 3. STRATEGIC COMMUNICATIONS

- **The UN Peace Operations Public Information Offices (PIOs) may consider integrating stronger atrocity prevention components into their strategic communications.** A stronger atrocity prevention component in communication strategies might, for instance, cover the steps taken to implement Secretary-General Guterres’ plan on combatting hate speech and incitement to identity-based violence.<sup>205</sup> It might also be beneficial for PIOs to raise greater awareness regarding events and activities pertaining to atrocity prevention, such as the International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and of the Prevention of this Crime on the 9<sup>th</sup> of December.<sup>206</sup> Many respondents stated that their respective missions participated in activities related to the International Day of Commemoration of the Victims of Genocide, the International Day for the Elimination and Sexual Violence in Conflict (19<sup>th</sup> of

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<sup>202</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, *Compendium of Practice: Implementation of the Responsibility to Protect 2005-2016*, 19 August 2016, accessible at: <https://www.un.org/en/genocideprevention/documents/RtoP%20Compendium%20of%20Practice%20%28Provisional%20Pre-Publication%20Version%29%20FINAL%2020%20March%202017.pdf>. The Compendium of Practice was also mentioned by Respondent 4, in response to the question: ‘Has the 2014 UN Framework of Analysis for Atrocity Crimes been applied in either your current or any of your past peace operations?’

<sup>203</sup> UNOGPR2P, *Compendium of Practice*, p. 2.

<sup>204</sup> UNOGPR2P, *Compendium of Practice*, p. 3.

<sup>205</sup> United Nations Secretary-General António Guterres, *United Nations Strategy and Plan of Action on Hate Speech*, May 2019, accessible at: [https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action\\_plan\\_on\\_hate\\_speech\\_EN.pdf](https://www.un.org/en/genocideprevention/documents/advising-and-mobilizing/Action_plan_on_hate_speech_EN.pdf); see also United Nations Office on Genocide Prevention and the Responsibility to Protect, *Hate Speech Strategy*, accessible at: <https://www.un.org/en/genocideprevention/hate-speech-strategy.shtml>.

<sup>206</sup> United Nations General Assembly, *Resolution adopted by the General Assembly on 11 September 2015, International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and the Prevention of this Crime*, A/RES/69/323, New York: UN, 29 September 2015; see also United Nations, *International Day of Commemoration and Dignity of the Victims of the Crime of Genocide and the Prevention of this Crime 9 December*, accessible at: <https://www.un.org/en/events/genocidepreventionday/index.shtml>.



June), and the International Day Against the Use of Child Soldiers (12<sup>th</sup> of February).<sup>207</sup> For instance, when asked if his/her peace operation participates in these days, one respondent stated: “Yes, very much. Special news bulletin in all social medias, organising the days in the UN premises in presence of the governments’ line ministries and all relevant stakeholders including civil societies, youth and women groups.”<sup>208</sup> Moreover, a number of other respondents stated that their respective PIOs release awareness campaigns for these commemoration days, and issue statements condemning instances of identity-based violence in local languages across radio, TV, and social media.<sup>209</sup> However, a few of the respondents were unsure of the efficacy of these approaches.<sup>210</sup> As one respondent reflected:

the mission own [sic] broadcast system continuously broadcasted in local languages to mitigate social tensions. I can’t assess the percentage of the effectiveness but it had definite impact on reducing tensions. In my mind, many people don’t listen to radio broadcast [sic], this may be supplemented by the SMS in mobile phones.<sup>211</sup>

Based on this, this white paper recommends that PIOs might strengthen the atrocity prevention component of their communications by, for instance, raising greater awareness for international days of commemoration and making more frequent public statements condemning identity-based violence across all platforms. In addition to this, the PIOs might consider working with local communities and Community Liaison Assistances to determine which platform/s (such as radio, television, social media, public briefings, and/or SMS) have the greatest reach in their host country. PIOs might then seek to channel more atrocity prevention content into these mediums. In doing so, the PIOs might help to raise more awareness within the host country about the pressures faced by certain populations, and how communities might work together to build resilience against instances of violence.

- **PIOs may consider helping to arrange more frequent official visits by the UN Special Adviser on Prevention of Genocide and the Special Adviser on RtoP to field missions.** In situations where atrocity crimes are taking place, the UN can at times be the only reliable source of information. This renders strong and effective internal and public reporting essential to a timely and decisive response. According to the UN Joint Office, “in specific circumstances where information may be limited or not available, the Office may also undertake exploratory field missions to consolidate its analysis and understanding on specific situations of concern.”<sup>212</sup> Visits to field missions are an integral part of the UN Joint Office’s ability to grasp the complexities of situations at-risk of atrocities, particularly where access is restricted.<sup>213</sup> Indeed, the UN

<sup>207</sup> Respondent 3, Respondent 7, Respondent 8, Respondent 10, and Respondent 12, in response to the question: ‘Does your peace operation participate in International Days for the Elimination of Sexual Violence in Conflict (19 June), of Commemoration of the Victims of Genocide (9 December), or Against the Use of Child Soldiers (12 February)? If so, what type of activities are undertaken?’ Conversely, in response to the same question, Respondent 5 stated: “Not really, no. In fact, this year (2019), 09 December was overtaken by International Anti Corruption Day activities.”

<sup>208</sup> Respondent 12, in response to the question: ‘Does your peace operation participate in International Days for the Elimination of Sexual Violence in Conflict (19 June), of Commemoration of the Victims of Genocide (9 December), or Against the Use of Child Soldiers (12 February)? If so, what type of activities are undertaken?’

<sup>209</sup> Respondent 3 and Respondent 9, in response to the question: ‘Does your peace operation’s public information team release statements condemning instances of identity-based violence? If so, how often?’; Respondent 4, in response to the question: ‘Please provide examples of successful efforts that you might be aware of taken by your mission to prevent identity based violence.’; Respondent 5 and Respondent 12, in response to the question: ‘How effective has your peace operation’s public information team been in using strategic communications in support of strategies aimed at preventing identity-based violence, e.g. use statements and radio shows to tackle hate speech and mitigate societal tensions?’

<sup>210</sup> Respondent 9, in response to the question: ‘Does your peace operation’s public information team release statements condemning instances of identity-based violence? If so, how often?’; Respondent 12 and Respondent 13, in response to the question: ‘How effective has your peace operation’s public information team been in using strategic communications in support of strategies aimed at preventing identity-based violence, e.g. use statements and radio shows to tackle hate speech and mitigate societal tensions?’

<sup>211</sup> Respondent 12, in response to the question: ‘How effective has your peace operation’s public information team been in using strategic communications in support of strategies aimed at preventing identity-based violence, e.g. use statements and radio shows to tackle hate speech and mitigate societal tensions?’

<sup>212</sup> UNOGPR2P, ‘Methodology’.

<sup>213</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, ‘Advising and Mobilising’, 2020, accessible at: <https://www.un.org/en/genocideprevention/advising-and-mobilizing.shtml>; United Nations Office on Genocide

Joint Office states that “Special Advisers may...conduct advocacy missions to countries where their involvement is considered of particular value to address situations of concern before they escalate into further violence.”<sup>214</sup> However, as this white paper has highlighted, most of the respondents reported that they had not interacted with the UN Office on Genocide Prevention and the Responsibility to Protect, or the Special Advisers, in the course of their duties.<sup>215</sup> PIOs might therefore consider advocating for, and facilitating, more regular visits from the Special Advisers on the Prevention of Genocide and RtoP to UN Peace Operations. By supporting more visits from the Special Advisers, PIOs might be able to actively contribute to educating PO field staff on atrocity prevention. In a similar fashion, the Special Advisers, with the support of PIOs, might be able to leverage their authority to foster more open dialogues within the mission about the importance of monitoring, reporting, and sharing information concerning atrocities. This, in turn, might enable the mission to more effectively integrate atrocity prevention mechanisms into their mandate.

- **PIOs may aim to consistently utilise atrocity terminology, particularly the names of crimes, where applicable.** PIOs might amplify warnings of atrocities by referring *explicitly* to risks of genocide, war crimes, crimes against humanity, and ethnic cleansing. A number of respondents stated their PIOs frequently released statements condemning condemned instances of identity-based violence.<sup>216</sup> However, more effort might be taken to label such incidents as genocide, war crimes, crimes against humanity, and ethnic cleansing, where appropriate. For example, the deliberate killing of UN Peacekeepers should always be called a war crime. This is to highlight the gravity of the situation for the host population, the local government and the wider international community, and underline that such acts are unacceptable. A reformulation of terminology with reference to questions of identity might also benefit atrocity-prevention efforts. According to one respondent:

I do think the UN actually has to content [sic] better with how they conceive of identity. The alphabet soup of identity politics present in the Secretary-General’s International Day of Human Rights message this year is a good example of the lack of strong conceptualisation of identity.<sup>217</sup>

In short, in situations where governments or non-state actors have perpetrated or are planning to perpetrate atrocity crimes, it is incumbent on the UN Peace Operations PIOs to ensure that the Security Council and wider community “listens to what needs to be heard rather than what they want to hear.”<sup>218</sup> It might be helpful for PIOs to therefore consider integrating more atrocity specific terminology in their strategic communications.

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Prevention and the Responsibility to Protect, ‘Raising Awareness’, 2020, accessible at:

<https://www.un.org/en/genocideprevention/raising-awareness.shtml>.

<sup>214</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect, ‘Early Warning’, 2020, accessible at:

<https://www.un.org/en/genocideprevention/early-warning.shtml>.

<sup>215</sup> Respondent 1, Respondent 4, Respondent 5, Respondent 7, Respondent 8, Respondent 9, Respondent 10, Respondent 12, Respondent 13, in response to the question: ‘Have you previously interacted with the UN Office on Genocide Prevention and the Responsibility to Protect in the course of your ordinary responsibilities? If so, when and how?’ On the other hand, Respondent 2 and Respondent 3 have interacted with the office in their peace operations. Respondent 2, for instance, stated: “Yes. I have been invited to various meetings to brief on the prevention of violent conflict or we meet at other inter-agency meetings.”

<sup>216</sup> Respondent 3, Respondent 4, Respondent 5, Respondent 6, Respondent 9, Respondent 10, and Respondent 12, in response to the question: ‘Does your peace operation’s public information team release statements condemning instances of identity-based violence? If so, how often?’ For instance, Respondent 5 noted that: “Usually statements are released condemning bombing which are frequent but there are not many statements condemning, for example, sexual assaults committed by security forces.”

<sup>217</sup> Respondent 6, in response to the question: ‘Could there be a more efficient way of reporting risks of identity-based violence, in your opinion?’

<sup>218</sup> *Report of the Secretary-General’s Internal Review Panel on United Nations Action in Sri Lanka*, New York: UN, November 2012, para. 77.