SARPCCO GENERIC
UN/AU POLICE OFFICERS COURSE
Revised April 2009

Reader
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Acronyms

AAFC Allied Armed Forces of the Community (ECOWAS)
ACDS African Chiefs of Defence Staff
ACHPR African Charter on Human and People’s Rights
AFIS Automated Fingerprinting Identification System
AMIB African Mission in Burundi
AMIS African Mission in Sudan (Darfur)
AOC Asian Organised Crime
APRM African Peer Review Mechanism
ASF African Standby Force/Automated Search Facility (INTERPOL)
AU African Union
AU POL AU Police (ASF)
CADSP Common African Defence and Security Policy
CAPCO Central African Police Chiefs Organisation (INTERPOL)
CCC Command and coordination centre (INTERPOL)
CEDAW Convention on the Elimination of all Forms of Discrimination against Women
CESCR International Covenant on Economic, Social and Cultural Rights
CEWS Continental Early Warning System
CIMIC/CM Coord Civil-Military Coordination
CIVPOL Civilian Police
CMO Chief Military Observer
COPAX Council for Peace and Security in Central Africa
CPC Council of Police Chiefs
CPCD Counterfeit Payment Card Database
CRC Convention on the Rights of the Child
CSDB Counterfeit and Security Documents Branch (INTERPOL)
CSO Chief Security Officer
CSSDCA Conference on Security, Stability, Development and Cooperation in Africa
DANIDA Danish International Development Agency
DDR (RRR) Disarmament, Demobilisation and Reintegration (Repatriation, Rehabilitation, Reintegration)
DED Declaration on the Protection of All Persons from Enforced Disappearance
DFID Department for International Development (UK)
DFS Department of Field Support
DIIP Database on International Intellectual Property Rights
DPKO Department of Peacekeeping Operations
DUFF Directives on the Use of Force and Firearms
EAPCCO East African Police Chiefs Cooperation Organisation (INTERPOL)
EASBRIG East African Standby Brigade
ECCAS Economic Community of Central African States
ECHOC European Commission Humanitarian Aid
ECOMICI ECOWAS Mission in Côte d’Ivoire
ECOMIL ECOWAS Mission in Liberia
ECOSOC Economic and Social Council
ECOWAS Economic Community of West African States
ERF Emergency Relief Fund
FC Force Commander
FIND Fixed INTERPOL network database
Acronyms

FOC Full Operating Capacity
FPU Formed Police Unit

GPS Global Positioning System
HC Humanitarian Coordinator
HOM Head of Mission

IACA INTERPOL-UNODC Anti-Corruption Academy
IACO INTERPOL Anti-Corruption Office
IAEA International Atomic Energy Agency
IAEWG INTERPOL AFIS Working Group
IASC Humanitarian Inter-Agency Standing Committee
ICAD INTERPOL Child Abuse Image Database
ICAO International Civil Aviation Organisation
ICC International Criminal Court
ICCR International Criminal Tribunal for Rwanda
ICTY International Criminal Tribunal for the former Yugoslavia
IDP Internally Displaced Person
IGAD Inter-Governmental Authority on Development
IGEC INTERPOL Group of Experts on Corruption
IHL International Humanitarian Law
IIPCAG INTERPOL Intellectual Property Crime Action Group
IIPTP INTERPOL International Police Training Programme
IMLASS INTERPOL Money Laundering Automated Search Services
IMO International Maritime Organisation
IMPP Integrated Mission Planning Process
INTERPOL International Criminal Police Organisation
IOC Initial Operating Capacity
IPSIG INTERPOL General Secretariat
IRP Intellectual Property Rights
IRT Incident Response Team
ISAF International Security and Assistance Force
ISDSC Interstate Defence and Security Committee
ISPDG Interstate Politics and Diplomacy Committee
ISSOL INTERPOL Standard Set of Loci
IWeTS INTERPOL Weapons Electronic Tracing System

JAHC Joint African High Command
JEM Justice and Equality Movement
JMC Joint Monitoring Committee

LEA Law Enforcement Agency
LOAC Law of Armed Combat
LSC Legal Sub-Committee

MCDU Military and Civil Defence Unit
MILOB Military Observer
MIND Mobile INTERPOL network database
MINURSO UN Mission for Referendum in Western Sahara
MINUSTAH UN Stabilisation Mission
MONUC UN Mission in the Democratic Republic of the Congo
MoU Memorandum of Understanding
MSC Military Staff Committee
MSF Médicins sans Frontières

NCB National Central Bureau (INTERPOL)
NEPAD New Partnership for Africa’s Development
NGO Non-Governmental Organisation

OAU Organisation of African Unity
OCCLA OAU Coordinating Committee for the Liberation of Africa
OCHA Office of the Coordination of Humanitarian Affairs
OGA Office of Gender Affairs
OHCHR Office of the High Commissioner for Human Rights
OPDS Organ on Politics, Defence and Security Cooperation (SADC)
OROLSI Office of the Rule of Law and Security Institutions
OSCE Organisation for Security and Cooperation in Europe
OSRG Office of the Special Representative of the Secretary-General
Oxfam Oxford Committee for Famine Relief

PAFMECSA Pan-African Movement for East, Central and Southern Africa
PAP Pan-African Parliament
PASU Policy Analysis Unit
PATTEC Pan African Tsetse and Trypanosomiasis Eradication Campaign
PBPU Peacekeeping Best Practice Unit
PCC Permanent Coordinating Committee
PCC Police Contributing Country
PDI Principles for the Protection of All Persons under any Form of Detention or Imprisonment
PKO Peacekeeping Operation
PLANELM Planning Element
PMSS Personnel Management Support Services
PRC Permanent Representative Council
PSC Peace and Security Commission Council (AU)
PSO Peace Support Operation
RB Regional Bureau
RB Regional Bureau (INTERPOL)
RC Resident Coordinator
RCC Regional Coordinating Committee
REC Regional Economic Community
ROE Rules of Engagement
SADC Southern African Development Community
SADCBRIG SADC Brigade
SARPCCO Southern African Police Chiefs Cooperation Organisation (INTERPOL)
SAT Selection Assistance Team
SCR Security Council Resolution
SHIRBRIG Standby High Readiness Brigade
SIPO Strategic Indicative Plan for the Organ
SLTD Stolen/Lost Travel Documents
SMR Standard Minimum Rules for the Treatment of Prisoners
SOFA Status of Force Agreements
SOMA Status of Mission Agreement
SOP Standard Operating Procedure
SPC Standing Peace Capacity
SPU Specialised Police Units
SRSG Special Representative of the Secretary-General
STM Standard Training Module
TCC Troop Contributing Countries
TES Training and Evaluation Services
TSC Training Sub-Committee
UDHR Universal Declaration of Human Rights
UNAMID African Union-United Nations Hybrid Operation in Darfur
UNAMIR United Nations Assistance Mission for Rwanda
UNAMSIL United Nations Mission in Sierra Leone
UNDP United Nations Development Programme
UNFICYP United Nations Peacekeeping Force in Cyprus
UNHCR United Nations High Commissioner for Refugees
UNICEF United Nations Children’s Fund
UNMEE UN Mission in Ethiopia-Eritrea
UNMIBH UN Mission in Bosnia-Herzegovina
UNMIK UN Interim Administration Mission in Kosovo
UNMIL United Nations Mission in Liberia
UNMISET United Nations Mission of Support in East Timor
UNMO UN Military Observer
UNOB United Nations Operation in Burundi
UNOCI UN Operation in Côte d’Ivoire
UNODC UN Office on Drugs and Crime
UNPOL UN Police
UNSAS UN Standby Arrangements System
UNTAC United Nations Transitional Administration in Cambodia
UNTAG United Nations Transition Assistance Group
UNTSO United Nations Truce Supervision Organisation
UNV United Nations Volunteer
USAID United States Agency for International Development
USG Under-Secretary-General
UTM Universal Transverse Mercator
UXO Unexploded Ordinance
VCCCT Voluntary Confidential Counselling and Testing
WAPCCO West African Police Chiefs Committee (INTERPOL)
WFP World Food Programme
WHO World Health Organisation
WNC Women’s Network Committee
Glossary

**MODULE 1**

**Fugitives**
Persons on the wanted lists of national jurisdictions or INTERPOL

**I-24/7**
State-of-the-art global communications system: INTERPOL, 24 hours a day, 7 days a week

**Organised crime**
Crimes conducted by organised groups across several countries, such as trafficking in human beings, weapons and drugs, armed robbery, counterfeiting and money laundering

**MODULE 2**

**Constitutive Act of the African Union**
The constitution is an international treaty with member states as signatories. The AU functions in accordance with the key principle of sovereign equality and interdependence among its member states

**General Assembly**
The central organ and main deliberative body of the UN (and INTERPOL)

**Human rights**
A wide range of freedoms and liberties that an individual enjoys in his/her relations with other individuals or with his/her state. These are inherent rights of human beings and cannot be waived

**International Court of Justice**
Also known as the World Court; the main judicial organ of the UN, open to all states that are parties to its statutes

**Mandate**
The mandate describes the goal or end state of the mission. This mandate must be clearly stated unambiguously

**Modern peacekeeping**
Multifaceted operations, where the military remain the backbone of the mission, but a large number of civilian personnel work alongside it. Peacekeepers work closely together with other organisations in the mission

**MoU**
A memorandum of understanding is an agreement between the UN and the force-contributing nation

**Peacebuilding**
This is performed in the aftermath of conflict. It is critical for the identification and support of measures and structures that will promote peace and build trust and interaction among former warring factions, in order to avoid relapse into conflict

**Peace enforcement**
When all other efforts fail, chapter VII of the UN Charter provides for authority for this. It includes use of armed force to maintain or restore international peace and security where the Security Council has determined the existence of a threat to peace, breach of peace or act of aggression

**Peacekeeping**
This is performed by UN presence in the field (normally military and civilian personnel) with consent of conflicting parties. They implement or monitor the implementation arrangements such as ceasefires, and
separation of forces, and ensure safe delivery of humanitarian relief. In modern peacekeeping, other regional organisations, within the framework of chapter VII of the UN Charter, also undertake peacekeeping.

**Peacemaking**
Diplomatic action aimed at bringing hostile parties to a negotiated agreement through peaceful means such as those under chapter VI of the UN Charter.

**Preventive diplomacy**
Action to prevent disputes from developing between parties, to prevent existing disputes from escalating into conflict, and to limit the expansion of these when they occur.

**Rules of engagement / Directives on the use of force and firearms**
In the context of UN peacekeeping operations, rules of engagement (ROE) are sets of directions which determine when, where, and how the police or the military shall use force in a peacekeeping context. In the police, they are sometimes referred to as ‘directives on the use of force and firearms’.

**Sovereignty**
The political power a nation has to govern itself or freedom from outside interference and the right to self-government. In recent years, it has been argued that state sovereignty also implies a primary responsibility for the protection of civilian populations within a country.

**Traditional peacekeeping**
Operations in the aftermath of inter-state conflicts, involving mostly buffer-zone operations and the monitoring of ceasefire and armistice lines. Initially, military forces mainly undertook this operation. However, modern peacekeeping is multi-dimensional and involves the police and civilian components.

**United Nations Charter**
The charter is an international treaty with member states as signatories. ‘The organisation is based on the principle of sovereign equality of its members’.

**MODULE 3**

**Induction training**
This training is usually conducted in the mission area, prior to the deployment of personnel to their respective sectors, groups, units, sites and station areas. It involves clear briefings about the mission area and other role players participating in the mission. Those who did not undergo the UN SAT (selection assistance team) evaluation in their home country will usually do the evaluation at the mission area.

**Pre-mission training**
This is a mission-specific course that focuses on the police officers’ particular mission. It encompasses the basic information about the mission area, eg location, climate, culture, and diseases.

**SMART concept**
Supporting, Monitoring, Advising, Reporting, and Training.

**UN Police Officers Course**
UNPOC is a comprehensive course that equips a police officer with the necessary knowledge and skills on how missions are conducted. It usually lasts for a week or two. SARCCO regional courses are conducted over two weeks.

**MODULE 4**

**Access**
The power and status of members of the community who make decisions on how to use the results and share their benefits.

**Basic stress**
Basic stress is minor stress experienced by every person in daily situations that may produce tension, frustration, irritation and anger, among others.

**Culture**
People’s way of life. It includes customs, arts, music, language, gestures, norms, and social institutions acquired as they grow up.

**Culture shock**
An individual’s natural response as a result of changes from his or her own national and ethnic environment to another, in which some disorientation or discomfort occurs.

**Cumulative stress**
Cumulative stress is the result of strain that occurs too often, lasts too long, and is too severe to deal with.
Gender bias
The inability to perceive that there are differences in gender roles, and in responsibilities among and between groups of men, women, boys and girls, and that policies, programmes, projects, conflicts, operations, missions and personal actions can have different impacts on them.

Impartiality
Impartiality implies ‘fairness’, ‘objectivity’ and ‘unbiasedness’. One party is not favoured over another.

Losing face
Undermining status and authority, usually in public.

Post-traumatic stress
Reactions to stressful situations that appear after a few hours, a few days or a few months.

Team
A group of people working together towards a common goal.

Team building
The process of enabling that group of people to reach their common goal.

Traumatic stress
Stress occurring as a result of a single, sudden assault that harms or threatens an individual or someone close to him or her, physically or psychologically.

Disarmament
The collection, control and disposal of small arms, ammunition, explosives and light and heavy weapons after hostilities have ceased. Disarmament includes the development of responsible arms management programmes.

Interests
Problems, concerns, needs, fears, expectations, hopes or desires that are often true motivators for a particular position held in negotiation.

Negotiation
A process of communication in which two or more conflicting parties strive to reach a mutually binding agreement. An exchange of structured information between conflicting individuals or parties with vested interests or a source of gain to which each individual or party considers him/her/itself entitled by custom and right.

Positions
Demands or stance held with regard to a particular issue in negotiation.

Reintegration
A programme or set of measures provided to former combatants that will increase the potential for their economic and social reintegration into civil society as well as that of their families.

Relief operations
Emergency interventions that are short-term measures meant to provide immediate relief to the needy. These include the provision of shelter, food and medical services.

United Nations Coordination
The system of interaction, involving exchange of information, negotiation, de-confliction, mutual support and planning at all levels between military elements (including police) and humanitarian organisations, development organisations or the local civilian population, to achieve their objectives.

UN country team
A team composed of heads of funds, programmes and specialised agencies of the UN in a particular country.

Module 5
Civil affairs projects
Projects with a humanitarian component.

Conflict
The opposition of the interests, opinions or purposes of individuals or groups. A fight, a collision; a struggle; a contest; opposition of interest or purposes; mental strife or struggle.

Demobilisation
The process of downsizing or completely disbanding armed forces, government and/or opposition or factional forces, as part of a broader transformation process from war to peace.

Development
Long-term measures that involve rebuilding the country’s infrastructure. These include restoration of public utilities such as power, water, sewerage and telephones.

Module 6
Domestic terrorism
Part of the internal sovereign affairs of a state, referring to nationals or permanent residents of a given country.
committing or planning terrorist acts within the borders of that country, without external involvement

**HIV and AIDS**
- **HIV:** Human Immunodeficiency Virus
- **AIDS:**
  - Acquired. The virus is passed from one person who is infected to another person
  - Immune, referring to the body’s immune system. The system contains soldier cells that protect the body from disease. The HIV virus attacks and kills those soldier cells
  - Deficiency, meaning lacking or not having enough soldier cells to protect the body against infections. The HI virus enters the body and acts like a sniper, hidden for as long as it takes to weaken the immune system. Over time, the body’s soldier cells are killed, and the immune system becomes too weak to protect the person from disease, so the person carrying HIV becomes sick
  - Syndrome, or a group of signs and symptoms associated with a particular disease or condition that occur together

**International terrorism**
Terrorist acts, planned or otherwise, involving terrorists who act independently of or are sponsored by their governments in committing terrorism in a foreign country

**Mine awareness**
A process that encourages populations and communities to become involved in awareness programmes, rather than an imposed solution. This involves information sharing, teaching, and identifying ways to avoid traversing mined areas

**Personal hygiene**
The effect that physical factors in the environment (outside your own body) can have on your health and physical wellbeing. Personal hygiene is your own contribution to preventing disease, which may affect you or others

**STOP**
Stop and warn; Think and assess the situation; Orientate and report; Plan and prepare

**MODULE 7**

**Arbitrary arrest and detention**
Deprivation of liberty, without legal reason or process, by an act of government or with its complicity, tolerance or acquiescence

**Arrest**
Act of apprehending a person for the alleged commission of an offence or by action of an authority

**Customary law**
Customary international law is international law that develops through the general and consistent practice of states, followed because of a sense of legal obligation

**Detention**
Depriving a person of his/her liberty without a result of conviction

**Extradural execution**
Unlawful and deliberate killings, carried out by order of a government or with its complicity or acquiescence

**Genocide**
Human rights violation crime committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group

**Human rights**
A wide range of freedoms and liberties that an individual enjoys in his/her relations with other individuals or with his/her state. These are inherent rights of human beings and cannot be waived

**Imprisonment**
Depriving a person of his/her liberty as a result of a conviction of an offence by court

**Internally displaced persons**
Those who have been forced to flee their homes or places of habitual residence suddenly or unexpectedly, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, and who have not crossed an internationally recognised state border

**Refugee**
A person who, owing to a well-founded fear of persecution on the grounds of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable or, owing to such fear, unwilling to return to his/her country of origin

**Treaty law**
Treaty law includes the law of human rights as set out in many international agreements collectively developed, signed and ratified by states. Some of these treaties cover whole sets of rights
Glossary

Victims of crime
Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within the state, including laws proscribing criminal abuse of power

Victims of human rights violations
Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of international recognised human rights norm

Violence against women
Any act of gender-based violence that results in (or is likely to result in) physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion and arbitrary deprivation of liberty

MODULE 8

Call sign
A group of letters and numbers issued by a government (regulating) authority to identify a station

Channel
Frequencies programmed into the transceiver to transmit and receive signals on the air

Fixed-base station
A transceiver that is permanently installed and cannot be moved without significant effort. It consists of a transceiver, a power supply, and an antenna, control and accessory devices, ancillary equipment and appropriate connecting cables

Frequency
The number of cycles per second of a radio wave, usually expressed in kilohertz (kHz)

Handset
A hand-held device that is used to control the functions of a transceiver. It consists of a microphone, PTT (push-to-talk; also known as press-to-transmit) button, display and keypad

Mobile station
A station that is usually mounted in a vehicle or is portable and easily transportable. It consists of a transceiver, power supply, antenna, control and accessory devices, ancillary equipment and appropriate connecting cables

Network
Two or more stations that use the same frequencies and call system to communicate

Station
A point of communication consisting of a transceiver, a power supply, an antenna, ancillary equipment and appropriate connecting cables

Transceiver
An RF unit, handset, speaker and appropriate connecting cables

Units and conversions
- 1 kilometre = 1 000 metres
- 1 metre = 100 centimetres
Introduction

The standardised generic UN Police Course (UNPOC) course curriculum, training manual and participants' reader were originally developed for SARPECO. The product was developed by a task team convened in February 2004 (Malawi) and June 2004 (Mozambique), followed by a pilot course in December 2004 (South Africa). Under the skilled chairmanship of Malawi, expert police trainers with previous UN experience from Botswana, Malawi, Mozambique, South Africa, Zambia and Zimbabwe shared their experiences and lessons learned, and assisted with the development of the training package before you.

After several years of existence, and in the light of fast-changing developments in peacekeeping by the UN, the AU and the international community, the product became outdated and was in need of revision.

This particular product was adopted for use by SARPECO after review, updating and editing by a SARPECO task team comprising S/Supt David Rapula (Botswana); ACP Hannings Mlotha (Malawi), ACP Josiah Kantheji and ACP Evalista Chisale; Capt I G Govender (South Africa); and CP Josephine Shambare (Zimbabwe). The work of the team was facilitated by the staff of the ISS/TIP, namely Festus Aboagye, head of the programme, and Xavier Ejoyi and Andrews Atta-Asamoah, researchers at the ISS/TIP in Nairobi.

In keeping with the original idea, the training material reflects the generic guidelines developed by the UN Integrated Training Service (then the Training and Evaluation Service (TES)). Many of the modules continue to be based on the provisions of the UN Standardised Generic Training Modules (SGTMs), or Standard Training Module (STM) 1. The package includes perspectives on regional peacekeeping. Thus, the value-added of the SARPECO course and training materials, in essence, will be their regional relevance and the additional focus placed on identified requirements and needs.

Ultimately, the objective of the SARPECO UNPOC training package is to support the increasing demand for trained quality regional police for UN, AU and regional peace support operations. The UNPOC training materials – developed for and by the region – aim to significantly improve and sustain the quality of deployed regional police, and to motivate member states to increase the quantity of police currently participating in peace support operations.

The commonalities between the SARPECO product and that of the Eastern Africa Police Chiefs Cooperation Organisation (EAPCCO) are expected to yield greater standardisation of peacekeeping training.
How to use this reader

This SARPCCO Generic UN Police Officers Course manual is based on the UN’s Standardised Training Modules (SGTMs) or Standard Training Module (STM) 1. The reader is therefore meant to be handy generic reference material for participants of the SARPCCO UNPOCs, and for deployed peacekeepers or those likely to be deployed under the auspices of the AU or the UN.

The reader is organised in nine chapters, covering elements of the SGTMs/STMs and other associated subjects, such as INTERPOL and the AU system. Each chapter is divided into sections. The sections focus on the sub-topics which make up each module. Sections are preceded by an outline, notably the aim and objective(s), and end with an exercise.

For coherence and ease of understanding, users of this reader should familiarise themselves with the aims and objectives of each section and attempt to answer the section exercise after reading. Although sections may be read as standalone topics, users should read these sections in conjunction with others, especially those of the same chapter/module.

The reader has been expanded to include details of the AU System for a number of reasons, including the increasing contribution of African peacekeepers under UN auspices, as well as the growing deployment of African missions under the auspices of the AU and/or African regional organisations. Users deploying to AU-mandated missions should benefit a great deal from familiarity with this resource.

In the case of trainers/facilitators of UNPOC, the reader should be used in conjunction with the UN SGTMs/STMs, which provide the structure for a more thorough facilitation of these chapters/modules.

Finally, facts and figures pertaining to AU and UN peacekeeping change very rapidly because of the dynamic nature of the peacekeeping environment. All users, whether participants or facilitators, should therefore update such material periodically with data from the AU and the UN.
Performance assessment

Participants of the UNPOC are evaluated to determine their level of knowledge at the beginning and at the end of the course. The main evaluation tests administered on the UNPOC consist of:

- **Diagnostic test**: The diagnostic test comprises a set of questions to determine the level of the participant’s knowledge before the course begins. It helps the individual participant, as well as his/her facilitators, to ascertain the sections of the course where participants have gained sufficient understanding, and other areas where they have difficulties in comprehension. This helps facilitators/trainers to decide which sections of the course require particular emphasis. This test will always take place on day 1 and period 1 of the UNPOC.

- **Assimilation tests I and II**: Two types of assimilation tests are conducted: during and at the end of the course. Generally, test I should be taken towards the end of week 1 and test II towards the end of week 2.

- **Selected presentations**: In addition to the two assimilation tests, participants on the UNPOC Trainers Course will give a short presentation on a topic that is balloted during the course. Details of the topics will be provided in the invitation letters from the INTERPOL regional bureaus. Selected topical presentations will not be made on the UNPOC Clinic, as the trainee participants will be responsible for presenting the UNPOC modules.

- **Selection for the UNPOC Clinic**: The results of the assimilation tests, when compared with the diagnostic test, give an idea of the extent of the knowledge gain by participants. Overall, however, the total performance of participants on the UNPOC Trainers is used to select those who score above the course average to attend the UNPOC Clinic. The UNPOC Clinic provides such potential trainers with a platform to improve their knowledge of peacekeeping and the skills in conducting the UNPOC nationally.

- **Peer rating**: Additionally, in the UNPOC Clinic, a peer rating exercise will be done for all participants drawn from the previous UNPOC Trainers. Other participants on the clinic, such as those for standby or peacekeeping deployment training, will take part in the exercise, but only participants who were drawn from the UNPOC Trainers will be graded. In peer rating, participants assess one another’s performance and facilitation skills.
MODULE 1

History and functions of INTERPOL and SARPCCO
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SECTION 1

Background to INTERPOL

INTRODUCTION

INTERPOL is the acronym for the International Criminal Police Organisation, or ICPO. INTERPOL dates back to April 1914 when the First International Police Congress was held in Monaco. At this congress, police officers and legal experts from 14 countries and territories studied the possibility of establishing an international criminal records office, as well as harmonising extradition procedures.

The outbreak of World War I prevented further progress. The Second International Police Congress met in Vienna, Austria, in 1923, and set up the International Criminal Police Commission (ICPC).

After World War II, a conference was held in Brussels to reactivate the ICPC, and the whole concept of international police cooperation was revived.

Created in 1923, to date INTERPOL has 187 member countries. Its headquarters, the General Secretariat, are located in Lyon, France.

Vision

INTERPOL exists to help create a safer world. Its aim is to provide a unique range of essential services for the law enforcement community to optimise the international effort to combat crime.

Mission

To be the world’s pre-eminent police organisation in support of all organisations, authorities and services whose mission is preventing, detecting, and suppressing crime. It seeks to achieve this by:

- Providing both a global perspective and a regional focus
- Exchanging information that is timely, accurate, relevant and complete
- Facilitating international cooperation
- Coordinating joint operational activities of its member countries
- Making available know-how, expertise and good practice
It will act on the basis of the articulated demands and expectations of these organisations, authorities and services, while remaining alert to developments, in order to anticipate future requirements.

**FUNCTIONAL GUIDELINES OF INTERPOL**

**Purpose of INTERPOL**

Under article 2 of the organisation’s constitution, INTERPOL’s aims are:

- To ensure and promote the widest possible mutual assistance among all criminal police authorities, within the limits of the laws existing in the different countries and in the spirit of the Universal Declaration of Human Rights
- To establish and develop all institutions likely to contribute effectively to the prevention and suppression of ordinary law crimes

The limits of its operation are laid down in article 3.

It is strictly forbidden for the organisation to undertake any intervention or activities of a political, military, religious or racial character.

According to the interpretation given to article 3, a political offence is one which is considered to be of a predominantly political nature because of the surrounding circumstances and underlying motives, even if the offence itself is covered by the ordinary criminal law in the country in which it was committed. This interpretation, based on the predominant aspect of the offence, is embodied in a resolution adopted by INTERPOL’s General Assembly in 1951.

In addition, a resolution adopted in 1984 states that in general, offences are not considered political when they are committed outside a conflict area, and when the victims are not connected with the aims or objectives pursued by the offenders.

**Cooperation principles**

International police cooperation with INTERPOL has always been conducted in accordance with these guiding principles:

- *Respect for national sovereignty*: Cooperation is based in the actions taken by police forces in the member states. They operate and cooperate within their own national boundaries in accordance with their own national laws
- *Enforcement of ordinary criminal law*: The organisation’s field of activities is limited to crime prevention and law enforcement in connection with ordinary criminal offences. This is the only basis on which there can be agreement among all member states
- *Universality*: Any member state may cooperate with any other, and cooperation must not be impeded by geographical or linguistic factors
- *Equality of all member states*: All member states are provided with the same services and have the same rights, irrespective of the size of their financial contributions to the organisation
- *Cooperation with other agencies*: Cooperation is extended through the national central bureaus (NCBs) to any government agency concerned with combating ordinary criminal offences.
Flexibility of working methods: Although governed by principles designed to ensure regularity and continuity, working methods are flexible enough to take account of the wide variety of structures and situations in different countries. Respect for these principles means that INTERPOL cannot have teams of detectives with super-national powers who travel around investigating cases in different countries. International police cooperation has to depend on coordinated action by the police forces of the member states, all of which may supply or request information or services on different occasions.

STRUCTURE OF INTERPOL

The current structure of INTERPOL headquarters comprises the General Assembly, Executive Committee and INTERPOL General Secretariat (IPSG), headed by the secretary general. At INTERPOL headquarters, the directorates of Specialised Crimes, Operational Police Support, Information Systems and Technology, Administration, Finance, and Communication and Publications are the functional units, along with the Legal Counsels Office.

INTERPOL’s constitution (article 32) requires each member country to appoint a body to operate as a national focal point for international law enforcement cooperation within the INTERPOL framework. This body is called the NCB. The NCBs in each country, along with their INTERPOL liaison offices in various states, are the most important field units of this structure.

Governance management

Article 5 of the constitution stipulates that INTERPOL shall comprise the General Assembly, the Executive Committee, the General Secretariiat, and the NCBs [and] the advisors.

The General Assembly is its supreme governing body. It is composed of delegates appointed by the governments of member countries and meets once a year. The General Assembly takes all the major decisions affecting general policy, the resources needed for international cooperation, working methods, finances and programmes of activities. It also elects the organisation’s Executive Committee.

The Executive Committee meets three times a year and has 13 members: the president, three vice presidents, and nine delegates. These members are elected by the General Assembly and should belong to different countries.

Figure 1.1 Structure of INTERPOL
The role of the Executive Committee is to:

- Supervise the execution of the decisions of the General Assembly
- Prepare the agenda for sessions of the General Assembly
- Submit to the General Assembly any programme of work or project which it considers useful
- Supervise the administration and work of the secretary general

The secretary general is the organisation’s chief full-time official. He or she is responsible for seeing to it that the day-to-day work of international police cooperation is carried out, and that decisions taken by the General Assembly and Executive Committee are implemented.

Advisors: If required, INTERPOL can call on experts in a purely advisory capacity, at the request of the Assembly, the Executive Committee, the president or the secretary general. Currently there are no advisors.

National central bureaus

Each member country maintains an NCB to increase communications and cooperation within the international law enforcement community. The NCB, staffed by highly trained law enforcement officers, is the designated contact point for the General Secretariat and other member countries requiring assistance with transnational investigations and the location and apprehension of fugitives. The NCB is also the national contact point for international enquiries. By virtue of an NCB, communication can be exchanged, and service standards can be followed in order to set forth best practices. Effective communication between NCBs facilitates and enhances the collaborative efforts of law enforcement in fighting terrorism and all other types of transnational crime.

Regional bureaus

INTERPOL has six regional bureaus (RBs), which are permanent departments of the General Secretariat (see article 25 of the constitution). These were established to bring the General Secretariat closer to the regions.

The RBs are Abidjan (serving West Africa), Buenos Aires (South America), Harare (Southern Africa), Nairobi (East Africa) and San Salvador (Central America). In addition there is the Liaison Office in Bangkok (LoBANG), serving South East Asia. Another RB is to be opened in Yaoundé (Central Africa).

The duties of the RBs are the same as those of the General Secretariat, but each RB deals with regional issues, based on its geographical proximity, since it is best placed to provide the most appropriate response in any particular situation.

INTERPOL regional bureaus and the police chiefs organisations in Africa

The work and productivity of the police chiefs organisations (PCOs) is greatly enhanced by services rendered by the RBs, where they have been designated to provide such services. The RBs are staffed by law enforcement agencies from member countries of the PCO.
The RBs carry out regional operational activities, serve as regional training centres, and possess crime analysis capabilities.

The use of RBs as the secretariat to PCOs has proved to be good practice for more than ten years.

Over the years, African PCOs – such as the Central African Police Chiefs Organisation (CAPCO), East African Police Chiefs Cooperation Organisation (EAPCCO), Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO), and West African Police Chiefs Committee (WAPCCO) – have attained enormous success and continue to grow from strength to strength.

SARPCCO is the short form for the Southern African Regional Police Chiefs Co-Operation Organisation. It dates back to 1 August 1995, when police chiefs from twelve Southern African countries met at Victoria Falls, Zimbabwe, to seek practical ways by which regional law enforcement agencies could cooperate to facilitate cross-border anti-crime operations at sub-regional level. The organisation is open to membership by other countries.

SARPCCO’s objective is to prevent, detect and suppress trans-national organised crime in the Southern Africa region.

The INTERPOL Regional Bureau in Harare was established in 1997. The RB Harare/SARPCCO Secretariat serves as an extension of the General Secretariat. It promotes the objectives of INTERPOL and SARPCCO through coordinating the exchange of intelligence, operational support, sharing good practices, training, conferences, meetings, workshops, and monitoring the implementation of international and regional strategies and decisions in the Southern African region. The RB also coordinates meetings, conferences, trainings, workshops and other activities of the thirteen SARPCCO member states. (Mauritius joined later.)

The role of RB Harare is to make possible the most effective international law enforcement cooperation in the Southern African sub-region and throughout the world in conformity with the constitution of INTERPOL by:

- Facilitating the timely exchange of information and intelligence between the NCBs in the sub-region and beyond, other regional bureaus and the INTERPOL General Secretariat, Lyon
- Collecting, collating and analysing information from the sub-region and disseminating intelligence to member countries
- Coordinating the identification of specialised regional training needs and the delivery of relevant courses
- Providing general secretariat services for SARPCCO
- Assisting in sourcing funding for INTERPOL and SARPCCO training activities, joint operations and meetings
Coordinating and providing operational support to INTERPOL and SARPCCO joint operations

**INTERPOL PRIORITY CRIME FOCUS**

**Terrorism and public safety**

Terrorism poses a grave threat to the lives of individuals and national security around the world. INTERPOL has therefore made various resources available to support member countries in their efforts to protect their citizens from terrorism, including bio-terrorism; firearms and explosives; attacks against civil aviation; maritime piracy; and weapons of mass destruction.

INTERPOL collects, stores, analyses and exchanges information about suspected individuals and groups and their activities. The organisation also coordinates the circulation of alerts and warnings on terrorists, dangerous criminals and weapons threats to police in member countries. A chief initiative in this area is the Fusion Task Force (FTF), which was created in the aftermath of the 11 September attacks in the United States.

To help member countries report terrorist activity, INTERPOL has issued practical guidelines on the type of information required. Member countries are also encouraged to report on other crimes which may be linked to terrorism, such as suspicious financial transactions, weapons trafficking, money laundering, falsified travel and identity documents, and seizures of nuclear, chemical and biological materials.

The growing possibility of terrorists launching attacks with biological or chemical weapons is a particularly urgent concern. A dedicated bio-terrorism unit at the General Secretariat implements projects with the close cooperation of NCBs and regional offices.

INTERPOL hosted two successful international bio-terrorism conferences in 2004 and 2005, which brought together hundreds of senior police officials and experts from specialised fields to share expertise and devise strategies to counter the threat.

**Drugs and organised crime**

Drug abuse and the problems associated with it continue to increase in most parts of the world. The global abuse of drugs and the drug trafficking situation is becoming more complex, in part owing to political and economic changes around the world which have led to increasingly open borders between many countries.

These include:

- The emergence of a more affluent class of drug abuser with higher disposable income to spend on so-called recreational drugs
- A rise in demand for and availability of almost all types of controlled substances
- Cultural changes brought about by globalisation and rapid communications

The drug trade involves growers, producers, couriers, suppliers, dealers and users, and affects people in almost all INTERPOL member countries.

Drug trafficking is frequently linked to other serious crimes, such as people smuggling, organised prostitution and travel-document counterfeiting. It is often
cited as a means of financing the more violent and destructive activities of criminal and terrorist organisations, because of the major cash benefits derived from relatively minimal time and investment.

INTERPOL’s primary drug-control role is to identify new drug trafficking trends and criminal organisations operating at international level and to assist all national and international law enforcement bodies concerned with countering the illicit production, trafficking and abuse of cannabis, cocaine, heroin and synthetic drugs by:

- Collecting and analysing data from member countries for strategic and tactical intelligence reports and disseminating these reports to the countries concerned
- Responding to and supporting international drug investigations
- Helping to coordinate drug investigations involving at least two member countries
- Organising operational working meetings between two or more member countries where INTERPOL has identified common links in cases being investigated in these countries
- Organising regional or global conferences on specific drug topics, the aims of which are to assess the extent of the particular drug problem, exchange information on the latest investigative techniques, and strengthen cooperation within law enforcement communities

INTERPOL maintains close liaison with national law enforcement agencies and non-governmental organisations (NGOs) that have a counter-drug mandate. Information gathered and assessed by these NGOs is valuable in creating a more comprehensive assessment of drug trafficking and abuse issues.

Organised crime

Definitions of what constitutes organised crime vary widely from country to country. Organised groups are typically involved in many types of criminal activity spanning several countries. These activities may include trafficking in human beings, weapons and drugs, armed robbery, counterfeiting and money laundering.

INTERPOL acts as a central repository for professional and technical expertise on transnational organised crime and as a clearinghouse for the collection, collation, analysis and dissemination of information relating to organised crime and criminal organisations. It also monitors the organised crime situation globally and coordinates international investigations.

INTERPOL’S mission is to enhance cooperation among member countries and stimulate the exchange of information between national and international enforcement bodies concerned with countering organised crime groups and related corruption. Drawing on the wide investigative and analytical experience of its multinational staff, INTERPOL helps its member countries:
- Identify, establish and maintain contacts with experts in the field
- Monitor and analyse information related to specific areas of activity and criminal organisations
- Identify major criminal threats with potential global impact
- Pursue strategic partnerships with various organisations and institutions
- Assist in finding solutions to problems encountered by law enforcement agencies (LEAs)
- Evaluate and exploit information received at the General Secretariat from NCBs, LEAs, open sources, international organisations and other institutions
Section 1 Background to INTERPOL

- Monitor open-source information and reports
- Initiate, prepare and participate in programmes to improve the international sharing of information
- Promote and carry out joint projects with other international organisations and institutions active in specific crime areas
- Research, develop and publish documents for investigators
- Provide support to member countries in ongoing international investigations on a case-by-case basis

This enables links to be made between transnational organised crime cases that would otherwise seem unrelated and then explored by national administrations. A special project is initiated when it has been established that there is potential for further development.

INTERPOL projects currently target organised crime in five areas of high activity:

- Project Millennium: Targeting Eurasian criminal organisations
- Project AOC: Targeting Asian criminal organisations
- Project Scream: Targeting serial murders and rapists
- Project Bada: Targeting maritime piracy
- Project Pink Panthers: Armed jewellery robberies committed by nationals of former Yugoslavia

**Trafficking in human beings**

INTERPOL aims to end the abuse and exploitation of human beings for financial gain. Women from developing countries and young children all over the world are especially vulnerable to trafficking, smuggling and sexual exploitation.

Trafficking in women for sexual exploitation is a multi-billion-dollar business that involves citizens of most countries and helps sustain organised crime. A violation of human rights, it destroys the lives of its victims.

Human trafficking is distinct from people smuggling in that it involves the exploitation of the migrant, often for forced labour and prostitution.

People smuggling implies procuring the illegal entry of a person into a state of which he or she is not a citizen or a permanent resident for financial or material gain. Criminal networks that smuggle and traffic in human beings for financial gain increasingly control the flow of migrants across borders.

Child sexual exploitation on the Internet ranges from posed photos to visual recordings of brutal sexual crimes. One of INTERPOL’s main tools for helping police fight this type of crime is the INTERPOL Child Abuse Image Database (ICAID).

Created in 2001, ICAID contains hundreds of thousands of images of child sexual abuse submitted by member countries, thereby facilitating the sharing of images and information to assist law enforcement agencies to identify new victims.

**Financial and high-tech crime**

INTERPOL’s main initiatives in financial and high-tech crime focus on information technology (IT) crime, money laundering, payment card fraud and intellectual property crime.
IT crime

- **GOLDPHISH**: This involves collecting information from investigations by member countries concerning phishing, keylogger and BotNet attacks, in order to develop analytical reports about these crimes. This project also aims to bring together the law enforcement units that are directly involved in investigating these attacks to enhance police cooperation and share best practices and lessons learned. Through this initiative, INTERPOL also offers operational police support/assistance to member countries on request.

- **TOPSI (INTERPOL Training and Operational Standards Initiative for High-Tech Crime)**: Topsi aims to provide better investigative support, emphasising prevention and education, through collection/evaluation, training development, training delivery, and the production and dissemination of the INTERPOL IT crime manual.

- **INTERPOL Money Laundering Automated Search Service (IMLASS)**
  The IMLASS project – which is ready for informal testing – will assist anti-money-laundering and terrorism-financing investigators and analysts throughout the world to automatically compare suspected money laundering and terrorism financing-related queries against database records submitted by member countries. Queries about money laundering-related targets, associates, companies, ID documents, addresses, telephones and suspicious transaction data will be compared automatically with the INTERPOL database for links with past and present investigations in other countries. Money-laundering investigators will be able to access police and financial information at one place and at one time.

Payment card fraud

The Counterfeit Payment Card Database (CPCD) helps connect seemingly isolated investigations, based on technical examination of counterfeit payment cards and their components (that is, holograms, signature panels, and logos) and offers a platform for the dissemination of information between law enforcement authorities and the credit card industry.

INTERPOL Counterfeits and Security Documents Branch (CSDB) provides forensic support, operational assistance, and technical databases to member countries on counterfeit currency. It is proactive in partnering with national law enforcement organisations and industry leaders to better address counterfeit currency concerns.

Intellectual property crime

- **INTERPOL Intellectual Property Crime Action Group (IIPCAG)** comprises law enforcement agencies, intergovernmental agencies, industry groups, intellectual property rights (IPR) protection agencies and international companies.


- **IPR Operation Jupiter** took place in the tri-border area of Argentina, Brazil and Paraguay in 2005 with 79 arrests in Brazil alone.

- The IPR database was funded by the US Chamber of Commerce and the Office of Patent and Trademarks to create the INTERPOL Database on International Intellectual Property (DIIP).
Fugitives

(The following sections have been adapted from the INTERPOL website at http://www.interpol.int/)

An INTERPOL red notice is not an international arrest warrant. The persons concerned are wanted by national jurisdictions or international criminal tribunals. INTERPOL assists national police forces to locate or identity those persons with a view to arrest and extradition. Red notices can be circulated worldwide.

A distinction is drawn between two types of red notice: the first is based on an arrest warrant and is issued for a person wanted for prosecution; the second is based on a court decision for a person wanted to serve a sentence.

WARNING: THE PERSON SHOULD BE CONSIDERED INNOCENT UNTIL PROVEN GUILTY!

If a member of the public has information about one of the wanted persons, he or she should not contact the General Secretariat directly, but get in touch with the police in the place where the person has been located or identified.

An official Wanted Fugitives list is maintained on the INTERPOL website. This information may be copied and distributed. However, this list represents a very small proportion of the full list. Only those notices approved for public dissemination appear on the website. Unauthorised alteration of any portion of a Wanted Fugitives notice is considered a violation and subject to legal prosecution.

Corruption

INTERPOL has supported initiatives to curb corruption since it hosted the First International Conference on Corruption-Related Crimes in 1998 at its General Secretariat in Lyon, France.

As the world’s largest international police organisation, INTERPOL is particularly concerned about the role corruption plays in terrorism and other international crimes. The globalisation of crime in general makes it necessary for law enforcement in different countries to work together to develop means for fighting corruption.

INTERPOL established the INTERPOL Group of Experts on Corruption (IGEC) in 1998, and is currently developing the INTERPOL Anti-Corruption Office (IACO) and INTERPOL-UNODC Anti-Corruption Academy (IACA). These components support anti-corruption activities through establishing policies and standards, as well as conducting or assisting with education, research, training, investigations and asset-recovery operations.

INTERPOL has established an Anti-Corruption Academy in Austria, which will be composed of international experts from academia and law enforcement, and will do research and provide training to member countries. A headquarters agreement has been signed between INTERPOL and the Austrian government. The academy is expected to open its doors in autumn 2009.

INTERPOL has also established an Anti-Corruption Unit at the General Secretariat that will support the work of the academy and serve as a global focal point for anti-corruption initiatives in support of law enforcement agencies, organisations, authorities and services whose mission is preventing, detecting and prosecuting corruption.
These initiatives are consistent with the United Nations Convention against Corruption, which entered into force on 15 December 2005, as well as the efforts of the United Nations Office on Drugs and Crime (UNODC) to strengthen the implementation of the convention.

When determining anti-corruption strategies and tactics, the unique aspects of this crime must be considered. The parties involved in perpetrating it all have an interest in keeping it secret. Because criminals are able to adapt quickly to new strategies developed by law enforcement, anti-corruption professionals have to be dynamic and flexible, employing a holistic approach in cooperation with all major stakeholders.

INTERPOL’s initiatives include:

- Adoption of a Declaration of Intent for Law Enforcement at the INTERPOL General Assembly in Seoul, Korea, in 1999, encompassing a code of ethics and code of conduct for all law enforcement officers
- Collation of the Library of Best Practice, designed to aid corruption investigators. Subjects include corruption strategies and structures, undercover investigations, operatives and techniques, witness protection, anti-corruption legislation, prevention, training and education
- Formulation of Global Standards to Combat Corruption in Police Forces/Services, adopted unanimously by the INTERPOL General Assembly in Cameroon in September 2002. These promote high standards of honesty, integrity and ethics in the world’s law enforcement agencies; provide a framework to improve their resistance to corruption; and promote the development in each member country of measures designed to prevent, detect and eradicate corruption. They contain principles and numerous measures designed to boost the efficiency of law enforcement in preventing corruption, as well as investigating cases of corruption. The standards are commensurate with the spirit and content of the UN Convention against Corruption
- A police integrity survey to benchmark the capacities of member countries to combat corruption. Follow-up surveys to track progress are planned
- An international system of national contact points through which law enforcement agencies in different countries can quickly initiate cooperation in corruption cases

**INTERPOL CORE FUNCTIONS**

The mandate and primary function of INTERPOL are to support the police services of its member countries in their efforts to prevent crime and conduct criminal investigations as efficiently and effectively as possible.

Thus, together with the NCBs, the INTERPOL General Secretariat facilitates cross-border police cooperation, and supports and assists all organisations, authorities and services whose mission is to prevent or combat crime.

To achieve these aims, INTERPOL conducts all of its activities within the framework of four core services or functions:

- Secure global police communications services
- Operational data services and databases for police
- Operational police support services
- Training and development
Secure global police communications services

The first of these services, secure global police communications, is a fundamental condition for successful international police cooperation. Police forces must be able to communicate with each other, worldwide, in real time, and in a secure way. Realising the dire need for improved means of communication in today’s highly technical world, INTERPOL designed and implemented a state-of-the-art global communications system for the law enforcement community, called ‘I-24/7’ or INTERPOL, 24 hours a day, 7 days a week.

I-24/7

The I-24/7 system was created in January 2003, and is an enhanced communication service and an innovative, user-friendly tool for international law enforcement. Member countries and the General Secretariat exchange information about suspected individuals and groups and their activities in a fast, reliable and secure manner.

I-24/7 provides a creative, modern and sophisticated way to make international law enforcement efforts more effective, and easier to perform. This type of system and exchange of information are essential in combating terrorism and other types of transnational crime.

The I-24/7 ‘dashboard’ is a unique gateway that provides access to INTERPOL databases, and contains a wealth of expert information on crime issues. This makes I-24/7 an indispensable tool for the NCBs and for control, investigative and analytical units in national police forces.

Furthermore, through INTERPOL’s encouragement, many NCBs – all of which are connected to the I-24/7 system – are extending I-24/7 access to additional authorised law enforcement entities, such as border control units and customs officials.

Once police have the capability to communicate internationally, they need access to information to assist in their investigations or to take steps to prevent crime. Thus, INTERPOL provides its second core service: operational data

Services and database for police

In fighting transnational crime, international police cooperation depends on information. Without gathering and sharing information that is timely, accurate, relevant and complete, cooperation is limited, if not impossible.

INTERPOL has developed a broad range of global databases, incorporating key information. This information can be critical in assisting member countries in the event of terrorist incidents and related investigations. Analysis of the information helps achieve positive results in fighting and investigating terrorism cases, particularly definite identifications.

INTERPOL’s databases include:

Automated Search Facility – Stolen/Lost Travel Documents Database

Terrorists and other serious criminals regularly use false documents to travel. INTERPOL therefore established its Stolen/Lost Travel Documents (SLTD) database in 2002.
This database has proven an effective tool for intercepting such individuals when attempting to cross borders. Since its creation, and across crime areas, the database has helped field officers with innumerable cases of fraudulent travel documents.

In many cases where documents had been identified as lost or stolen, they were ultimately linked to high-profile cases involving suspected terrorists and war criminals.

As of November 2007, this database contained 13.5 million records, from nearly 130 member countries. However, member countries must continually populate the database to increase its effectiveness. The UN Security Council recognised the importance of this informational tool in Resolution 1617 (2005), and encouraged member countries to share information. Use of the database has been endorsed by the G8, EU, Organisation for Security and Co-operation in Europe, International Civil Aviation Organisation and members of the Asia-Pacific Economic Cooperation.

In December 2005 for example Switzerland became the first country to use an integrated solution developed by INTERPOL to expand access to the database to some 22 000 federal agents at border control points, customs and immigration offices and embassies, enabling police to verify instantly whether a travel document had been stolen.

INTERPOL encourages all of its member countries to expand access to the database beyond their NCBs to officers at crucial locations such as airports and border crossings.

By scanning a passport over a machine-readable device, national immigration officers can find out in seconds whether a foreign visitor’s passport is one of the nearly 8 million passports in the database.

France began screening passports at Charles de Gaulle Airport, Paris, in June 2006, and has extended its access to 6 international train stations, 11 international seaports and 21 airports, resulting in more than 700 000 queries per month.

### Automated Fingerprint Identification System (AFIS)

Countries increasingly need to exchange information about fingerprints for investigations, such as those relating to terrorism, and individuals potentially associated with it. INTERPOL recommends the implementation and utilisation of its Automated Fingerprint Identification System (AFIS) among its best practices.

INTERPOL promotes the use of standards for capturing, storing, and transmitting fingerprints electronically through the INTERPOL AFIS Expert Working Group (IAEWG). The IAEWG promotes implementable approaches to the international electronic exchange of fingerprint images and data. Because technical capabilities of countries differ greatly, INTERPOL provides advice and guidance to member countries on acquiring and implementing national AFIS standards and systems.

It is important to emphasise the significance and critical need for countries to submit fingerprints to INTERPOL to populate the AFIS system. With the contribution of such singular identifying data, law enforcement organisations can make links in investigations and combat criminal activities.

### DNA

DNA and DNA profiling are increasingly valuable in investigations. INTERPOL therefore established an INTERPOL DNA Unit in 1998. The organisation has since fostered and facilitated international law enforcement
cooperation through the use of DNA in criminal cases worldwide, as well as in terrorism cases. The objective of the unit is to provide strategic and technical support in order to enhance the DNA profiling capacity of member states, and promote its widespread use in the international law enforcement environment.

To assist member states and encourage DNA profile comparison across international borders, the unit developed a DNA database with the INTERPOL DNA Monitoring Expert Group (MEG).

The external MEG is the main source of reference for the unit. The MEG acts as an advisory board and provides guidance and direction for DNA policies and projects. The MEG members consist of 10–12 senior experts in the fields of forensic science and law enforcement who are drawn from member states across INTERPOL's five regions. The MEG examines the contemporary field applications of DNA profiling as an investigative tool and makes recommendations on the use of DNA in criminal investigations in order to promote the international use of this technique, particularly since terrorism incidents are occurring worldwide.

The database has a data-matching system that connects its international profile matching to all member states that use DNA profiling in law enforcement. DNA profiles can be stored and searched across international borders using the INTERPOL Standard Set of Loci (ISSOL). In compliance with INTERPOL's regionalisation policy, the unit provides regional support to member states to consolidate best practices in order to increase involvement in the international transfer of DNA profiles.

It is important to emphasise the significance of this system and the ongoing need for countries to populate it. The value of DNA as a unique identification tool in investigations is undeniable.

**Stolen Motor Vehicle Database³**

The General Secretariat developed the Automated Search Facility–Stolen Motor Vehicle (ASF–SMV) database to support police in member countries in the fight against international vehicle theft and trafficking.

As of November 2007, the database held almost four million records of stolen motor vehicles, reported by 115 countries, plus UNMIK. At the time, 25 677 motor vehicles have been located worldwide through this database.

At international level, the General Secretariat has organised and chaired several working groups which meet regularly and develop numerous projects to address the issue.

To strengthen border protection, INTERPOL is establishing a Border and Ports Security Centre at its General Secretariat. The goal of the centre will be to increase security at borders and all points of entry by supporting member countries in preventing, monitoring, and investigating fraudulent and illegal activities in these areas. The specific objective of this centre will be to analyse the use of INTERPOL tools such as the SLTD Database by member countries, and to coordinate the delivery of training and other capacity-building measures that would help member countries comply with the current international security requirements for ports of entry. The centre will develop strong linkages with other international organisations involved in port security and enforcement.
INTERPOL Weapons Electronic Tracing System

The INTERPOL Weapons Electronic Tracing System (IWeTS), which is currently in the development stage, will enable member states to trace illicit firearms that are seized through law enforcement investigations and activities in their countries. Furthermore, this database will enhance investigations relating to criminal and terrorism matters at national and international level.

Nominal Database

This database contains information on people who are criminally known. It contains photos, fingerprints and other particulars.

Stolen Works of Art Database

The theft of cultural objects affects developed and developing countries. The two countries most affected by this phenomenon are France and Italy. The illicit trade in cultural objects is sustained by the demand from the arts market, the opening of borders, the improvement in transport systems and the political instability of certain countries.

It is difficult to gauge the extent of the trade for two reasons:

- The theft is seldom discovered before the stolen objects appear on the official arts market.
- Countries send very little information to INTERPOL. Few keep statistics on this type of criminality.

To combat the theft of cultural property, the relevant organisations and the public need to be made more aware of the problem. This is the primary objective of these web pages.

Child Abuse Image Database

Children are the most vulnerable individuals in our society. They are also the most precious global commodity and have a right to be protected from all forms of abuse. INTERPOL is committed to eradicating the sexual abuse of children and has passed resolutions making crimes against children a top international policing priority.

The Child Abuse Image Database (CAID) contains child abuse images. Its access is restricted.

Integrated solutions to accessing INTERPOL’s databases: FIND/MIND

Direct access to the databases should not be limited to NCBs. INTERPOL therefore developed integrated solutions to allow for instant access so that reliable, accurate and up-to-date information was available to frontline officers in real time. This technology – called FIND/MIND – refers to two ways of connecting INTERPOL’s databases at border entry points and other field locations.

The potential for these databases to prevent terrorist incidents or serious crimes will increase significantly when police units in the field have direct access to them.
Fixed INTERPOL Network Database (FIND) provides access to databases at IPSG through online integration and communication between the national server and IPSG server via I-24/7.

Mobile INTERPOL Network Database (MIND) provides online access to databases at national level for countries that cannot implement FIND. Using the I-24/7 network, the IPSG can provide a country with the copy of the data that is uploaded to it (Automated Search Facilities Data-Sets, ASF). This then can be accessed locally through communication between the national server and the local copy of the data (MIND device). MIND is entirely under IPSG control and IPSG is responsible for updates of the data.

Operational Police-Support Services

Simply put, this means making INTERPOL’s know-how, expertise and best practices available to all authorities, services and organisations worldwide whose mission is to prevent, detect and suppress crime. Through the extension of such services, INTERPOL helps enhance the role of NCBs and regional offices, and thus increases its responsiveness to their needs. This involves developing emergency support and operational activities, based on the organisation’s priority crime areas: terrorism and public safety, drugs and organised crime, fugitives, human trafficking, and financial and high-tech crime. Support services include collecting, analysing and evaluating information that INTERPOL headquarters receives from its member countries. On request, INTERPOL extends support to its member countries by sending police officers with special law enforcement expertise to investigation sites. For example, after terrorist attacks worldwide, INTERPOL assisted national law enforcement entities by facilitating — on site — the exchange of information about individuals and groups alleged to have been involved in the attacks.

INTERPOL’s broad range of support services includes:

INTERPOL’s Command and Coordination Centre
INTERPOL’s Command and Coordination Centre (CCC) operates around the clock — 24 hours a day, 7 days a week — in each of INTERPOL’s four official languages (English, French, Spanish and Arabic). The CCC is the first point of contact for any member country faced with a crisis and/or terrorist situation. The centre’s staff monitor INTERPOL messages exchanged between member countries and ensure that the full resources of the organisation are ready when they are needed. For instance, if a terrorist attack or natural disaster occurs, the CCC mobilises to offer and coordinate the organisation’s response. All messages and requests for information and assistance from the affected member countries are treated with the highest priority.

Incident response teams
In the aftermath of a terrorist act or other critical incident, the affected member country (or countries) often requests INTERPOL’s support in the form of an incident response team (IRT). The IRT consists of on-site specialised personnel who provide investigative and analytical support directly from the incident location. According to the circumstances, INTERPOL evaluates the situation and assists member countries in determining the police requirements for support, expertise, and information. INTERPOL deploys police officers with special law
enforcement expertise to the area of the incident, and provides specialised police officers, and forensic experts and criminal analysts.

Although the investigation of terrorist acts is handled by the law enforcement agency in the country concerned, investigative leads and evidence span the globe, adding an international dimension to investigations. INTERPOL coordinates information and resources to assist in these complex investigations, which can result in the dismantling of terrorist groups and organisations.

- INTERPOL network of experts

In collaboration with INTERPOL member countries, the CCC is establishing a crisis support strategy to coordinate multidisciplinary, international police assistance through a network of INTERPOL experts in areas such as counter-terrorism, criminal intelligence analysis, forensics, case management, specialised crime investigations, fugitive tracing, and linguistic capabilities. Together with a menu of service options, a centralised contact database for these experts will be maintained. The objective of this strategy – at the request of a member country – will be to deploy a team of these experts, at short notice, to any location in the world where there is appropriate need, with the team maintaining direct links to the CCC at all times.

- INTERPOL Vulnerable Targets Referral Centre

INTERPOL, the UN Department of Safety and Security (DSS), and the UN Interregional Criminal Justice Research Institute (UNICRI) are the leading entities of the UN Counter Terrorism Implementation Task Force (CTITF) Working Group on Protecting Vulnerable Targets. The aim of the CTITF is to establish mechanisms to facilitate the sharing of existing best practices and the development of further best practices to protect vulnerable targets. In order to achieve this, INTERPOL is currently creating a Vulnerable Targets Referral Centre that will act as an intermediary, facilitating the exchange of information about vulnerable target protection. The main objective of the centre is to identify units and experts in countries where vulnerable target protection strategies have been developed and to use this contact information to bring those with expertise together with those who need such information.

- INTERPOL major event support teams

INTERPOL has implemented a strategy to support countries which are organising international major events. An important objective of this strategy is to help member countries plan for prevention of attacks and/or disruptive action during major events, and to manage the consequences of such incidents. This includes making INTERPOL services such as I-24/7, its databases and threat assessments available to the organising country. INTERPOL has established a mechanism for regular global sharing of good practices in securing international major events, where one member country organising an event can learn from other countries that hosted similar events.

- The INTERPOL notices system

The notices system is a significant INTERPOL information tool, and its use is key to successful international police cooperation.

Notices supply member countries with critical crime-related information, such as the movements of known international criminals who are subject to arrest and extradition, or suspected of criminal involvement.

INTERPOL's notices are distributed electronically by its headquarters to member countries, which normally include this information in their national
databases or lookout systems. It is then available to police services at local level, such as at border-control checkpoints. For ‘wanted’ or ‘missing’ persons, notices contain identity details, physical descriptions and, where possible, photographs and fingerprints of the individual. The information pertains to individuals who are wanted for serious crimes, who are regarded as missing, and persons whose bodies have not been unidentified.

INTERPOL’s notices system is an important tool in fighting terrorism, as it is used as an advisory mechanism to warn of dangerous persons alleged to be involved in terrorist activities, as well as dangerous devices and/or materials that can be used to commit acts of terrorism. Certain notices provide details about possible threats and criminals’ modus operandi:

- **Red notice**: Used when seeking the arrest of a wanted person, with a view to extradition. Depending on the country involved, the red notice may serve as a provisional arrest warrant
- **Blue notice**: Used to collect additional information about a person’s location, identity or illegal activities in relation to a criminal matter. It enhances the chances of identification of a terrorism suspect
- **Green notice**: Used to provide warnings and criminal intelligence about persons who have committed criminal offences, and are likely to repeat these crimes in other countries. They are a form of alert signal for calling attention to criminals
- **Orange notice**: Used to warn police, security entities, and other international organisations of possible threats from hidden weapons, parcel bombs, and other dangerous items or materials, such as those which can be used in a terrorist attack
- **Yellow notice**: Helps to locate or identify missing persons, who are often minors and unable to identify themselves
- **Black notice**: Seeks information on unidentified bodies

**INTERPOL-UN Security Council Special Notices**

In 2005, on the request of the United Nations Security Council, INTERPOL created the INTERPOL-United Nations Security Council Special Notice (IP-UN SC Special Notice). This notice is issued for individuals associated with Al-Qaeda and the Taliban, as listed by the 1267 Committee, which designated them subject to sanctions through asset freezing, travel bans and arms embargoes, in order to alert national law enforcement agencies and assist them to pursue suspected terrorists more effectively. As of November 2007, INTERPOL had published around 300 IP-UN SC Special Notices.

**The Fusion Task Force**

To assist member countries in terrorism-related investigations at international level, INTERPOL created the Fusion Task Force (FTF). Established in September 2002, it has evolved into a vital, specialised multi-disciplinary entity. Its primary objective is to identify members of criminal groups who are involved in international terrorist activity by establishing a network of law enforcement contact officers. It therefore maintains a dedicated global database of information on terrorist groups, organisations and individuals.

The task force has set up regionally focused projects that are designed to identify active terrorist groups and their members. The task force also solicits collects, and shares information and intelligence, provides analytical support, and enhances the capacity of member countries to address the threats of terrorism and organised crime.
The FTF also assumes the important role of developing capacity in areas where there are deficiencies in order to improve and expand its role in assisting with targeting and dismantling criminal and terrorist organisations.

- **Disaster victim identification**
  One aspect common to disasters, whether natural, technological or caused by human beings, is that some type of investigation will follow, be it law enforcement, technical, medical, etc.

  For this reason, in 1984 INTERPOL published its first *INTERPOL manual on disaster victim identification*. Its purpose is to promulgate good practices in this type of investigation. The identification procedures described in this guide can be used in all circumstances. The manual is reviewed and revised regularly, and is circulated to all member countries. It encourages the compatibility of procedures across international boundaries.

- **Criminal Analysis Unit**
  The Criminal Analysis Unit assists officers at the General Secretariat and in member countries by conducting research and analysis of crime trends. This service includes collecting, analysing, evaluating, exchanging, and storing information that INTERPOL’s headquarters receives from member countries. The goals are to inform member countries of new developments in the context of criminal activities, and to provide national law enforcement authorities with additional information that might be helpful to the progress of an ongoing investigation or contribute to the initiation of a new one.

### Training and development

INTERPOL is increasing its training activities, and has made training and development the fourth core function of the organisation. General Secretariat staff members have an important role to play in developing, planning and implementing police training initiatives. All training activities undertaken by the directorates are co-coordinated and monitored through the production of the annual operational training calendar, which is published in the INTERPOL Conferences Calendar in order to keep its member countries informed.

All staff members involved in such activities, in the role of training coordinator, trainer, or administrative staff, inform the Training Office of:

- Scheduled training initiatives
- Evaluations by the participants on completion of external training or workshops

### Building law enforcement capacity around the world.

Police training and development play a key role in INTERPOL’s overall mission to promote international police cooperation. The aim is to help officials in member countries to improve their operational effectiveness, enhance their skills, and build their capacity to address the increasingly globalised and sophisticated nature of criminality today.

### Objectives

The strategic objectives for INTERPOL’s training activities for 2008–2010 are:

- Help member countries bridge the gap between national and international policing
Provide countries with the knowledge, skills and best practices to meet the policing challenges of the 21st century
Ensure that law enforcement agencies are fully aware and take advantage of the services provided by INTERPOL
Enhance the awareness, knowledge and skills of INTERPOL staff through a structured training programme, including developmental training
Stimulate a learning culture within INTERPOL that binds the organisation together through a shared understanding of its values, purposes, core businesses and processes

**INTERPOL International Police Training Programme (IIPTP)**

Policing is often a difficult and dangerous job. The strength and effectiveness of policing depends on each individual officer being willing to sacrifice everything to protect his or her fellow citizens and to serve his or her country or law enforcement organisation.

INTERPOL has a global responsibility through training to assist member countries to enhance the knowledge and skills of their officers for combating crime and therefore protecting the safety of citizens. In an effort to build an international learning community, INTERPOL developed a number of initiatives aimed at increasing knowledge and facilitating knowledge sharing. To assist the global police community achieve excellence in coordinating efforts aimed at combating international crime, the General Secretariat sponsors and runs a comprehensive advanced 10-week programme for police officers called the INTERPOL International Police Training Programme (IIPTP).

This programme is aimed at training highly qualified officers who have a responsibility in dealing with international police cooperation, utilising the NCB network as well as INTERPOL’s numerous systems and services. Through attending the programme, participants will gain in-depth knowledge and skills through formal training plus the opportunity to work alongside experienced police officers from over 80 countries in a global organisation.

**INTERPOL and peace support operations**

UN Secretary General Ban Ki-Moon (right) and INTERPOL Secretary General Ronald Noble (left) met in New York on 24 March 2009 to discuss how the two organisations could enhance global security.

The role of policing in support of peacekeeping operations around the globe topped the agenda of collaboration in global security.

The role of police in crisis or post-conflict environments was acknowledged as pivotal in consolidating peace and building sustainable security, particularly in tackling transnational crime, which can threaten efforts to restore law and order.

INTERPOL’s unique expertise in the field of police cooperation, operational support and technical assistance was recognised as a vital complement to the deployment capacity of the UN’s Department of Peace Keeping Operations (DPKO) in addressing this challenge.

Through this initiative, INTERPOL will bring the international police community’s global police tools and support capabilities to the DPKO, including specialised police training, access to criminal databases and cooperation channels.
Exercise 1.1

Outline the background history of INTERPOL

List the main purposes of INTERPOL

What are the key structures of INTERPOL? Outline

What tools does INTERPOL employ in sharing information?
SECTION 2

Background to SARPCCO

INTRODUCTION

The Southern African Regional Police Chiefs Cooperation Organisation (SARPCCO) dates back to 1 August 1995, when police chiefs from eleven Southern African countries met at Victoria Falls, Zimbabwe, to seek practical ways in which regional law enforcement agencies could cooperate to attain mutual anti-criminal objectives. Today SARPCCO has increased its profile and become progressively more important within the framework of multi-lateral cooperation agreements entered into to suppress crime.

Meanwhile, a SADC ministerial decision established that SARPCCO should become an implementing agent for SADC on crime matters. Subsequently, the SADC Summit of Heads of State/Government (Maseru, Lesotho, 18 August 2006) directed that SARPCCO should serve as the law enforcement structure of SADC, while retaining its policy and executive structures.

REGIONAL POLICE COOPERATION BEFORE SARPCCO

The era preceding the establishment of SARPCCO was a politically volatile period in Southern Africa. The countries of the region were concentrating on liberation struggles and giving moral support to liberation movements. Under the umbrella of the Frontline States, the chiefs of police met regularly as the public security sector to discuss security matters affecting the Frontline States and to exchange notes. Crime matters were also discussed, with each country’s police chief presenting a general report on crime in his or her own country. There was no common strategy at that stage to combat crime from a regional perspective. Where bilateral criminal issues had to be tackled, these were handled normally at diplomatic level. There was no instrument that permitted the type of cooperation that is witnessed today in the region. Owing to the unstable state of regional security at that time, the countries did not easily share criminal information. Passing information to another country had to be authorised at high level because all information was classified. In most cases no one had the courage to authorise giving information to another country for the fear that it could be abused or used against one’s own country.
Before South Africa’s democratic elections, many criminals were aware of the weakness in regional policing provided by the prevalent general insecurity, or feelings of insecurity, and used it to their advantage. Criminals could commit crimes in one country and cross to another with impunity, knowing that they were safe from prosecution, particularly if they crossed to South Africa since few countries in the region had extradition treaties with it. The converse was also true. Because of this, many big-time criminals who had the capacity to cross the border set up bases in South Africa.

The movements of police officers of a foreign country into another were viewed with suspicion and mistrust, as they were a potential threat to security. The independence of Namibia and South Africa assisted in building of trust that was badly needed for proper criminal policing in the region. Police chiefs began to discuss police matters more freely and openly without fear of releasing state secrets unwittingly.

Under these circumstances, in 1994 chiefs of police from Botswana, Lesotho, Mozambique, Namibia, South Africa, Swaziland and Zimbabwe, met for the first time in Swaziland to discuss issues of cooperation and cross-border crimes. A resolution was taken to hold another meeting to which all police chiefs from the region were to be invited. Hence, in August 1995 SARPCCO was founded at Victoria Falls.

**FORMATION OF SARPCCO**

The formation of SARPCCO was approved on 1 August 1995 at a meeting of chiefs of police of 11 Southern African countries:

- Angola
- Botswana
- Lesotho
- Malawi
- Mozambique
- Namibia
- South Africa
- Swaziland
- Tanzania
- Zambia
- Zimbabwe

Mauritius, which had not attended the inaugural meeting and therefore was not listed among the original members, joined the organisation later to become the 12th member by special resolution. There are now 13 member states of SARPCCO, after the Democratic Republic of Congo (DRC) joined in 2008.

The SARPCCO inaugural meeting was immediately followed by a meeting of the government of ministers responsible for police affairs for the countries that were represented at the Victoria Falls meeting of chiefs of police for Southern Africa.

The ministers accepted and adopted the police chiefs’ recommendations, which were drafted to become the Constitution of SARPCCO. In terms of article 2 of the constitution, membership of SARPCCO is not limited to the above countries.
because chiefs of police of other countries may become members by special resolution.

**OBJECTIVES OF SARPCCO**

The objectives of the organisation are to:

- Promote, strengthen and perpetuate cooperation and foster joint strategies for the management of all forms of cross-border-related crimes with regional implications
- Prepare and disseminate information on criminal activities as may be necessary to benefit members to contain crime in region
- Carry out regular reviews of joint crime management strategies in view of changing national and regional needs and priorities
- Ensure efficient operation and management of criminal records and effective joint monitoring of cross-border crime, taking full advantage of the facilities available through INTERPOL
- Make recommendations to the governments of member countries about affecting effective policing in the Southern African region
- Formulate systematic regional police training policies and strategies, taking into account the needs and performance requirements of the regional police services/force
- Carry out any such relevant and appropriate acts and strategies in order to promote regional police cooperation and collaboration as circumstances dictate

**PRINCIPLES OF COOPERATION**

SARPCCO’s principles of cooperation are:

- Respect for national sovereignty
- Equality of police services/forces
- Non-political professionalism
- Mutual benefit to all members
- Observance of human rights
- Non-discrimination and flexibility of working methods
- Mutual respect and goodwill

**STRUCTURE OF SARPCCO**

SARPCCO has a modest structure. It consists of two main organs: the Council of Police Chiefs (CPC); and the Permanent Coordinating Committee (PCC). In addition, article 8 of the constitution provides for other committees, sub-committees and task units, primarily to complement the operations of the CPC and PCC. Consequently, four sub-committees have been appointed: the Legal Sub-Committee (LSC); the Training Sub-Committee (TSC); the Women’s Network Sub-Committee (WNSC); and the Regional Coordinating Committee (RCC) on Small Arms and Light Weapons.
According to article 5 of the constitution, the Sub-Regional Bureau (SRB) for Southern Africa in Harare is the permanent administrative and technical body through which SARPCCO operates. The regional bureau is therefore the SARPCCO secretariat.

The CPC is the highest decision-making authority and is responsible for:

- All policy-related matters
- The efficient functioning of all SARPCCO structures
- All matters relating to regional police cooperation and attainment of the objectives of SARPCCO

The PCC consists of the heads of the criminal investigation services of the member police services/forces and is responsible for:

- Formulating strategies to combat crime in the region
- Creating operational mechanisms
- Any matters which the CPC may deem necessary

**COOPERATION AND MUTUAL LEGAL ASSISTANCE**

The government ministers responsible for the police signed the Cooperation Mutual Assistance Agreement on 1 October 1997. Its main feature is contained in article 3, which states that ‘any police official of a country that is party to this agreement may enter into and be present in, or travel through or cross, the territory of another part for the purpose of:

- Any police investigation or the seizure of exhibits relating to an offence or suspected offence committed in or respect of the territory or state of the visiting police officials
- Tracing and questioning a witness in connection with any such offence and taking the steps authorised by law to obtain his or her presence in a court of competent jurisdiction
Module 1  History and functions of INTERPOL and SARPCCO

Section 2  Background to SARPCCO

Cooperation and assistance contemplated in this agreement

The rights of entry, presence and travelling are not automatic. They are subject to the municipal laws of the hosting state. This provision implies the dominance of domestic system over the agreement. During such entry, the hosting police service shall be responsible for:

- Tracing, arresting, detaining, guarding or keeping in custody any person suspected of having committed any offence contemplated in article 3, and taking such steps as the hosting police service is authorised to by the domestic law of its country in order to effect such person's extradition for trial in a court of competent jurisdiction
- Searching for, and seizing, removing or transporting any exhibit known or suspected to have been involved in the commission of any such offence
- Such other acts as may from time to time in any urgent or extraordinary circumstances be authorised by the parties or the responsible officials of the police service concerned, with the prior approval of the parties concerned

PRIORITY CRIMES

All emphasis on regional coordination is based on regional needs. Hence liaison desks have been created to take care of areas of importance to the region. Identified priority crimes are:

- Motor vehicle theft
- Drug trafficking and production
- Firearms trafficking
- Crimes of violence
- Endangered species trafficking
- Precious stones and metals
- Illegal immigrants and forged travel documents
- Commercial and economical crime
- Stock theft
- Terrorism
- Trafficking in human beings

New crime trends are emerging in the region and a dynamic approach to regional policing is needed. Crime in general is becoming more organised and sophisticated, commensurate with globalisation. Policing must adjust accordingly and closer cooperation is essential.

Criminals in the region have established syndicates across borders, thereby enhancing the exchange of communications and skills.

CONCLUSION

The INTERPOL system, and its tools and services, is vital for peace support operations. The challenge is to use the system actively in the mission environment. In
most cases, conflict exacerbates crime, hence the need to utilise NCBs in cross-border police operations and multinational anti-crime police cooperation and training. It is crucial to bring INTERPOL tools and services to the frontline where they can help local law enforcement units investigate cases, secure borders and protect citizens.

SARPCCO countries are also members of INTERPOL. Emerging crime trends in the region can best be combated by using INTERPOL tools and services and the implementing SARPCCO resolutions and policies.

Exercise 1.2

Outline the background history of SARPCCO.

List the main purposes of SARPCCO.

Outline the structure of SARPCCO.

What tools does SARPCCO use in combating crime?
APPENDIX 1.1

SARPCCO resolutions on peace support operations

SARPCCO 4TH AGM/99/RES 17: UN PEACEKEEPING TRAINING

Mindful of the deliberations on the training of police officials for peacekeeping missions, the Council of Police Chiefs resolved that the SARPCCO Training Sub-Committee should also, with the assistance of other organisations, focus on the pre-deployment training in peacekeeping of police officers for peacekeeping missions and approves, utilising the existing infrastructure within SARPCCO further, that efforts to seek donor funding must continue.

SARPCCO 10TH AGM/05/RES 6: SADC CIVPOL

Aware of the need to deploy police officers in peacekeeping missions; and having considered the recommendation by the SADC CIVPOL Planning Committee, the Council of Police Chiefs mandates the chairperson of SARPCCO to approach the SADC Secretariat to formally recognise the SARPCCO Council of Police Chiefs as the SADC Committee of Police Chiefs for the purpose of managing all policing affairs, including SADC CIVPOL.

SARPCCO 11TH AGM/06 RES 11: SADC CIVILIAN POLICE (CIVPOL) MATTERS

Recalling Resolution 2 of the SARPCCO Extra-Ordinary Meeting held in Windhoek, Namibia (SARPCCO/EXM/2) on the above matter, the Council of Police Chiefs directed, as a matter of priority, the Legal Sub-Committee to acquire from the SADC Secretariat documentation necessary for the operationalisation of the SADC Civilian Police (CIVPOL).

SARPCCO 12TH AGM/07/RES 2: SADC POLICE (SADCPOL) MATTERS

RECALLING that the SADC Summit of Heads of State held in August 2004 approved the conceptualisation of the SADC Standby Force, which is composed
Appendix 1.1 SARPECO resolutions on peace support operations

Of two major components, namely Civilian Police (CIVPOL) and SADC Brigade (SADCBRIG).

FURTHER RECALLING that the Ministerial Committee of the Organ (MCO) in July 2005 approved two separate modality reports, for the SADCBRIG and CIVPOL respectively, and that the two components should plan and work in tandem with clear command and control structures.

NOTING that a Draft Memorandum of Understanding (MoU), which will regulate the deployment of police officers within the SADC Standby Force, has been adopted by the Ministerial Committee of the Organ as a harmonised version.

ALSO NOTING that the concerns of SARPECO on the issue of command and control and definitional issues were not addressed in the approved version of the MoU, and that, as indicated in the Modality Reports, the MoU should be clear on command and control in respect of both components.

The Council of Police Chiefs resolves to request the Council of Ministers to ensure an expeditious rectification of the following deficiencies found in the ‘Harmonised MoU for the Establishment of the SADC Brigade’, as identified in the meeting of the Committee of SADC Chiefs of Police held in June 2007 in Dar-es-Salaam, before the 2007 SADC Summit of Heads of State:

a. The use of the nomenclature of SADC Brigade as opposed to SADC Standby Force
b. The inconsistent use of terminology in the MoU and lack of definitions referring to the SADCPOL component of the SADC Standby Force
c. Issues related to command and control

GENERAL ROLE OF REGIONAL POLICE PEACKEEPING MISSIONS

Paragraph 1

a. To intervene in conflict and post-conflict situations:
   ■ Whose root causes of the conflict are unsettled
   ■ Whose basic political, economic, social and governmental institutions are weak
   ■ Where no agreement has been reached regarding the structures, roles, legal system, public administration and law enforcement institutions
   ■ Where there is disagreement as to the fundamental organisational and operational aspects of democratic policing
   ■ Where there is an ineffective criminal justice infrastructure
   ■ Where police agencies are characterised by corrupt tendencies and ruthlessness
b. To monitor the local police and ensure non-discrimination against any nationality
c. To act within the limits of the mandate

Paragraph 2

■ To install a functional law enforcement and criminal justice system that upholds and enforces the rule of law
■ To ensure a smooth and peaceful transition from conflict to lasting peace, security and progress
Appendix 1.1 SARPCCO resolutions on peace support operations

Paragraph 3

a. To initiate a series of training programmes to strengthen the local police
   ▪ The objective of the training programmes being to enable the local police to provide a safe and secure environment for the exercise of the established freedoms and human rights
b. To reform and restructure the local police officers
c. To carry out transitional administration where there is no local civil authority
d. To exercise executive authority for law enforcement within the larger criminal justice system
e. To be accountable for the full range of functions comparable to those carried out by the local police
f. To assume executive authority until such time as the local police is able to assume responsibility for law enforcement

Paragraph 4

■ To secure and maintain the cessation of hostility between the formerly warring parties

Paragraph 5

■ To maintain good relationship with the International Military Component
■ To monitor the activities of the local police who provide security for exhumations, as well as search and seizure operations, conducted during investigations of crimes of international concern
■ To transmit information gathered to the relevant international judicial body

Paragraph 6

a. To monitor weapon confiscation checkpoints
b. To monitor the disarmament process and report on incidents
c. To assist in the seizure of weapons and explosives
d. To provide assistance for activities which include delivering food, medicine and other forms of relief to the displaced populations and those resettled
e. To monitor and report on incidents related to the delivery and distribution of aid
f. To provide security for the delivery of such aid
g. To train, mentor, advise and monitor local police forces in protecting the return of refugees and internationally displaced persons

Paragraph 7

a. To monitor the activities of the local people in providing security for all election-related events and to train local police on how to do so
b. To assess the security requirements for the election-related events like rallies, the siting of polling stations and the transportation of politicians to and from the events
c. To provide security for the international staff involved in the elections
d. To provide an enabling environment for the public to exercise their democratic right to vote
e. To undertake all the policing functions in support of the fair and free elections

**Paragraph 8**

- To engage in mine action operations which includes mine removal, mine surveys and mapping, construction of mine databases, training of de-miners, development and organisation of mine awareness campaigns
- To report on incidents or to engage in following up investigations of incidents involving mines

**Paragraph 9**

To adhere to the following United Nations legal instruments:

a. United Nations Charter
b. Universal Declaration of Human Rights
c. Convention against Torture and Other Forms of Cruelty, Inhuman or Degrading Treatment or Punishment
d. Code of Conduct for Law Enforcement Officers
MODULE 2

Background to the United Nations and the African Union
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SECTION 1
Background to the United Nations

BACKGROUND HISTORY

The central purpose of the United Nations is ‘[t]o maintain international peace and security, and to take effective collective measures for the prevention and removal of threats to peace’. The UN provides the machinery to help find solutions to problems of international peace and security. Peacekeepers need to have a deep understanding of the UN organisation and principles for effective performance.

The idea of the UN was conceived in 1941 in London to succeed the League of Nations, which was deemed to have failed in its duty of preventing World War II, creating anarchy in international relations. On 1 January 1942, 26 countries at war with Germany and Japan met in Washington to discuss how to control this disarray in international relations. It was at this meeting that United States President Franklin D Roosevelt first used the term ‘United Nations’. The representatives of the 26 countries pledged to continue to fight together against the Axis Powers.

On 24 October 1945, 51 countries established the UN. They committed themselves to preserving peace through international cooperation and collective security. Nearly every nation in the world is a member of the UN. Membership stands currently (March 2009) at 192 countries, the last member being Montenegro, which joined on 28 June 2006. United Nations Day is celebrated on 24 October every year.

THE UNITED NATIONS CHARTER

- The charter is an international treaty with member states as signatories. ‘The organisation is based on the principle of sovereign equality of its members’
- Article 2 of the charter prohibits the use of force in international relations
- The constitution of the UN sets out the rights and obligations of its members
- The charter established the UN organs and procedures
- The charter sets out a code of behaviour by which nations work together to eliminate aggression, and promote economic and social security
SECTION 1 Background to the United Nations

PREAMBLE TO THE CHARTER

The preamble expresses the aspirations and aims of the nations that sat to form the UN.

We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and the respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom. And for these ends to practise tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed forces shall not be used, save in the common interest, and to employ international machinery for the promotion of economic and social advancement of all peoples, have resolved to combine our efforts to accomplish these aims. Accordingly, our respective Governments through the representatives assembled in the City of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the UN and do hereby establish an international organisation to be known as the UN.

PURPOSES OF THE UNITED NATIONS

According to the charter, the UN has four purposes:

- To maintain international peace and security, and to that end, take collective measures for the prevention and removal of threats to peace, and for the suppression of acts of aggression (the central aim)
- To develop friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples
- To achieve international cooperation in solving international problems of an economic, social, or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all
- To be a centre for harmonising the actions in the attainment of these common ends

PRINCIPLES OF THE UNITED NATIONS

- The UN is based on the principle of sovereign equality of all its members
- All members shall fulfil in good faith their obligations set out in the charter
- Members shall settle their international disputes by peaceful means without endangering international peace, security and justice
- All members shall refrain from the threat or use of force against any state, or in a manner inconsistent with the purposes of the UN.
All nations shall assist the UN in any action it takes according to the charter
The UN shall ensure that non-members act in accordance with these principles so far as may be necessary for the maintenance of international peace and security
Nothing contained in the charter is to authorise the UN to intervene in matters that are essentially within the domestic jurisdiction of any state, but this principle shall not prejudice the application of enforcement measures under chapter VII

**HOW THE UNITED NATIONS WORKS: THE SIX ORGANS**

The UN is not a world government, and it does not legislate like a national parliament. It supplies the machinery to provide solutions to international problems or disputes, and to deal with pressing concerns that people face all over the world. All member states, large and small, rich and poor, with varying political views and social systems, have a voice and a vote in shaping policies of all the international community. The charter authorises the establishment of six main organs:

- General Assembly
- Security Council
- Economic and Social Council (ECOSOC)
- Trusteeship Council, which is based at the UN headquarters in New York
- International Court of Justice, which is based at The Hague in the Netherlands
- Secretariat, which is based at the UN headquarters in New York

**General Assembly**

The General Assembly is the central organ and main deliberative body of the UN, sometimes called the nearest thing to a world parliament. All 192 member states are represented, with each member having one vote. Important decisions on international peace and security, admitting new members and UN budget are decided by a two-thirds majority. Other matters are decided by a simple majority. The General Assembly has the right to discuss and make recommendations on all matters within the scope of the UN. Though it has no power to compel action by any government, its recommendations carry the weight of world opinion. The assembly meets once a year between mid September and mid December.

**Security Council**

There are 15 council members. Five of these – China, France, Russian Federation, UK and USA – are permanent members. The other 10 are from member states, and are elected by the General Assembly for a two-year term, with geopolitical representation.

The UN Charter gives the Security Council the primary responsibility for maintaining international peace and security, and member states are obliged to carry out its resolutions. The council makes recommendations to the General Assembly on the appointment of the Secretary-General and the admission of new members.
When a complaint concerning a threat to peace is brought before the Security Council, its first action is usually to try to reach an agreement by peaceful means. It sends UN peacekeepers (forces) to help reduce the tension in troubled areas.

(The next section, up to the end of the six listed committees, is not a must-know for the reader.)

**Other functions and powers of the Security Council**

- To maintain international peace and security in accordance with the principles and purposes of the UN
- To investigate any dispute or situation that might lead to international friction
- To recommend methods of adjusting such disputes or the terms of settlement
- To formulate plans for the establishment of a system to regulate armaments
- To determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken
- To call on members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression
- To take military action against an aggressor
- To recommend the admission of new members
- To exercise the trusteeship functions of the UN in strategic areas
- To recommend to the General Assembly the appointment of the Secretary-General and, together with the General Assembly, to elect the judges of the International Court of Justice

**Organisation of the Security Council**

Organisations include:

- The six committees:
  - First Committee (disarmament and related international security matters)
  - Second Committee (economic and financial)
  - Third Committee (social, humanitarian and cultural)
  - Fourth Committee (special political and decolonisation)
  - Fifth Committee (administrative and budgetary)
  - Sixth Committee (legal)
- International Criminal Tribunal for the former Yugoslavia (ICTY)
- International Criminal Tribunal for Rwanda (ICTR)
- UN Monitoring, Verification and Inspection Commission (UNMOVIC)

(The following paragraphs are not need to know)

**Economic and Social Council**

The council has 54 members who are elected by the General Assembly for 3-year terms. It coordinates the economic and social work of the UN and related specialised UN agencies and institutions. The council is the central forum for discussing international economic and social issues. It initiates studies, reports and recommendations on economic, social, cultural, educational and health-related matters. It promotes observance of human rights and fundamental freedoms. It
does not make decisions, but prepares items for the General Assembly’s decisions. The council meets throughout the year through its subsidiary organs and has a major session in July.

**Trusteeship Council**

The Trusteeship Council was established to provide international supervision of the eleven trust territories. Its task was completed in 1994 when all trust territories attained self-governance or independence. The last to do so was the Trust Territory of the Pacific Islands (Palau), administered by the US. Now suspended, the council meets only as and when it is required. The only remaining members are the five permanent members of the Security Council (P5).

**International Court of Justice**

The International Court of Justice is also known as the World Court, and is the main judicial organ of the UN. It is open to all states that are parties to its statutes. The court has 15 judges, elected by the General Assembly and the Security Council. It settles legal issues between member states and gives advisory opinion to the UN and its agencies. States participate voluntarily in the proceedings, but if a state does not wish to take part in certain proceedings, it is obliged to comply with the court’s decision. The General Assembly and the Security Council can ask the court for an advisory opinion on any legal question. Other organs of the UN and the specialised agencies, when authorised by the General Assembly, can ask for advisory opinions on legal questions within the scope of their activities.

**The Secretariat**

The Secretariat carries out the diverse day-to-day work of the UN organs. At its head is the Secretary-General. Over 8,900 staff members are drawn from 170 countries, and they work at UN headquarters and all over the world. The current Secretary-General is Ban Ki-moon from the Republic of Korea, who succeeded Kofi Annan on 1 January 2007.

The Secretariat is divided into several organisational units, each of which is headed by an under-secretary-general or an official of equivalent status. The duties carried out by the Secretariat are as varied as the problems dealt with by the UN. These range from administering peace support operations to mediating international disputes, and from surveying economic and social trends and problems to preparing studies on human rights and sustainable development.

**Roles and functions of the Secretary-General**

The charter describes the Secretary-General as the ‘chief administrative officer’ of the organisation, who shall act in that capacity and perform ‘such other functions as are entrusted’ to him/her by the other UN organs. Article 99 of the charter empowers the Secretary-General to bring to the attention of the Security Council any matter which, in his opinion, appears to threaten international peace and security. He is a public figure, known for using his stature and impartiality, whose task is to prevent international disputes from arising, escalating or spreading.
UN AGENCIES, PROGRAMMES AND COMMISSIONS

The six main organs of the UN work with dozens of other related specialised agencies, funds, programmes or commissions (the UN family of organisations). These work to improve the economic and social condition of the people around the world. They are:

- **United Nations High Commissioner for Refugees (UNHCR):** This office is financed voluntarily and is responsible for the protection and assistance of more than 32.9 million people around the world who have fled from war or persecution. It seeks to ensure that they receive asylum and favourable legal status in their countries of asylum.
- **United Nations Development Programme (UNDP):** This is the world’s largest provider of grants for technical and pre-investment assistance to developing countries.
- **United Nations Children’s Fund (UNICEF):** This is the lead UN organisation that helps developing countries, at their request, to work out long-term survival, protection and development of children. Services include low-cost community-based maternal and child health, nutrition, sanitation and education, as well as emergency relief.
■ **World Food Programme (WFP):** This is the world’s largest international food aid organisation, which helps poor people in developing countries to combat hunger and poverty.

■ **United Nations Volunteers (UNV):** These are professional and experienced personnel from different countries who provide assistance in various fields in developing countries.

■ **Special Committee on Peacekeeping Operations (C-34):** This committee was established on 18 February 1965 by General Assembly Resolution 2006 (XIX) to conduct a comprehensive review of all issues relating to peacekeeping. Since then, the committee has met annually. It reports to the General Assembly and comprises 124 member states, mostly past or current contributors to peace support operations. Seventeen (17) other member states, the European Union (European Commission), the International Committee of the Red Cross (ICRC) and the International Criminal Police Organisation (Interpol) participate as observers.

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**Exercise 2.1**

Outline the background history of the United Nations.

List the four main purposes of the UN.

List the six principal organs of the UN and their general functions.

List any five of the UN agencies, programmes or commissions.
UN peacekeeping operations: Principles and guidelines, also known as the ‘Capstone Doctrine’, is an internal DPKO/DFS publication released at the end of 2007 to sit at the highest level of the current doctrinal framework for UN peacekeeping. It captures the experiences of UN peacekeepers over the past six decades for the benefit and guidance of planners and practitioners of peace support operations.

PARTS OF THE DOCTRINE

The Capstone Doctrine summarises UN peacekeeping experiences in three broad parts:

The evolution of UN peacekeeping

The normative framework for UN peacekeeping operations consists of the UN Charter, the Universal Declaration of Human Rights, international human rights law, and Security Council mandates.

Within this framework, the core business of traditional peacekeeping operations involves:

- Observation, monitoring and reporting: using static posts, patrols, overflights or other technical means, with the agreement of the parties
- Supervision of ceasefires and support to verification mechanisms
- Interposition as a buffer and confidence-building measure

The transformation of the international security environment, however, has given rise to ‘multi-dimensional’ peace support operations in which peacekeepers are deployed as part of broader international efforts to attain sustainable peace. Within this multidimensional context, the core functions of UN peace support operations may include:

- Creating a secure and stable environment, while strengthening the state’s ability to provide security, with full respect for the rule of law and human rights
- Facilitating the political process by promoting dialogue and reconciliation and supporting the establishment of legitimate and effective institutions of governance
Providing a framework for ensuring that all UN and other international actors pursue their activities at the country-level in a coherent and coordinated manner.

Three basic inter-related and mutually reinforcing principles set UN peace support operations apart in the maintenance of international peace and security. These are:

- Consent of the parties
- Impartiality
- Non-use of force, except in self-defence and defence of the mandate

Others are legitimacy, credibility, and the promotion of national and local ownership.

**Planning of UN peacekeeping operations**

The maintenance of international peace and security is the primary responsibility of the UN Security Council. Within this role, the council reserves the prerogative to determine where and when to deploy peace support operations. In doing this, however, the council takes certain factors into consideration:

- Whether a situation exists, the continuation of which is likely to endanger or constitute a threat to international peace and security
- Whether regional or sub-regional organisations and arrangements exist and are ready and able to assist in resolving the situation
- Whether a ceasefire exists, and whether the parties have committed themselves to a peace process intended to reach a political settlement
- Whether a clear political goal exists and whether it can be reflected in the mandate
- Whether a precise mandate for a UN operation can be formulated
- Whether the safety and security of UN personnel can be reasonably ensured, including in particular whether reasonable guarantees can be obtained from the principal parties or factions regarding the safety and security of UN personnel

The success of a peace support operation depends on certain conditions:

- A peace to keep
- Positive regional engagement
- The full backing of a united Security Council
- A clear and achievable mandate with resources to match

**THE ART OF SUCCESSFUL MANDATE IMPLEMENTATION**

**Typical phases of deployment:** UN peace support operations vary widely. Despite this, for the purposes of planning, peace support operations can be divided into three typical phases. These are:

- **Mission start-up:** This is the phase in which the mission strives to reach initial operating capability (IOC), and eventually full operating capability (FOC), so
that mandate implementation can begin in all areas of deployment. The main priority is usually to bring internal mission processes, structures and services to an initial level of operating capability, so that mandate implementation can begin across the mission area. This phase covers notional stages such as pre-deployment, rapid deployment, mission headquarters start-up, and functional component and field office start-up, as represented in figure 2.2.

- **Mandate implementation**: In this phase, efforts are focused on carrying out the tasks set out in the Security Council mandate and achieving the objectives set out in the mission plan.

- **Transition (hand-over, withdrawal and liquidation)**: This phase begins after a decision by the Security Council. It involves the departure of mission

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**Module 2** Background to the United Nations and the African Union

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**Figure 2.2 Mission start-up process**

**Figure 2.3 Typical phases of deployment**
personnel following the hand-over of all remaining tasks to partners, and the final disposal of mission assets and infrastructure in accordance with UN rules.

Although the phases are conceptually distinct, in practice they overlap in the lifecycle of any mission. Generally, the scale and tempo of operations rise steadily during initial deployment and start-up, reaching a plateau during mandate implementation, and finally tapering off once hand-over and withdrawal begin.

**UN REFORMS**

From the earlier 1990s the UN embarked on a process of reforming the structures, functions and operation of the 63-year old organisation. The process has taken a long time, but gained more prominence towards the early 2000s and is ongoing. These reforms affect UN PKO and literally all agencies and structures of the organisation. The passage (below) refers to the impact of the reforms on peace and security:

**STRENGTHENING THE CAPACITY TO MANAGE PEACE SUPPORT OPERATIONS**

Since the end of the cold war, especially from the late 1990s, there has been a surge in the number of UN peacekeeping troops around the world, to the extent that it has placed a strain on the resources of the UN and the capabilities of contributing states. Reforms in the UN system, especially peace support operations, are therefore intended to reinforce the capacity and systems to respond to the growing demands of peace operations in a more effective, transparent and accountable way.

- The importance of UN peace support operations in providing stability for millions around the world must be emphasised
- To respond to the unprecedented challenges, a Department of Field Support (DFS) has been created to consolidate appointments, procurements and financial management
- The DFS will allow the system to provide more effective logistical, personnel, financial, communication and information technology to UN missions in the field
- Key sectors in the DPKO, namely Rule of Law and Security institutions, Military Affairs and Police have been strengthened

**PREVENTIVE DIPLOMACY, MEDIATION, PEACEMAKING AND PEACEBUILDING**

In November 2007, the Secretary-General of the UN unveiled a proposal to transform the Department Of Political Affairs into a field-oriented structure to allow for flexibility and preventive diplomacy, including mediation and good offices of the Secretary-General. The major elements of the reform plan are:

- Strengthening the regional affairs desk
■ Developing greater mobility to deploy in areas of potential conflict
■ Enhancing management and oversight capacity of the current field operations
■ Establishing regional offices on conflict prevention and resolution in consultation with member states and regional organisations
■ Improving capacity to work with governments to identify problems to facilitate timely response

Establishment of a mediation support unit working with regional desks and a full time UN ‘Standby’ mediation team became operational in March 2008 to provide advice to mediation efforts around the world.

Establishment of the peacebuilding commission, peacebuilding support office and peacebuilding fund to assist countries emerging from conflict and instability. This is a reflection of the UN’s belief that peace building is a solid way to put in place a foundation for development and governance.

**THE UN PEACEBUILDING COMMISSION**

The UN Peacebuilding Commission is a new intergovernmental body that supports peace efforts in countries emerging from conflict through three key roles:

■ Bringing together all relevant actors: donors, international financial institutions, national governments and troop-contributing countries.
■ Marshalling resources
■ Advising on and proposing solutions for integrated strategies for post-conflict peacebuilding and recovery and, where appropriate, highlighting any gaps that may threaten or undermine peace

The UN has established a democracy fund for the promotion and consolidation of new and restored democracies, targeting governmental, nongovernmental, national, regional and programme agencies.

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**Exercise 2.2**

Outline the normative framework for UN peacekeeping operations.

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Discuss the evolving role of UN PKOs.

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List and explain the basic principles of UN peacekeeping.

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Structure of UN peace support operations

SCOPE OF UN PEACE SUPPORT OPERATIONS

Peace support operations have evolved significantly in the last few years. During the Cold War, the goals of peacekeeping were limited to:

- Preventing fighting between belligerents
- Ensuring the maintenance of ceasefires
- Providing a measure of stability in an area of conflict while negotiations were conducted to resolve the conflict by peaceful means

Such operations involved inter-state conflicts, and peacekeeping concerned mainly military forces. This is known as ‘traditional peacekeeping’.

Modern missions are increasingly applied to intra-state conflicts and civil wars. They are complex, multidimensional and complementary, addressing a wide range of social, humanitarian, political and legal challenges in order to achieve a comprehensive settlement of disputes. In such multifaceted operations, it is important that there should be unity of purpose among all the players. Even though the military remain the backbone of today’s missions, a large number of civilian personnel work alongside them. Peacekeepers work closely together with other organisations in the mission. This is known as ‘modern peacekeeping’.

The AU-UN Hybrid Operation in Darfur (UNAMID) falls under the category of modern peacekeeping. It is a robust and multidimensional peace support operation, mandated to address serious security and humanitarian challenges in the wake of the upsurge in the conflict in 2003-2004, following the attacks by the Sudan Liberation Army/Movement. The mission has an authorised strength of about 26,000 military and police personnel and a significant number of civilian component.

MISSIONS REGARDED AS SUCCESSFUL IN PEACEBUILDING

Since 1948 there have been 63 UN peacekeeping operations. Fifty of those operations have been established by the Security Council in the last 15 years.

Success stories in Timor-Leste, Kosovo and Sierra Leone have reaffirmed that the UN can complete complex mandates within a realistic timeframe. Other past
**UNAMID**

- **Location:** Darfur, Sudan
- **Headquarters:** El Fasher, Sudan
- **Duration:** 31 July 2007 to present
- **Current authorisation:** Authorised until 31 July 2009 (Security Council resolution 1828 of 31 July 2008)
- **Joint AU-UN Special Representative:** Rodolphe Adada (Republic of the Congo)
- **Deputy Joint AU-UN Representative:** Henry Anyidoho (Ghana)
- **Deputy Joint Special Representative for Operations and Management:** Hocine Medili (Algeria)
- **Force Commander:** General Martin Luther Agwai (Nigeria)
- **Police Commissioner:** Michael J. Fryer (South Africa)
- **Strength:**
  - Authorised strength (S/RES/1769 of 31 July 2007): Up to 19,555 military personnel; 6,432 police, including 3,772 police personnel and 19 formed police units comprising up to 140 personnel each; and a significant civilian component
  - Strength as of 31 March 2009: 15,351 total uniformed personnel, including 12,737 troops, 188 military observers, 2,426 police officers, supported by 919 international civilian personnel, 1,447 local civilian staff and 303 United Nations Volunteers
- **Note:** Statistics for international and local civilians are as of 28 February 2009
- **Contributors of military personnel:** Australia, Bangladesh, Bolivia, Burkina Faso, Burundi, Cameroon, Canada, China, Egypt, Ethiopia, France, Gambia, Germany, Ghana, Guatemala, Indonesia, Italy, Jordan, Kenya, Malawi, Malaysia, Mali, Mozambique, Namibia, Nepal, Netherlands, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, South Africa, Sweden, Tanzania, Thailand, Togo, Uganda, United Kingdom, Yemen, Zambia and Zimbabwe.
- **Contributors of police personnel:** Bangladesh, Burkina Faso, Cameroon, Côte d’Ivoire, Egypt, El Salvador, Fiji, Finland, France, Gambia, Germany, Ghana, Indonesia, Jamaica, Jordan, Madagascar, Malawi, Malaysia, Nepal, Nigeria, Norway, Pakistan, Palau, Rwanda, Samoa, Senegal, Sierra Leone, South Africa, Sweden, Tajikistan, Tanzania, Turkey, Uganda, United Kingdom, Yemen and Zambia
- **Fatalities:** Total 34: 19 troops, 9 police, 1 military observer, 1 international civilian, 4 local civilians

**Figure 2.4 Successful UN peacekeeping operations**

![Graph showing UN Peace Operations: Larger and Smaller States]

- **UN Peace Operations: Larger States**
  - Population in millions
  - Land area (’000 km²)
  - Underlining indicates mission regarded as especially success in building peace.
  - [Brackets] indicate ongoing conflicts, or conflicts recently ended without peace operations.

- **UN Peace Operations: Smaller States**
  - Population in millions
  - Land area (’000 km²)

Source: Stimson Center
missions that have been successful in peacebuilding include Namibia, Mozambique, Croatia, El Salvador and the Former Yugoslav Republic of Macedonia (FYROM).

CURRENT UN PEACE SUPPORT OPERATIONS AND MISSIONS (AS AT APRIL 2009)

- MINURCAT United Nations Mission in the Central African Republic and Chad
- MINURSO UN Mission for the Referendum in Western Sahara
- MINUSTAH United Nations Stabilisation Mission in Haiti
- UNAMID African Union-United Nations Hybrid Operation in Darfur
- UNDOF UN Disengagement Observer Force
- UNFICYP UN Peacekeeping Force in Cyprus
- UNIFIL UN Interim Force in Lebanon
- UNMEE United Nations Mission in Ethiopia and Eritrea
- UNMIK UN Interim Administration Mission in Kosovo
- UNMIL United Nations Mission in Liberia
- UNMIS United Nations Mission in the Sudan
- UNMIT United Nations Integrated Mission in Timor-Leste
- UNMOGIP UN Military Observer Group in India and Pakistan
STRUCTURE OF UN PEACE SUPPORT OPERATIONS

Ongoing missions do not ever have the same structure, but they do observe the same basic principles. This depends on the Security Council Resolution that gives the mandate for each component.

COMPOSITION OF UN PKOS

Office of the Special Representative of the Secretary-General

The Special Representative of the Secretary-General (SRSG) is the head of mission. He/she is appointed by the Secretary-General with the approval of the Security Council. He/she exercises overall authority in the mission and determines the further delegation of authority in the field on behalf of the Secretary-General. The roles and functions of the SRSG include:

- Managing the political aspects of the mission
- Coordinating overall operation
- Conducting mediations and negotiations with various parties
- Executing the Security Council Resolution

Figure 2.6 UN peace support missions generic structure*

* Source UN DPKO
Civilian administration

The civilian administration is headed by the chief administration officer (CAO). In this component there are UN civilian employees (international civil servants), supported by locally recruited staff (language assistants, clerks, drivers), etc. It has the following functions:

- Supplies
- Food services
- Transport services
- Maintenance (vehicles and equipment)
- Budgeting and finance
- Communications (signals)
- Aviation and air services
- Field construction
- Postal and courier services
- Health services

Military component

This may consist of three elements:

- **Military force**: Headed by the force commander (FC). He/she must be an outstanding officer at the rank of major-general with good UN peacekeeping experience. This officer is appointed by the USG for peacekeeping operations. He/she provides leadership, exercises command, advises the SRSG, and executes military aspects of the mission. Furthermore, he/she is responsible for discipline and conduct, and may be the head of mission. He/she may be required to provide security for other UN and international personnel in the mission area.

- **Formed units (up to battalion)**: These are light-armed units providing a large number of detachments for observation posts, checkpoints and patrols. They are led by a designated commander. A typical unit may be organised with up to three motorised infantry companies, one mechanised infantry company, and armoured personnel carriers, and is supported by an HQ company. Units have a military command and control central structure. These units provide a large number of military detachments for manning observations posts (OPs), command posts (CPs) and patrols. Formed units contribute strongly to the creation of a secure environment in support of peace. They deploy with their own equipment and specialised supplies, having a large degree of self-sufficiency.

- **UN military observers (UNMOS)**: These are international military officers under the leadership of a chief military observer (CMO). They are organised in teams, and are not armed. They wear their national uniforms and normally are of higher rank, ranging from captain to lieutenant colonel. Military observers must have a strong professional background. They perform duties such as:
  - Observation and reporting
  - Patrolling and investigating
  - Liaison and communication between factions
  - Negotiation and mediation
Monitoring separation of forces
- Supervising and supporting disarmament, demobilisation and reintegration (DDR)
- Assisting in electoral processes
- Assisting humanitarian agencies

**UN Police component**

The UN Police (UNPOL) component is headed by the Police Commissioner, who has overall authority on all UNPOLs in the mission area. There are a number of UNPOL units or teams, depending on the size of the mission area and the tasks given to them. In general, however, the Police component will comprise Individual Police Officers or Monitors, and Formed Police Units (FPUs). UNPOL plays a very important role in UN peacekeeping missions, especially building confidence in local communities. Duties of the UNPOL depend on the mandate of the mission. Some examples of UNPOL duties are:

- Monitoring local police
- Maintaining law and order effectively and impartially
- Protecting human rights as per criminal justice standards
- Training local police in best practices
- Assisting in electoral processes
- Providing security for UN personnel
- General police duties

**Human rights component**

The human rights component is manned by civilians under a representative appointed by the UN High Commissioner for Human Rights (UNHCHR) in Geneva. Duties performed by this component include investigation and follow up of cases of human rights violations of the local population, especially vulnerable groups, such as women, children, refugees and internally displaced persons (IDPs).

**Electoral component**

This component is found only in missions that have a mandate to supervise the conduct of elections to ensure they are free and fair. It comprises civilians, and is headed by the chief electoral officer (CEO). Its primary functions lie in organising, monitoring, and verifying that elections are conducted freely and fairly.

**Humanitarian assistance component**

The Office for the Coordination of Humanitarian Affairs (OCHA) coordinates the activities of the humanitarian assistance component. It consists of a group of civilians, headed by a coordinator, and includes non-governmental organisations (NGOs). Humanitarian workers normally know the area and people very well, as they are deployed to the area (field of operation) before peacekeepers arrive. Their duties include food distribution, provision of medicines and shelter, development projects and other necessities of life.
**Conduct and discipline units**

The Conduct and Discipline (C&DI) Unit in DPKO is responsible for the maintenance of discipline, and provision of direction for conduct and discipline issues in field missions. The headquarters C&D team maintains global oversight of the state of discipline in all peace support operations, while the units in peace support operations act as principal advisers to heads of mission on all conduct and discipline issues involving peacekeeping personnel in the missions. The units are responsible for addressing all forms of misconduct by UN peacekeeping personnel, including acts of sexual exploitation and abuse.

**THE DEPARTMENT OF PEACEKEEPING OPERATIONS (DPKO)**

The DPKO is the operational arm of the Secretary General for all UN field operations. It is responsible for planning, conducting and directing peacekeeping operations (see Figure 2.7).

**Humanitarian agencies operating in UNMIL**

The mandate of the humanitarian coordinator in Liberia is to ‘coordinate and optimise logistic capabilities of humanitarian organisations in large-scale emergencies’.

- **UNDP**: Provides funds for the reintegration process of ex-combatants in the DDRR programme
- **UNHCR**: Works in conjunction with WFP and had the task of repatriating about 350,000 refugees by October 2004
- **WHO**: Makes efforts to establish a mechanism for combating Lassa fever in Liberia and Côte d’Ivoire (sub-regional approach)
- **WFP and Caritas**: Rehabilitate roads and provide food
- **UNICEF**: Is involved in processing ex-child combatants at interim care centres and helps in family tracing and reunification
- **USAID (Government of USA)**: Funds education projects, eg the rehabilitation of a port, high schools and the University of Liberia
- **OXFAM**: An NGO which funds projects for the re-establishment of basic living conditions for the IDPs or the host communities
- **International Medical Corps (IMC)**: With funding from the Emergency Relief Fund (ERF), it projects to support ambulance services in Monrovia

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**Figure 2.7 UN DPKO – Department of Peacekeeping Operations**

![Diagram of DPKO structure](source UN DPKO)
THE DEPARTMENT OF FIELD SUPPORT (DFS)

The Department of Field Support (DFS) was created in 2007 to respond to the unprecedented challenges to modern peacekeeping by consolidating appointments, procurements and financial management within peace operations. The DFS is expected to allow the system to provide more effective logistical, personnel, financial, communication and information technology to UN missions in the field. See also section on UN Reforms.

KEY CONCEPTS IN PEACE SUPPORT

In the growing scope and complexity of UN PKOs, the world can effectively achieve the objectives of the UN Charter by using a range of instruments, depending on the type of conflict:

- Preventive diplomacy: This is action to prevent disputes from developing between parties, to prevent existing disputes from escalating into conflict, and to limit the expansion of such when they occur
- Peacemaking: This is diplomatic action aimed at bringing hostile parties to a negotiated agreement through peaceful means, such as those under chapter VI of the UN Charter

Figure 2.8 UN DFS – Department of Field Support
Module 2

Section 3 Structure of UN peace support operations

■ Peacekeeping: This is performed by the UN presence in the field (normally military, police and civilian personnel) with the consent of the conflicting parties. They carry out or monitor the implementation of arrangements such as ceasefires and separation of forces, and ensure safe delivery of humanitarian relief

■ Peace enforcement: When all other efforts fail, authority for this is provided for by chapter VII of the UN Charter. It includes the use of armed force to maintain or restore international peace and security where the Security Council has determined the existence of a threat to peace, breach of peace or act of aggression

■ Peace-building: This is performed in the aftermath of conflict. It is critical for the identification and support of measures and structures that will promote peace and build trust and interaction among former warring factions in order to avoid a relapse into conflict

Exercise 2.3

What does the Security Council Resolution (SCR) establishing UNAMID provide for?

Explain the difference between traditional and modern peacekeeping?

List the components normally present in UN peacekeeping operations?
SECTION 4
Legal framework of peace support operations

BACKGROUND
Legitimacy is the most important asset of a peace support operation. UN PKOs derive their legitimacy from the UN Charter and the Security Council mandate. Peacekeepers must understand and respect the legal framework to avoid making serious mistakes in the mission area.

THE UN CHARTER
There is no specific provision for peacekeeping in the UN charter, except for the stipulation that ‘The Security Council may establish such subsidiary organs as it deems necessary for the performance of its function’ (article 29).

Figure 2.9 The UN Charter and peacekeeping/peace enforcement

Source: UN DPKO
Chapter VI (peaceful settlement of disputes)

This chapter allows for the settlement of disputes by the UN through peaceful means, such as negotiation, mediation, enquiry, conciliation, arbitration and judicial settlement. The Security Council shall, when it deems necessary, call upon the parties to settle their disputes by such means. Use of force in Chapter VI missions is mainly for self-defence.

Chapter VII (action with respect to threats to the peace, breaches of the peace, and acts of aggression)

This chapter is essentially coercive and is designed to deal with threats to peace, breaches of peace and acts of aggression. It makes provision for the Security Council to authorise economic, diplomatic, and military sanctions, as well as the use of military force, to resolve disputes. Where a mission is authorised under this chapter, its mandate could provide for the use of force in the mission area. The Security Council determines the existence of a threat to peace, breach of peace or acts of aggression, and makes recommendations on the action to be taken. This is normally undertaken by regional organisations with UN Security Council sanction, sometimes ex-post facto (‘after the fact’). In chapter VII missions, force will be used as mandated to accomplish the mission.

Chapter VIII (regional arrangements)

Chapter VIII allows for regional groupings or agencies to undertake the peaceful settlement of disputes before referring them to the Security Council. Examples of these are the Economic Community for West African States (ECOWAS), African Union (AU), Southern Africa Development Community (SADC) and the Intergovernmental Authority on Development (IGAD).

REGIONAL ARRANGEMENTS

Regional arrangements are best suited to taking a leading role in resolving conflicts within the region. The only limitation is that they do not have the capacity to

Examples of regional arrangements

- In Liberia, ECOWAS deployed the ECOWAS Mission in Liberia (ECOMIL) from August to October 2003 to create conditions for the deployment of the International Stabilisation Force, including UNMIL.
- In promoting peace, security and stability on the continent, the AU pursues the principle of ‘peaceful resolution of conflicts among Member States of the Union through such appropriate means as may be decided upon by the Assembly’. To this end, it has established the Peace and Security Council (PSC), within the framework of its Constitutive Act (2002), as a standing decision-making organ for the prevention, management and resolution of conflicts. It is a collective and early warning arrangement to facilitate timely and efficient response to conflict and crisis situations in Africa.
- The AU deployed the 3,335-strong African Mission in Burundi (AMIB) from April 2003 until June 2004, to monitor and verify the implementation of the Ceasefire (Arusha) Agreement. The force was subsumed in the UN Operations in Burundi (UNOB) in June 2004.
- In Darfur region of Sudan, the AU deployed the AU Mission in Sudan-Darfur (AMIS) to monitor the ceasefire agreement arrived at in Chad in April 2004. The AU also engaged in negotiations led to the Darfur Peace Agreement (2006) between the government of Sudan, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM).
do so, in terms of sufficient resources (both financial and material). The UN has to support these regional groupings fully if they are to be successful.

**Examples of Security Council resolutions**

- **S/RES/1244(1999)** established the UN Interim Administration Mission in Kosovo (UNMIK).
- **S/RES/1270(1999)** established the UN Mission in Sierra Leone (UNAMISIL) under Chapter VII of the UN Charter. The new mission was mandated to: “Cooperate with government of Sierra Leone and the other parties to the peace agreement that was signed in Lomé on 7 July 1999; assist the government of Sierra Leone in the implementation of the DDR plan; establish a presence at key locations throughout the territory of Sierra Leone; ensure the security and freedom of UN personnel and monitor adherence to the cease fire.”
- **S/RES/1529(2001)** with regard to the question concerning Haiti.
- **S/RES/1769 (2007)**. By this resolution, the Council, acting under Chapter VII of the Charter, decided that UNAMID is authorised to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities for protection tasks and to support the effective implementation of the Darfur Peace Agreement (2006).

**UN SECURITY COUNCIL RESOLUTIONS**

The Security Council determines the mandate of a peace support operation and issues a resolution. The resolution establishes the mission and its tasks, and is authorised under chapter VI or VII of the UN Charter. The mandate should have explicit and realistic goals. It is imperative that the Security Council should carefully deliberate over decisions for setting up peace support operations. This is because mandates need political and legal interpretations. If the mandate is open to contradictory interpretations, components of a peace support operation could be working at cross purposes, thereby making efforts of governments to resolve the conflict self-defeating.

**Darfur UNAMID – Mandate S/RES 1769 (2007)**

**Acting under Chapter VII of the Charter of the United Nations, the Security Council, by its resolution 1769 of 31 July 2007 decided that UNAMID is authorised to take the necessary action, in the areas of deployment of its forces and as it deems within its capabilities in order to:**

- protect its personnel, facilities, installations and equipment, and to ensure the security and freedom of movement of its own personnel and humanitarian workers;
- support early and effective implementation of the Darfur Peace Agreement, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the Government of Sudan.

**The Council also decided that the mandate of UNAMID shall be as set out in paragraphs 54 and 55 of the report of the Secretary-General and the Chairperson of the African Union Commission of 5 June 2007 (document S/2007/307/Rev.1), namely as follows:**

- To contribute to the restoration of necessary security conditions for the safe provision of humanitarian assistance and to facilitate full humanitarian access throughout Darfur;
- To contribute to the protection of civilian populations under imminent threat of physical violence and prevent attacks against civilians, within its capability and areas of deployment, without prejudice to the responsibility of the Government of the Sudan;
In order to achieve these broad goals, the operation’s tasks would include the following:

### Support for the peace process and good offices:
- To support the good offices of the African Union-United Nations Joint Special Representative for Darfur and the mediation efforts of the Special Envoys of the African Union and the United Nations;
- To support and monitor the implementation of the Darfur Peace Agreement and subsequent agreements;
- To participate in and support the major bodies established by the Darfur Peace Agreement and any subsequent agreements in the implementation of their mandate, including through the provision of technical assistance and logistical support to those bodies;
- To facilitate the preparation and conduct of the Darfur-Darfur Dialogue and Consultation, as stipulated in the Darfur Peace Agreement;
- To assist in the preparations for the conduct of the referendums provided for in the Darfur Peace Agreement;
- To ensure the complementary implementation of all peace agreements in the Sudan, particularly with regard to the national provisions of those agreements, and compliance with the Interim National Constitution;
- To liaise with UNMIS, the African Union Liaison Office for the implementation of the Comprehensive Peace Agreement and other stakeholders to ensure complementary implementation of the mandates of UNMIS, the African Union Liaison Office for the implementation of the Comprehensive Peace Agreement and the hybrid operation in Darfur;

### Security:
- To promote the re-establishment of confidence, deter violence and assist in monitoring and verifying the implementation of the redeployment and disengagement provisions of the Darfur Peace Agreement, including by actively providing security and robust patrolling of redeployment and buffer zones, by monitoring the withdrawal of long-range weapons, and by deploying hybrid police, including formed police units, in areas where internally displaced persons are concentrated, in the demilitarised and buffer zones, along key routes of migration and in other vital areas, including as provided for in the Darfur Peace Agreement;
- To monitor, investigate, report and assist the parties in resolving violations of the Darfur Peace Agreement and subsequent complementary agreements through the Ceasefire Commission and the Joint Commission;
- To monitor, verify and promote efforts to disarm the Janjaweed and other militias;
- To coordinate non-combat logistical support for the movements;
- To assist in the establishment of the disarmament, demobilisation and reintegration programme called for in the Darfur Peace Agreement;
- To contribute to the creation of the necessary security conditions for the provision of humanitarian assistance and to facilitate the voluntary and sustainable return of refugees and internally displaced persons to their homes;
- In the areas of deployment of its forces and within its capabilities, to protect the hybrid operation’s personnel, facilities, installations and equipment, to ensure the security and freedom of movement of United Nations-African Union personnel, humanitarian workers and Assessment and Evaluation Commission personnel, to prevent disruption of the implementation of the Darfur Peace Agreement by armed groups and, without prejudice to the responsibility of the Government of the Sudan, to protect civilians under imminent threat of physical violence and prevent attacks and threats against civilians;
- To monitor through proactive patrolling the parties’ policing activities in camps for internally displaced persons, demilitarised and buffer zones and areas of control;
- To support, in coordination with the parties, as outlined in the Darfur Peace Agreement, the establishment and training of community police in camps for internally displaced persons, to support capacity-building of the Government of the Sudan police in Darfur, in accordance with international standards of human rights and accountability, and to support the institutional development of the police of the movements;
- To support the efforts of the Government of the Sudan and of the police of the movements to maintain public order and build the capacity of Sudanese law enforcement in this regard through specialised training and joint operations;
- To provide technical mine-action advice and coordination and demining capacity to support the Darfur Peace Agreement;
### Rule of law, governance, and human rights:
- To assist in the implementation of the provisions of the Darfur Peace Agreement and any subsequent agreements relating to human rights and the rule of law and to contribute to the creation of an environment conducive to respect for human rights and the rule of law, in which all are ensured effective protection;
- To assist all stakeholders and local government authorities, in particular in their efforts to transfer resources in an equitable manner from the federal Government to the Darfur states, and to implement reconstruction plans and existing and subsequent agreements on land use and compensation issues;
- To support the parties to the Darfur Peace Agreement in restructuring and building the capacity of the police service in Darfur, including through monitoring, training, mentoring, co-location and joint patrols;
- To assist in promoting the rule of law, including through institution-building, and strengthening local capacities to combat impunity;
- To ensure an adequate human rights and gender presence capacity, and expertise in Darfur in order to contribute to efforts to protect and promote human rights in Darfur, with particular attention to vulnerable groups;
- To assist in harnessing the capacity of women to participate in the peace process, including through political representation, economic empowerment and protection from gender-based violence;
- To support the implementation of provisions included in the Darfur Peace Agreement and any subsequent agreements relating to upholding the rights of children;

### Humanitarian assistance:
- To facilitate the effective provision of humanitarian assistance and full access to people in need.

### Fundamentals of Peacekeeping
- **Consent:** Agreement and cooperation of parties
- **Impartiality:** Not to take sides
- **Minimum use of force:** Only for self-defence, clear rules of engagement (ROEs)/ directive on the use of force and firearms
- **Credibility:** Winning the confidence of both/all parties
- **Negotiation and mediation:** Great potential for de-escalating conflicts

### Human Rights

The Universal Declaration of Human Rights (1948) was the first international instrument to use the term ‘human rights’. The UN Charter guides the Office of the High Commissioner for Human Rights (OHCHR) in its work. The mission of this office is to protect and promote the human rights of all people.

These are inherent rights of human beings and cannot be waived. They oblige states and state actors to refrain from infringing on human rights of individuals. All police personnel (UNPL/AUPOL) must respect human rights. If there are violations of human rights, these should be reported accordingly in the chain of command.

- **Examples of human rights:**
  - Life, liberty and security of person
  - Freedom from slavery, torture and degrading treatment
  - Free and fair trial
  - Peaceful assembly and association
  - Freedom of thought, conscience and religion
  - Freedom from unlawful arrest, detention or exile
  - Right to appeal a conviction
LAW OF ARMED CONFLICT/INTERNATIONAL HUMANITARIAN LAW

This body of rules protects, among others, people who are no longer participating in hostilities during wartime. The central aim of this law is to limit and prevent human suffering in times of armed conflict. The rules are to be obeyed by governments, their armed forces and armed opposition groups. The principal instruments in this law are the four Geneva Conventions (1949) and their two Additional Protocols (1977). The Geneva Conventions are designated to safeguard military personnel who are no longer taking part in the fighting, as well as the people who are not actively involved in hostilities, that is, civilians. Building on the Hague Conventions (1868, 1899, 1902), the Geneva Conventions establish respect for the laws and customs of war; [respect for] the rights and obligations of belligerents in the conduct of military operations; and limit the means of harming the enemy. The Additional Protocols strengthen the protection of victims of international and non-international armed conflict.

United Nations International Criminal Tribunal for Rwanda (ICTR)

The 1994 Rwandan genocide was carefully planned to annihilate Rwanda’s Tutsi and moderate Hutu population, who were opposed to the Habiyarimana Regime. Within 100 days, approximately 800,000 lives had been lost. It was the fastest and most vicious genocide ever recorded in human history. The International Criminal Tribunal for Rwanda (ICTR) was established to try the main instigators of the genocide, and is located in Arusha, Tanzania. It is hoped that this tribunal will provide justice for Rwandan people, and at the same time contribute to the process of national reconciliation. National and local trials for genocide suspects are being conducted in Rwanda by Rwandan courts, for example Gacaca Courts. These courts involve the community in the trial and sentencing process. The government of national unity believes that such trials will help bring about national reconciliation. A few other cases have been heard in European courts.

Problems

Trying these cases is progressing at a very slow pace, because of the vast numbers of genocide suspects. Poor structures, death of professionals in the genocide, and the lack of an adequate number of prosecutors, judges and lawyers to try cases create a big problem. Operating at the present rate, and relying on the present conventional court system, it would take 200 years to complete the cases.

Cases tried so far

- The ICTR in Arusha has since 1997 to date completed the trials of 45 persons and rendered 36 judgements.
- The Rwandan courts have tried and sentenced over 2,500 suspects (see http://www.gov.rw/government/genocide.html).

THE LAW OF ARMED CONFLICT IS FOUND ON FOUR PRINCIPLES

- Protection of civilian population
- Means of combat not unlimited
- Conditions of detained persons
- Protection of wounded, sick, medical and relief workers

STATUS OF FORCE AGREEMENTS

Status of Force Agreements (SOFAs) are concluded between the UN and the state in whose territory the UN force is deployed. For non-force UN peace missions, the status of mission agreement (SOMA) is applicable. The UN undertakes to ensure that the force shall conduct its operations with full respect for the principles and rules of the general conventions applicable to the conduct of military personnel. Every police officer is subject to the national laws of his/her country during his/her tour of duty. The host nation has its own law, but certain agreements have to be reached for UNPOL (and AU POL) to operate efficiently and effectively. Certain aspects have to be clarified:

- Jurisdiction
  - Entry, residence and departure procedures
  - Freedom of movement in the mission area
- Facilities
  - Right to use road, airport and harbours free of charge
Section 4 Legal framework of peace support operations

MEMORANDUM OF UNDERSTANDING

The Memorandum of Understanding (MoU) is an agreement between the UN and the contributing nation.

Basic guidelines:

- **Contribution:** Category and number of personnel
- **Authority:** All UN PKO personnel are placed under the operational control of the UN
- **Duties of UN:** Travel and salaries/allowances for UNMOS, UNPOL and civilian staff

RULES OF ENGAGEMENT/DIRECTIVES ON THE USE OF FORCE AND FIREARMS

Rules of engagement (ROE) and directives on the use of force and arms (DUFF), as applicable to the police, are among the most misunderstood aspects of UN peace support operations. ROEs/DUFF are directions to the police commissioner and force commanders that delineate the parameters within which designated UN personnel may use force. The implementation of these rules is a command responsibility that is addressed to the force commander or police commissioner, who has to interpret and issue them to his subordinate commanders. ROEs/DUFFs are based on the mandate, resources, terms of agreement, prevailing situation on the ground, etc. They may be issued as prohibitions or permissions. ROEs/DUFFs must conform to the domestic and international laws.

Throughout the conduct of their duties, police officers must comply with the international legal principles of proportionality, minimum use of force and minimising the potential for collateral damage. ROEs/DUFFs are driven by three sets of considerations: policy, legal and military/police. These rules must evolve with mission requirements and be tailored to mission realities. They must be reviewed continuously to ensure their effectiveness.

TRADITIONAL VIEW OF ROES/DUFF

Traditional peacekeeping operations did not preclude the use of force in self-defence. ROEs
allowed the use of force to defend life and property against unlawful attacks (self-defence).

**MODERN/EXPANDED VIEW OF ROES/DUFF**

In present-day challenging multidimensional peace support operations, peacekeepers may need sufficiently robust ROEs/DUFFs and the military/police resources to enable them to fulfil the mandate and defend themselves, for example:

- Right to resist attempts aimed at preventing the UN from discharging its duties
- Right to resist incursion into protected areas, which are under UN control
- Right to defend posts, convoys, or camps (positions)

The Brahimi Report emphasises that ROEs should be sufficiently robust, and not force UN contingents to concede the initiative to their attackers. Instead, UN military units must be capable of defending themselves, other mission components, and the mission mandate. UNMIL is an example of a present-day multidimensional peacekeeping operation that requires robust ROE/DUFFs. A strong rule of law component was set up from the outset in Liberia.

**EXAMPLES OF UN ROES/DUFFS AND USE OF FORCE**

Use of force is authorised, up to and including deadly force:

- To defend oneself and other UN personnel against a hostile act or a hostile intent
- To defend other international personnel against a hostile intent
- To resist attempts to abduct or detain other UN personnel

**CONTRAVENTION OF ROES/DUFF**

Contravention of ROEs/DUFFs must be reported to UN HQ (DPKO) through the chain of command by the quickest means. Investigation has to be conducted and the findings forwarded to UN HQ.

Troop- and police contributing countries (TCCs/PCCs) still negotiate country-specific ROEs/DUFFs, which may limit some of their activities. A force commander must take into account each country’s ROE/DUFFs when planning missions and operations.

**STANDARD OPERATING PROCEDURES**

Standard operating procedures (SOPs) are developed for each mission in addition to the guidelines
issued for peacekeepers by the DPKO. SOPs are based on, and in line with the mandate of the mission.

### PRIVILEGES AND IMMUNITIES FOR PEACEKEEPERS

The peacekeeper enjoys certain legal and international privileges and immunities as defined in article VI of the Convention on Privileges and Immunities of the UN. UNPOL are regarded as experts on missions within the meaning of this article. They enjoy these privileges, immunities and facilities whenever they perform duties for UN. These include:

- Immunity from arrest or detention
- Immunity from legal process
- Inviolability for all documents
- Use of communication facilities
- Use of currency or exchange as a representative of foreign government
- Diplomatic treatment for personal baggage

(See appendix 2 at the end of the module for the reproduction of the text of article VI, section 22 and section 23.)

### IMPACT ON THE PEACEKEEPER

The mandate describes the goal or end state of the mission. It must be clearly stated and without ambiguities. The peacekeeper must clearly understand the mandate and exercise impartiality in its implementation. The use of force should be limited to the rules of engagement of the mission. If a peacekeeper commits a crime or an act of grave misconduct, his/her immunity can be waived by the Secretary-General for him/her to be dealt with by the judicial system of the host country. Cases of misconduct erode the image, integrity and credibility of the UN. To avoid this problem, there should be pre-deployment training and greater awareness of the UN and the regional code of conduct, that is, the proposed EAPCCO Code of Conduct, cultural sensitivities, and the repercussions of misconduct, including repatriation.

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**Exercise 2.4**

1. Explain the fundamentals of peacekeeping.
2. Explain the differences between chapters VI, VII and VIII of the UN Charter.
3. List the four principles that relate to protection in the law of armed conflict.
4. Explain the concept of UN rules of engagement (ROE)/directives on the use of force and firearms (DUFFs).
5. Describe the impact on the legal framework on personal behaviour.
SECTION 5

Integrated missions and integrated mission planning process

OVERVIEW OF IMPP

Integrated missions and the integrated mission planning process (IMPP) provide a sequential, integrated planning framework for new missions, and for new phases of existing missions. IMPP clarifies the role of the Department of Peacekeeping Operations (DPKO) and its relationships with other departments and stakeholders in the planning process and establishes the common framework for DPKO’s functional elements to integrate and synchronise their activities.

IMPP integrates the planning, programming and budgeting processes used within the UN to maintain operational readiness and resources allocation for peace operations.

PRINCIPLES UNDERLYING IMPP

Two main principles underlie IMPP:

- Planning must note lessons learned from previous operations at every level of the process.
- Responsibility for planning must rest with a clearly designated entity (that is, the Department of Political Affairs (DPA), DPKO, and the Office of the Special Representative of the Secretary-General (OSRSG)) at different levels of planning.

LEVELS OF IMPP

IMPP is a structured and systematic approach with a number of successive levels. Each level produces more detailed analysis and plans that follow from the preceding level. Each planning step starts with an analytical process, which should produce a recommended option, and ends with a product developed from the recommended option.

Level 1: Pre-planning

Pre-planning consists of regular monitoring and analysis of developments in a geographic area containing the potential for, or an ongoing conflict. The pre-planning
cycle is complete when a recommendation is made to commence planning, or to defer planning, or that there is no requirement for further UN planning.

- **Purpose:** The purpose of pre-planning is to identify regions, countries or crises where more structured and detailed analysis is necessary to determine a potential UN role. The pre-planning level enables prioritisation of planning efforts, resource allocation and, if necessary, adjustments to operational readiness. It also helps to determine whether to develop a UN strategy.

- **Process**
  - Collect and analyse information about geographic areas with conflict potential
  - Identify constraints and/or limitations to strategy development
  - Assess the general situation and specific early warning indicators, to identify developments that could increase the potential for UN involvement
  - Assess the timeframe and scope of potential UN involvement

- **Products**
  - Databases of relevant information about conflicts
  - Early warnings of a potential UN role
  - Conflict assessment
  - Recommendation to start planning and allocation of appropriate resources to the planning process

- **Responsibilities**
  As lead department in the pre-planning level, DPA:
  - Develops potential conflict-situation assessments
  - Solicits advice from other departments and agencies with functional expertise
  - DPKO functional elements contribute to pre-planning by providing expert advice in their respective areas

- **Decision point:** When analysis indicates that UN involvement may be necessary or appropriate in an area or conflict, the Secretary-General then decides on the nature of that involvement and whether to begin the mission planning process. When the Secretary-General decides to plan for a UN operation, the responsibility for planning shifts to DPKO, which then becomes the lead department.

**Level 2: Development of UN strategy**

This stage of planning begins with the decision to plan for further UN involvement, by developing an overarching strategy that includes ways, means and ends. Development of the UN strategy involves the assessment of scenarios and evaluation of the options for each of these in order to determine the recommended option(s) for the UN in preventing or managing the situation in the context of relevant UN policies.

- **Purpose:** To identify the UN strategy appropriate to a particular region, country or conflict

- **Process**
  - Designate and/or establish an entity to develop the UN strategy
  - Develop an agreed understanding of the current situation
  - Analyse available guidance
■ Determine the international community’s strategic/long-term aim(s)
■ Identify strategic factors and implications of potential UN actions
■ Develop/assess/prioritise (planning) scenarios
■ Determine the essential conditions and key steps (strategic approach) required to achieve the desired aim
■ Develop and assess the options within this approach, outlining, in broad terms, responsibilities, the anticipated roles for the UN and the types of resources required to pursue each option
■ Evaluate, coordinate and integrate all inputs from partners and stakeholders
■ Develop a recommended UN strategy

■ Responsibilities
In accordance with the Secretary-General’s earlier determination to commence planning for a UN peace mission, DPKO assumes planning responsibility from this level onwards and:
■ Establishes an integrated planning group to develop a UN strategy
■ Actively seeks input from partners with the required technical expertise
■ Coordinates the planning efforts with partners outside the UN system, if any

■ Decision point: Level 2 is complete when the Under-Secretary-General (USG), in consultation with relevant entities, approves a recommended strategy. The Secretary-General’s endorsement of the UN strategy is then required, taking into account general guidance from UN legislative bodies. Based on this, the USG directs that further planning and associated actions should be undertaken.

Level 3: Development of functional strategies

At this stage, appropriate functional strategies for each aspect of the UN’s role are defined and integrated. These will provide more detailed guidance and direction to implement the overall UN strategy.

■ Purpose: To define and integrate appropriate functional strategies for each aspect of the UN’s role, which will provide more detailed guidance and direction to implement the overall UN strategy

■ Process
Designate and empower the senior manager who will guide the integrated planning process
■ Describe the situation related to the anticipated functions
■ Analyse guidance from the UN strategy and from other stakeholders
■ Identify and assess factors of strategic importance to the functions
■ Identify the resources that will be available during the anticipated timeframe
■ Identify the aim or end state for each function
■ Develop options within the functions
■ Assess and prioritise the options to select the preferred one

■ **Product**

The product of this level is a recommended integrated strategic concept, which consists of:
■ A description of the situation
■ Key elements of the UN strategy
■ Its phases and stages
■ Aims and key tasks of the functional areas
■ A broad estimate of the resources required to implement each functional strategy
■ Measures of coordination and integration

■ **Responsibilities:** The USG expands the integrated planning group to include representation from all functional areas of DPKO, as well as from other UN departments and agencies deemed necessary. He/she is responsible for the overall political strategy on behalf of the Secretary-General. This strategy guides the coordination framework efforts in integrating the functional strategies.

■ **Decision point:** This step is complete when the Secretary-General endorses the integrated concept and directs the development of a detailed mission plan.

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**Level 4: Development of a mission plan**

The mission plan explains comprehensively how the UN’s strategic aim will be achieved, in terms of who, what, when, where and how. It also serves as the basis for justifying the resources that will be requested prior to the issue of a mandate by the Security Council and the approval of a budget by the General Assembly. As a matter of principle, responsibility for planning rests with the entity responsible for carrying out the proposed mandate. Accordingly, the mission plan is developed by the head of mission or, prior to his/her appointment, at headquarters by a staff member, assigned to DPKO for the purpose, who participates in the start-up of the proposed mission as the chief planning officer (or a comparable title).

■ **Purpose:**

The mission plan is an operational plan that provides the practical details of the UN’s aim that enables all components of the mission to develop their own implementing plans. It guides each aspect of the mission’s work. The plan presents step-by-step details of how the expected mandate of the mission will be completed. It also outlines the tasks and resource requirements to be fulfilled by headquarters.

■ **Process:** The processes used by different components to develop their own plans, based on the integrated concept, may vary. However, planning processes need to take into account the requirement to synchronise planning.

■ **Products**

Definition of expected tasks or mandated tasks, when a mandate is available
■ Mission plan, including:
  → A detailed outline of the situation as it relates to each component
  → Assumptions and limitations
  → Key mission tasks derived from the functional strategies
  → Immediate, mid- and long-term objectives and tasks
The tasks assigned to each component of the mission

Analysis of those tasks that should be synchronised with other tasks or components

The structure of each component, the resources required and a plan to generate/obtain those resources

A plan for the movement and deployment of different components and resources, with clear timelines

Requirements for support from headquarters and other organisations

An agreed coordination framework that can be implemented in the mission area.

Annexes

- Input for the Secretary-General’s report
- Request for resources

**Responsibilities:** The head of mission, if assigned, develops the mission plan. In the absence of a head of mission, the USG/DPKO is responsible for developing the mission plan, through a staff member designated for the purpose.

**Decision point:** The mission plan, along with other inputs, forms the basis of the Secretary-General’s report to the Security Council. Headquarters will endorse the plan, following a Security Council mandate, when the mission plan becomes an implementation directive for the mission.

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**Level 5: Development of mandate implementation plans**

**Purpose:** Mandate implementation plans describe how the head of mission and his/her component leaders achieve the various tasks outlined in the mission plan.

**Process and responsibilities:** In the plan implementation phase, responsibility for mandate-related planning rests primarily with the mission. Headquarters provides policy guidance and resources, and the mission assumes the responsibility for defining specific goals, developing plans and quantifying requirements to fulfil the mandate in the context of evolving conditions ‘on-the-ground’. Pursuant to mission establishment and on-the-ground experience, the mission team identifies and designs programmes that describe how the mission will address specific goals derived from the mandate, each component’s role and responsibilities in support of each of the programmes, and timeframes for programme completion, where appropriate.

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**Exercise 2.5**

Briefly explain the concept of integrated missions and the integrated mission planning process.

List and explain the two underlying principles of IMPP.

Explain the five levels of IMPP.

Explain any of the operational level structures in an integrated mission.
BACKGROUND TO THE AU

The African Union (AU) formally replaced the Organisation of African Unity (OAU) in July 2002, which had been formed on 25 May 1963. The OAU was initially conceived as a political and economic grouping of independent African states. Its establishment was the culmination of efforts towards pan-African ideals from 1919 for the decolonisation and independence of African states. From the late 1950s, the yearning for these pan-African ideals brought with it an increasing realisation of the need for closer African collaboration to expedite the decolonisation of the entire continent for rapid political and economic development. From 1958, these efforts resulted in the formation of a number of movements, notably:

- The socialist Casablanca Group (1961), incorporating Ghana, Guinea, Mali, Morocco, the United Arab Republic (Egypt) and the Algerian Provisional Government; this group evolved from the Ghana-Guinea Union of 1958, which Mali joined in 1961
- The Monrovia Group (1961), incorporating Liberia, Ivory Coast, Cameroon, Senegal, Malagasy Republic, Togo, Dahomey (Benin), Chad, Niger, Upper Volta (Burkina Faso), Congo Brazzaville, Central African Republic, Gabon, Ethiopia and Libya

Fortuitously, in May 1963, about 30 leaders of these movements buried the hatchet and signed the Charter of African Unity that established the organisation.

OBJECTIVES OF THE OAU

The objectives (article II) of the OAU were to:

- Promote the unity and solidarity of African states

Duration
2 hours

Section aim
To provide peacekeepers with basic knowledge of the AU system and the objectives, principles and general functions of the AU organs and RECs, in order to facilitate an understanding of the evolution of the peace and security agendas of the AU and African regional organisations, in support of the efforts of the UN.

Section objectives
At the end of this section, participants should be able to:

- Be familiar with the background history of the AU and SADC
- Be familiar with the objectives, principles and structure of the AU and SADC, and the general functions of their organs
- Demonstrate broad understanding of the evolution of peace-support operations by the AU and SADC, including their challenges and prospects
- Relate the knowledge gained to current AU and UN missions in Africa.
Section 6 Background to the African Union System

- Coordinate and intensify their cooperation and efforts to achieve a better life for the peoples of Africa
- Defend the sovereignty, territorial integrity and independence of member states
- Eradicate all forms of colonialism from Africa
- Promote international cooperation, with due regard to the Charter of the UN and Universal Declaration of Human Rights.

To these ends, the member states expressed their intent to coordinate and harmonise their general policies, especially cooperation in the fields of political and diplomatic; economic, including transport and communications; education and culture; health, sanitation and nutrition; science and technology; and defence and security.

Through the instrumentality of the OAU Coordinating Committee for the Liberation of Africa (OCCLA), which was established in 1963, the OAU was successful in its struggle for the decolonisation and independence of the continent, as well as the struggle against apartheid. Independence, however, resulted in serious latent disputes among the newly independent states, as a result of historical processes in which arbitrary colonial borders had been created. The African liberation struggle received the recognition and cooperation of the international community and the UN, which called upon its Specialised Agencies (Resolution 2555), to provide material assistance to the liberation movements and Frontline States, subsequent to the UN Security Council special session on African territory in 1972.

However, the OAU was not so successful at finding lasting solutions to post-independence conflicts in Africa. Among other reasons, this stemmed from:

- The limitations set by the OAU Charter principles of sovereign equality and non-interference in the affairs of member states
- The absence of a substantive security mechanism for conflict prevention and resolution, and reliance on ad hoc approaches
- The prevalence and severity of conflicts
- Lack of capacity and institutional expertise
- The perceived and real reluctance of the UN and the international community to fully commit themselves to the resolution of destabilising conflicts, especially following the end of the Cold War

Following the end of the Cold War and the global political and economic changes that preceded it, African Heads of State and Government, in Addis Ababa in July 1990, underscored the need to act quickly and determinedly to forestall devastating African conflicts. They adopted the declaration titled, ‘Declaration of the Assembly of Heads of State and Government of the Organisation of African Unity on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World’. Efforts to make the OAU relevant and the compelling need to find an effective mechanism for the security of the continent were spurred by the unprecedented genocide in the Rwanda in 1994.

Thus, after nearly 30 years of existence, the leadership of the OAU recognised the need to transform the organisation. This led to the establishment of the
Constitutive Act of the African Union, which was adopted in July 2000 in Lomé, Togo. The African Union (AU) was formally launched in July 2002, in Durban, South Africa

THE CONSTITUTIVE ACT OF THE AFRICAN UNION

- The Constitutive Act of the African Union is the legal instrument for the establishment of the union, based on the fundamental principle of ‘sovereign equality and interdependence among Member States of the Union’.
- Article 3 sets out the objectives (purposes) of the union, among others to achieve greater unity and solidarity among African countries and the peoples of Africa. It also aims at promoting peace, security and stability on the continent.
- Article 4 sets out the principles (16) that guide the functions of the union. In terms of peace and security, while providing for the peaceful resolution of conflicts among member states of the union through appropriate means, it also provides for:
  - ‘The right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity’ (article 4h)
  - ‘The right of Member States to request intervention from the Union, in order to restore peace and security’ (article 4j)

Preamble to the Constitutive Act

- ‘INSPIRED by the noble ideas which guided the founding fathers of our Continental Organisation and the generations of Pan-Africanists in their determination to promote unity, solidarity, cohesion and cooperation among the peoples of Africa and African states’
- ‘CONSIDERING the principles and objectives stated in the Charter of Organisation of African Unity and the Treaty establishing the African Economic Community’
- ‘RECALLING the heroic struggles waged by our people and our countries for political independence, human dignity and economic emancipation’
- ‘CONSIDERING that since its inception, the Organisation of African Unity has played determining and invaluable role in the liberation of the continent, the affirmation of a common identity and the process of attainment of the unity of our continent and has provide a unique framework for our collective action in Africa and in our relations with the rest of the world’
- ‘DETERMINED to take up the multifaceted challenges that confront our continent and peoples in the light of the social, economic and political change taking place in the world’
- ‘CONVINCED of the need to accelerate the process of implementing the Treaty establishing the African Economic Community in order to promote the socioeconomic development of Africa and to face more effectively the challenges posed by globalisation’
- ‘GUIDED by our common vision of a united and strong Africa and by the need to build a partnership between governments and all segments of civil society,’
in particular women, youth and the private sector, in order to strengthen solidarity and cohesion among our peoples

- **CONSCIOUS** of the fact that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent and of the need to promote peace, security and stability as a prerequisite for the implementation of our development and integration agenda

- **DETERMINED** to promote and protect human and people’s rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law

- **FURTHER DETERMINED** to take all necessary measures to strengthen our common institutions and provide them with the necessary powers and resources to enable discharge their respective mandates respectively

- **RECALLING** the Declaration which we adopted at the Fourth Extraordinary Session of our Assembly in Sirte, the Great Socialist People’s Libyan Arab Jamahiriya, on 9.9.99, in which we decided to establish an African Union, conformity with the ultimate objectives of the Charter of our Continental Organisation and the Treaty establishing the African Economic Community

HAVE AGREED AS FOLLOWS:

**Establishment (article 2)**

The African Union is hereby established in accordance with the provisions of this Act:

**Objectives**

In accordance with article 3, the Constitutive Act states that the objectives of the Union shall be to:

- Achieve greater unity and solidarity between the African countries and the peoples of Africa
- Defend the sovereignty, territorial integrity and independence of its member states
- Accelerate the political and socio-economic integration of the continent
- Promote and defend African common positions on issues of interest to the continent and its peoples
- Encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights
- Promote peace, security, and stability on the continent
- Promote democratic principles and institutions, popular participation and good governance
- Promote and protect human and people’s rights in accordance with the Africa Charter on Human and Peoples’ Rights and other relevant human rights instruments
- Establish the necessary conditions which enable continent to pay its rightful role in the global economy and in international negotiations
- Promote sustainable development at the economic, social and cultural levels as well as the integration of African economies
Module 2

Background to the United Nations and the African Union

Section 6 Background to the African Union System

- Promote cooperation in all field of human activity to raise the living standards of African peoples
- Coordinate and harmonise the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union
- Advance the development of the continent by promoting research in all fields, in particular in science and technology
- Work with relevant international partners in the eradication of preventable diseases and the promotion of good health

**PRINCIPLES OF THE AFRICAN UNION**

Article 4 of the Constitutive Act stipulates that the union shall function in accordance with the following principles:

- Sovereign equality and interdependence among member states of the union
- Respect of borders existing on achievement of independence
- Participation of the African peoples in the activities of the union
- Establishment of a common defence policy for the African continent
- Peaceful resolution of conflicts among member states of the union through such appropriate means as may be decided upon by the Assembly
- Prohibition of the use of force or threat to use force among member states of the union
- Non-interference by any member state in the internal affairs of another
- The right of the union to intervene in a member state pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity
- Peaceful co-existence of member states and their right to request intervention from the union in order to restore peace and security
- The right of member states to request intervention from the union in order to restore peace and security
- Promotion of self-reliance within the framework of the union
- Promotion of gender equality
- Respect for democratic principles, human rights, the rule of law and good governance
- Promotion of social justice to ensure balanced economic development
- Respect for sanctity of human life, condemnation and rejection of impunity and political assassination, acts of terrorism and subversive activities
- Condemnation and rejection of unconstitutional changes of governments

**HOW THE AFRICAN UNION WORKS**

Like the UN, the AU is not a continental government. Rather, the union serves as a continental body aiming at pursuing objectives (article 3) of the Constitutive Act, to promote and defend African common positions on issues of interest to the continent and its people. In finding African solutions to African problems, article 5 of the Constitutive Act provides for the following organs:
Assembly

As the supreme organ of the union, the assembly is composed of heads of state and government or their duly accredited representatives. Its chairman is a head of state, who is elected after consultations among member states to hold office for a period of one year. The assembly takes decisions by consensus (article 7); failing that, by a two-thirds majority of its members, which also constitutes the quorum. In accordance with article 9, it has powers to determine the common policies of the union, among others. With particular reference to conflicts, it gives directions to the Executive Council on the management of conflicts, war and other emergency situations and the restoration of peace. It meets at least once a year in ordinary session, normally in June–July, and in one extraordinary session, normally in February.

Executive Council

The Executive Council is composed of the ministers of foreign affairs or such other ministers or authorities as are designated by the governments of member states (article 10). The Executive Council also takes its decisions by consensus and, failing that, by two-thirds majority (article 11). It is empowered to coordinate and take decisions on policies in areas of common interest to the member states (article 13).

AU Commission

The AU Commission was established pursuant to article 20 of the Constitutive Act. It replaced the former General Secretariat of the OAU. In terms of functions, the commission is equivalent to the UN HQ in New York. The commission is composed of a chairman, a deputy chairman, and eight commissioners and staff of the respective departments. Briefly, the structure of the AU Commission is as follows:

- Bureau of the Chairperson
- Commissioners for:
  - Peace and Security (conflict prevention, management and resolution, and combating terrorism)
Political Affairs (human rights, democracy, good governance, electoral institutions, civil society organisations, humanitarian affairs, refugees, returnees and internally displaced persons)

Infrastructure and Energy (energy, transport, communications, infrastructure and tourism)

Social Affairs (health, children, drug control, population, migration, labour and employment, sports and culture)

Human Resources, Science and Technology (education, information technology communication, youth, human resources, science and technology)

Trade and Industry (trade, industry, customs and immigration matters)

Rural Economy and Agriculture (rural economy, agriculture and food security, livestock, environment, water and natural resources and desertification)

Economic Affairs (economic integration, monetary affairs, private sector development, investment and resource mobilisation)

Directorates and departments

- Women, Gender and Development
- Programming, Budgeting, Finance and Accounting
- Administration
- Afro-Arab Cooperation
- Office of the Legal Counsel
- Policy Analysis Support Unit (PASU)
- Pan African Tsetse and Trypanosomiasis Eradication Campaign (PATTEC)
- Protocol Services Unit

The commission is the key organ and plays a central role in the day-to-day management of the African Union. Among others, it represents the union and defends its interests; elaborates draft common positions of the union; prepares strategic plans and studies for the consideration of the Executive Council; elaborates, promotes, coordinates and harmonises the programmes and policies of the union with those of the Regional Economic Communities (RECs); and ensures the mainstreaming of gender in all programmes and activities of the union.

Roles and functions of the chairperson of the African Union Commission

The current chairperson of the AU Commission is HE Jean Ping, previously the foreign minister of Gabon.

Permanent Representatives’ Committee (PRC)

It is composed of permanent representatives of member states accredited to the union. The PRC is charged with the responsibility of preparing the work of the Executive Council.

Peace and Security Council (PSC)

By decision AHG/Dec 160 (xxxvii) of the Summit of Lusaka, July 2001, a decision was made for the creation within the African Union of the Peace and Security Council.
Pan-African Parliament

The Pan-African Parliament (PAP) aims to ensure the full participation of African peoples in governance, development and economic integration of the continent. The protocol relating to the composition, powers, functions and organisation of the PAP, which was adopted in Sirte, Libya in March 2001 has been signed by 48 countries and ratified/deposited by 46 others. It entered into force on 14 December 2003. Subject to the outcome of a review conference of states party signatories to the protocol, PAP may assume the status of a legislative body in 2010.

ECOSOCC

The Economic, Social and Cultural Council (ECOSOCC) is an advisory organ composed of various social and professional groups of the member states of the union. The statutes determining the functions, powers, composition and organisation of the organ were adopted by the AU Summit in Maputo in 2003. ECOSOCC was first launched in the interim in Ethiopia in March 2005. It was formally launched in Tanzania in September 2008. The organ is headed by a bureau of five regional representatives, and has a standing committee and a general assembly of 150 members.

Court of Justice

The Protocol establishing the African Court on Human and Peoples’ Rights entered into force on 25 January 2004. However, although the 11 judges were appointed in July 2006, the court has no courthouse, no rules of procedure and no cases on the roll. Meanwhile, the AU has decided to merge the African Court on Human and Peoples’ Rights and the African Court of Justice, although the instrument on this court has yet to be ratified by the requisite number of Member States, and has not entered into force.

Specialised technical committees

Specialised technical committees address sectoral issues at ministerial level:

- Committee on Rural Economy and Agricultural Matters
- Committee on Monetary and Financial Affairs
- Committee on Trade, Customs and Immigration Matters
- Committee on Industry, Science and Technology, Energy, Natural Resources and Environment
- Committee on Transport, Communications and Tourism
- Committee on Health, Labour and Social Affairs
- Committee on Education, Culture and Human Resources

Financial institutions

- African Central bank
- African Monetary Fund
- African Investment Bank
Module 2 Background to the United Nations and the African Union

Section 6 Background to the African Union System

Figure 2.12 Structure of the African Union Commission

Note:
1. The structure is for presentational purposes only and does not indicate the overall lines of communication.
2. The Directorates of Strategic Policy, Admin and HRD, and Conference Services are under the Deputy Chairperson.
3. The Secretariats of AHCP an the Scientific, Tech & Research Commission are under the Political Affairs Department.
4. The AU Mission to Southern Africa is under Economic Affairs.
5. The IBAR, SAFGRAD and the InterAfrican Phytosanitary Council are under Rural Development & Agriculture Department.
6. Also note the co-location of the AU PSC (and Secretariat) with the Commission.

Source AU
THE AU PEACE AND SECURITY ARCHITECTURE

Africa’s peace and security agendas fall into two timeframes. The first period stretches from the inception of the OAU to 1993. During these 30 years, the OAU lacked an effective instrument to deal with the many conflicts that stemmed largely from the legacies of the continent’s colonial past. The continent’s second-generation peace and security architecture started effectively from 1993, although the factors that engendered the paradigm shift go back to the end of the Cold War.

Since then, the OAU and subsequently the African Union (AU) have instituted substantive mechanisms to resolve conflicts on the continent. Within the framework of the Cairo Declaration of June 1993, the OAU established the Mechanism for the Prevention, Management and Resolution of Conflicts.

Within the overall framework of the AU Constitutive Act, the union’s mechanisms devolve on the following policy instruments:

- Common African Defence and Security Policy (CADSP) of 2004
- Protocol Establishing the Peace and Security Council (PSC) in 2002
- African Standby Force

COMMON AFRICAN DEFENCE AND SECURITY POLICY

The need for a Common African Defence and Security Policy (CADSP) stems from the objectives of the Constitutive Act of the AU, notably from article 3(a–h), as well as article 4(d), which provides for the ‘establishment of a Common Defence Policy for the African Continent’. The CADSP seeks to address common human security threats facing Africa, such as:

- Small arms and light weapons
- Challenges to peacebuilding and peacekeeping
- Post-conflict rehabilitation and reconstruction
- Including demobilisation
- Disarmament and reintegration
- Landmines
- Child soldiers
- Nuclear and other weapons of mass destruction
- Chemical weapons
- HIV and AIDS
- Tuberculosis
- Malaria and other infectious diseases
- Terrorism
- Humanitarian issues
- Environmental matters

Among others, the CADSP aims to ensure collective responses to internal and external threats to Africa, in conformity with the principles enshrined in the Constitutive Act.
The CADSP was solemnly adopted by the 2nd Extraordinary Session of the Assembly of the African Union, in Libya, in February 2004, pursuant to the decision of the Assembly (Durban, July 2002).

**PEACE AND SECURITY COUNCIL**

The protocol establishing the 15-member Peace and Security Council (PSC) was adopted pursuant to the provisions of article 5(2) of the Constitutive Act, by the Summit of the Assembly of Heads of State and Government, at its 1st Ordinary Session in Durban, South Africa, in July 2002. The council was formally established in March and launched on 25 May 2004. Among others, the PSC Protocol provides for:

- Panel of the Wise
- Continental Early Warning System (CEWS)
- African Standby Force, with a Military Staff Committee (MSC)
- Peace Fund

The main objective of the PSC is to promote peace, security and stability in Africa, in order to guarantee the protection and preservation of life and property, and the wellbeing of the African people and their environment, as well as the creation of conditions conducive to sustainable development. It is responsible for the anticipation and prevention of conflicts and, in circumstances where conflicts have occurred, for undertaking peace-making and peacebuilding functions for the resolution of those conflicts.

The PSC meets at three levels: heads of state and government; ministers; and permanent representatives (at least twice monthly). The PSC comprises five members with a three-year term and ten members with a two-year term, based on rotational regional distribution. In accordance with its relevant decision (EX/CL/Dec.81 (IV), 12-16 March 2004), the initial membership in March 2004 was:

- **Central**: Gabon (3 years), and two years for Cameroon and Republic of Congo
- **Eastern**: Ethiopia (3 years), and two years for Rwanda and Uganda
- **Northern**: Algeria (3 years), and two years for Egypt
- **Southern**: South Africa (3 Years), and two years for Botswana and Malawi
- **Western**: Nigeria (3 years), and two years for Ghana, Senegal and Burkina Faso

In January 2007, Gabon (Central), Ethiopia (Eastern), Algeria (Northern) and Nigeria (Western) were elected to serve a second 3-year term. In Southern Africa Angola was elected to serve a 3-year term in place of South Africa.

**UNITED STATES OF AFRICA**

‘United States of Africa’ is the proposed name for the concept of a federation of the 53-member states of the African Union, with a combined population of about 992 million. Kwame Nkrumah originally proposed the idea of a United States of Africa. This idea was revived by Muammar al-Gaddafi in the late 1990s and led
to the transformation of the OAU into the AU. Since then he has been forceful on the idea at a number of AU summits, notably: Lomé, Togo (2000), Accra, Ghana (2007) and Addis Ababa, Ethiopia (2009). In general, the idea, which is supported by a number of prominent members of the Union, stems from the view that a truly pan-African state is the surest way of promoting peace, stability and development based on greater integration within the continent. However, those opposed to the idea argue that:

- There are wide disparities in political governance and socio-economic conditions within the continent
- African states are faced with considerable challenges that need a degree of decentralisation and devolution of power and resource utilisation
- Some states lack effective control over national territories and need to establish full sovereignty over national territories first
- Sufficient time and authority have not been given for existing AU institutions, such as the Pan-African Parliament (PAP) to exercise effective oversight over national governments
- The African Union is overly dependent on foreign funding to support its action plans

In principle, the idea of an immediate ‘United States of Africa’ has not gained sufficient consensus among the member states of the Union to become reality.

**Exercise 2.6**

Outline the background history of the OAU and AU.

List three principles and three purposes of the AU.

List two peace-support operations by the OAU up to 2000 and two by the AU since 2003.

Outline the functions and key institutions of the AU PSC.
SECTION 7
The African Standby Force (ASF) and the evolution of African peace support operations

GENERAL

Efforts towards the formation of the ASF predate the Protocol Establishing the Peace and Security Council to the aftermath of the Rwandan genocide. Attempts started with the first meeting of African Chiefs of Defence Staff (ACDS, Addis Ababa, 1995), through the second ACDS meeting (Harare, 1997). However, it was not until the third ACDS meeting (Addis Ababa, 2003) that the Policy Framework for the Establishment of the African Standby Force was created, and was subsequently adopted by the Assembly of Heads of State and Government (Maputo 2003).

ESTABLISHMENT AND FUNCTIONS

The ASF was established for intervention missions pursuant to the following articles in the Constitutive Act:

- Article 4(h), relating to the right of the AU to intervene in member states in grave circumstances, namely war crimes, genocide and crimes against humanity
- Article 4(j), relating to the right of member states to request intervention

The ASF is expected to perform functions in the following areas:

- Observation and monitoring missions
- Other types of peace-support missions
- Intervention in a member state in respect of grave circumstances or at the request of a member state, in order to restore peace and security, in accordance with article 4(h) and (j) of the Constitutive Act of the African Union
- Preventive deployment
- Peacebuilding, including post-conflict disarmament and demobilisation
- Humanitarian assistance to alleviate the suffering of civilian population in conflict areas and support efforts to address major natural disasters
- Any other functions as may be mandated by the PSC or the Assembly

Duration
45 mins (including discussions and questions and answers)

Section aim
The aim of this section is to enable participants understand the concept of the ASF and the progress in its establishment.

Section objectives
At the end of this section, participants should be able to:
- Explain the background concept of the ASF.
- State the key parameters for the establishment of the ASF.
- List the phases of establishment of the ASF.
- Discuss the background of SARCCO and SADCBRIG.
KEY PARAMETERS

The ASF policy framework sets out a number of parameters to provide guidance on the establishment and operationalisation of the force. In the main:

- AU as sole legitimate mandating authority
- Strategic management capability, consisting of 15-member planning element (PLANELM) staff at the AU and regional HQs. Initially, the PLANELM will have a nucleus of five officers
- Mission-level management capability, made up of skeleton brigade HQs, initially of up to five officers
- Mission components, namely standby multidisciplinary civilian, military and police contingents, in their countries of origin and ready for deployment at appropriate notice
- Doctrine and standard operating procedures (SOPs) that shall be consistent with those of the UN. Thus, the ASF components, including the police, will undertake functions and tasks consistent with existing UN procedures
- Training infrastructure, devolving on a number of regional centres of excellence
- Command, control, communication and information systems
- Logistical infrastructure, consisting of regional logistical bases and donor-held equipment and external assistance towards strategic air- and sea-lift

ESTABLISHMENT TIMELINES

The ASF policy framework also provides that the ASF shall be established in two phases:

- **Phase 1** (up to the end of June 2005): By the end of this phase, the AU HQ is expected to establish strategic management capability for Scenarios 1 and 2, while regional economic communities (RECs) establish regional brigades for Scenario 4. Phase 1 was extended to June 2006, but the relevant targets are still to be realised
- **Phase 2** (up to the end of June 2010): By the end of this period, AU HQ is expected to have the capacity to manage Scenario 4 missions, while RECs establish the capacity to deploy Scenario 4 brigade HQ

FUNDING AND EXTERNAL ASSISTANCE

African peace operations from the Congo crisis (1960–65) to Darfur (2004) were funded largely by the international community, besides other bilateral assistance programmes to member states. This applies to some extent to other regional peace operations in Africa. Donors have been the major contributors to the OAU/AU’s Peace Fund, which was established in 1993 to mobilise resources. Contributions to the fund originate from these sources: 6% of OAU/AU regular budget; voluntary contributions from member states; external contributions from non-African states; and miscellaneous contributions. Other forms of bilateral assistance have been received from USA,
UK, France, Belgium, EU, DFID, GTZ, Arab League, Nordic programmes, etc, towards peace processes, training for peace, and so on.

Post-Cold War regional interventions by ECOWAS and SADC were the responsibility of lead nations and their coalitions. Especially in regional contexts, the freedom with which lead nations and coalitions mandated the deployment of national forces in the 1990s is a thing of the past. Owing to the wave of democratisation since 2000, among others, African member states find it increasingly difficult to commit national armed forces to regional deployments without due legislative process.  

Table 2.1 Capitalisation of the OAU/AU Peace Fund (1993–2006)

<table>
<thead>
<tr>
<th>Category</th>
<th>Contribution as at 2006</th>
<th>Contribution as at 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>6% Regular Budget</td>
<td>$ 21 606 167.00</td>
<td>$ 25 657 293.98</td>
</tr>
<tr>
<td>AU Member States</td>
<td>$ 4 560 490.20</td>
<td>$ 5 415 575.92</td>
</tr>
<tr>
<td>Non Member States</td>
<td>$ 57 760 651.67</td>
<td>$ 68 590 695.44</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>$ 283 313.00</td>
<td>$ 336 433.80</td>
</tr>
</tbody>
</table>

AFRICAN UNION–UNITED NATIONS COOPERATION

In the area of conflict prevention and resolution in Africa, collaboration between the AU and the UN systems has continued to increase in recent years. Such cooperation usually takes place multilaterally within the General Assembly and Security Council, but also bilaterally among the permanent missions of African and other member states of the UN. The establishment of UN liaison offices in Addis Ababa and other regions of Africa constitutes a significant part of the framework for AU-UN cooperation and collaboration. Operationally, the UN has also been involved in African peace processes. This involvement has therefore made it possible for the UN – within the framework of chapter VIII of the UN Charter relating to regional arrangements – to quickly endorse African peace operations mandated by the AU and RECs, such as the regional deployments in Côte d’Ivoire (ECOMICI, 2003), Liberia (ECOMIL, 2003) and Darfur (AMIS, 2004) that eventually transitioned into the UNAMID (2007). Against this background, increasingly such African deployments have subsequently been able to quickly transfer authority to UN peace operations whose deployments have been rapidly mandated by the UN Security Council. In 2006, the UN General Assembly approved the establishment of the DPKO AU Peace Support Team (AU-PST) as a dedicated capacity to provide technical assistance and capacity building support to the AU. The team operates within the Africa 1 Division of the UN DPKO’s Office of Operations, and is split between New York and Addis Ababa. The former provides overall direction and coordination, while the latter works closely with the AU Commission and directly supports the development of the African Peace and Security Architecture. Another
recent example of UN-AU collaboration was the Security Council’s adoption of resolution 1809 (2008), recognising ‘the need to enhance the predictability, sustainability and flexibility of financing regional organisations when they undertake peacekeeping under a United Nations mandate.’ This led to the establishment of a panel ‘to consider in-depth the modalities of how to support peacekeeping operations, in particular start-up funding, equipment and logistics, and to consider in-depth lessons from past and current African Union peacekeeping efforts.’

**EVOLUTION OF AFRICAN UNION AND AFRICAN REGIONAL PEACE SUPPORT OPERATIONS**

The need for an effective African peace and security architecture started with the establishment of the Organisation of African Unity (OAU) on 25 May 1963. The decolonisation of Africa, particularly of sub-Saharan Africa from the late 1950s, did not yield a substantive dividend of peace and stability. Among others, this was owing to the legacy of the colonial borders inherited by the newly independent African states, the diversity of national political ideologies, the extreme emphasis on the sovereignty of member states, and the dynamics of the Cold War. These factors engendered a number of inter-state wars that threatened to negate the gains of independence and retard economic development.

Although the organisation recognised the need for an appropriate instrument to deal with these conflicts, African leaders could not reach agreement on the framework of such an instrument. As a result, they discarded the idea of the establishment of the Joint African High Command (JAHC), which was proposed in 1965, in the aftermath of the post-independence crisis in Congo Kinshasa from 1960 to 1965. Similarly, the idea of the JAHC was superseded by the concept of the African Defence Organisation (ADO) in 1975, and subsequently by the concept of the African Defence Force (ADF), which was abandoned in 1979.

In 1979 the organisation abolished the non-functional Commission for Mediation, Conciliation and Arbitration that had been provided for in its charter, because political leaders were wary of technocratic institutions intruding into what was perceived as their political turf. The organisation was possibly rather preoccupied with the pockets of colonialism in Angola and Mozambique, as well as with the obnoxious apartheid system in South Africa, for which it established the OAU Coordinating Committee for the Liberation of Africa (OCCLA).

Because it lacked an effective instrument for the resolution of conflicts from 1963 to 1993, the OAU adopted an ad hoc approach of diplomacy, relying on good offices, fact-finding missions and monitoring missions. The only exceptions were the African coalition forces deployed to Shaba province of Congo Kinshasa (1978) and in the Chad conflict (1980–82).

**SECOND-GENERATION AFRICAN PEACE AND SECURITY ARCHITECTURE**

While the first-generation African peace and security agenda had been informed by the Congo crisis, among others, the second-generation African peace and security agenda was informed by a number of factors:
The reality that the end of the Cold War (1988–1990) had not delivered the widely anticipated dividend of peace and stability, towards sustainable economic development and better lives

On the contrary, the end of the Cold War left Africa marginalised and of remarkably reduced strategic interest on the global stage; it also ushered in a new paradigm of internecine and fratricidal conflicts within states that threw the continent into a vicious cycle of instability

The political and socio-economic situation in Africa was getting more deplorable, while other regions of the world, such as the European Union (EU) and the North American Free Trade Area (NAFTA), were making strides towards greater integration, peace, stability and further economic development

The dereliction of responsibility on the part of the UN Security Council to intervene promptly and appropriately in African conflicts, coupled with the abdication of the West after the Somali (UNOSOM II) debacle in 1993

THE CAIRO DECLARATION AND THE CENTRAL ORGAN

Based on institutional arrangements and capacities, Africa’s second-generation peace and security architecture falls into two phases: from 1993 to about 1999/2000; and from that time onwards to the present.17

The onset of the Rwandan crisis in 1993 spurred the OAU into action. The OAU therefore established the Cairo Declaration (1993) to bridge the African security policy and strategy gap. It institutionalised the 16-member Central Organ to anticipate and prevent conflicts, among others. However, devoid of funds and still plagued by adherence to the sacrosanct principle of non-interference in the internal affairs of member states, the OAU at that time could not reach broad consensus on the establishment of a force to undertake peace operations. In the absence of such a force, it continued to undertake military observer missions with limited mandates, size and durations.

During phase 1 of its second-generation peace and security agenda, the exit strategies of the OAU’s sporadic interventions – about five out of about thirteen conflicts – were based on extraneous factors, such as the incidence of coups, or the lack of funding, as a result of which missions were terminated on principle. The end states were thus incoherent, while any measure of success was informed by collaboration with regional countries and with the UN, and was based on support from the international community.

Indeed, the insufficiency of efforts on the part of the OAU had led to the establishment of security mechanisms for some regions, each informed by its own regional security dynamics. The notable regional security mechanisms are (see annex A):

- The ECOWAS Mechanism of 1999, which is traceable to the provisions of its 1975 Charter for the establishment of an Allied Armed Forces of the Community (AAFC)
- The SADC Mutual Defence Pact of 2003, which is also traceable to the 2001 Organ on Politics, Defence and Security
- The ECCAS Council for Peace and Security in Central Africa (COPAX), established in 1999 as a mechanism to promote, maintain and consolidate regional peace and security, complemented by a regional early warning mechanism18
In fact, the second-generation African security agenda and architecture does not end with the development and existence of AU and RECs’ security mechanism. In practice, the agenda reflects the African drive and efforts towards continental collective security arrangements, critically informed by the New Partnership for Africa’s Development (NEPAD) and the African Peer Review Mechanism (APRM), the Common African Defence and Security Policy (CADSP); the Peace and Security Council (PSC) for conflict intervention; the African Standby Force (ASF); the Panel

<table>
<thead>
<tr>
<th>Mission</th>
<th>Duration</th>
<th>Mandate</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECOMAS Monitoring Group (ECOMOG) in Liberia; peak strength of 13 500 from 2 600</td>
<td>1990–1998</td>
<td>Peacekeeping and peace enforcement; DDR, security sector reform; election monitoring</td>
</tr>
<tr>
<td>57 strong neutral military observer group (NMOG I) in Rwanda</td>
<td>1991–93</td>
<td>Ceasefire monitoring</td>
</tr>
<tr>
<td>70 strong neutral military observer group (NMOG II) in Rwanda</td>
<td>1993</td>
<td>Arusha Ceasefire monitoring and supervision of Arusha</td>
</tr>
<tr>
<td>47 strong OAU Mission in Burundi (OMIB I)</td>
<td></td>
<td>Assistance to restore confidence, promotion of dialogue; withdrawn in wake of Buyoya’s 1996 coup</td>
</tr>
<tr>
<td>20 strong OAU Mission in the Comoros (OMIC I)</td>
<td>1997</td>
<td>Monitoring, observation, deterrence of escalation; withdrawn in wake of Azzali’s 1997 coup</td>
</tr>
<tr>
<td>800–1 100 strong Inter African Mission in Central African Republic (MISAB)</td>
<td>1997–1998</td>
<td>Military assistance to restore peace and security, including disarmament</td>
</tr>
<tr>
<td>12 000 strong ECOMOG II operations in Sierra Leone (incrementally from 4 000 to 7 000 then to 12 000)</td>
<td>1997–2000</td>
<td>Peacekeeping, peace enforcement</td>
</tr>
<tr>
<td>Multinational SADC Coalition operations in DRC</td>
<td>1998–2000</td>
<td>Military assistance; counter invasion</td>
</tr>
<tr>
<td>14 strong OAU Mission in the Comoros (OMIC II)</td>
<td>2001–02</td>
<td>Monitoring of arms collection</td>
</tr>
<tr>
<td>39 strong OAU Mission in the Comoros (OMIC III)</td>
<td>2002</td>
<td>Election monitoring</td>
</tr>
<tr>
<td>Joint Monitoring Commission and neutral military investigators (NMI) in DRC</td>
<td>1999–2004</td>
<td>Arusha Ceasefire monitoring; NMI withdrawn in 2000 in wake of funding problems</td>
</tr>
<tr>
<td>OAU Liaison Mission in Ethiopia-Eritrea (OLMEE)</td>
<td>2000–2004</td>
<td>Assistance and complementary support to UNMEE; showing OAU presence</td>
</tr>
<tr>
<td>2 700 strong African Mission in Burundi (AMIB)</td>
<td>2003–2004</td>
<td>Ceasefire implementation; subsumed in UN Operations in Burundi (UNOB)</td>
</tr>
<tr>
<td>1 430 strong ECOWAS Mission in Côte d’Ivoire (ECOMICI)</td>
<td>2003–3004</td>
<td>Contribution to peaceful resolution of crisis and implementation of peace accord; guarantees of security and freedom of movement</td>
</tr>
<tr>
<td>3 566 ECOWAS Mission in Liberia (ECOMIL)</td>
<td>2003</td>
<td>Stabilisation operations; opposing forces separation; secure of ceasefire line; and creation of conditions for ISF deployment</td>
</tr>
<tr>
<td>AU Mission in Sudan (AMIS): initially 120 strong Milobs, and with 308 strong protection force; eventually about 7 700, including 1 339 police</td>
<td>2004–2007</td>
<td>Ceasefire monitoring</td>
</tr>
<tr>
<td>AU Mission in Somalia (AMISOM): authorised strength of 8,000; as at April 2009, at a strength of about 4 300</td>
<td>2007-2012</td>
<td>Support to the Transitional Federal Institutions (TFIs)</td>
</tr>
</tbody>
</table>
of the Wise; and the Continental Early Warning System (CEWS), providing the operational instruments for conflict prevention. Within this new architecture, the RECs’ security mechanisms, such as that of ECOWAS, SADC and IGAD, serve as regional building blocks.

**AU POLICE (AUPOL) DIMENSION**

The AUPOL role will be to ensure compliance with international criminal justice and human rights and norms and assist in establishing and maintaining public safety and law and order to achieve the long-term viability of local law enforcement institutions through monitoring, mentoring, advice and training in best practice, and by undertaking such other rule of law duties, including assistance in electoral processes, that contribute to sustainable peace and security.

**AUPOL aims**

- To be one of the key sources of information to key stakeholders (international, regional and local communities), on the performance of local law enforcement agencies (LEAs)
- Through advice, monitoring, mentoring and training, to contribute to the restructuring and reform of the local police (in the context of overall security sector reform)
- For an interim period assume the responsibilities for executive policing and simultaneously establish a new local police service (if mandated)

**Generic AUPOL functions at mission level**

The generic functions of police in AU/regional missions will revolve around the following three types of mandate:

- **Non-executive authority**
  - Advice, monitoring and mentoring
- **Full or partial authority**
  - Contributing to the reform, restructuring and rebuilding, including training, of a national police force and other LEAs
  - Interim law enforcement
  - Full executive authority
  - Security support to a national police force and other LEAs

**BACKGROUND TO SADC**

The Southern African Development Community (SADC) was established by the relevant Treaty in Windhoek in August 1992. SADC was envisioned as a REC with predominantly economic and development portfolios. The Common Agenda of the Treaty (article 5a), however, recognised the linkage and need for peace, security and stability (Article 5c), as the sine qua non for economic development. The SADC security framework was deepened in August 2001 with the establishment
of the Protocol on Politics, Defence and Security Cooperation (Blantyre, Malawi), instituting the Organ on Politics, Defence and Security (OPDS). Among others, the objective of the OPDS is to promote peace and security in the SADC region. Furthermore, in August 2003, SADC agreed to establish a Mutual Defence Pact (MDP), in Dar-es-Salaam, Tanzania, aiming ‘to operationalise the mechanisms of the Organ for mutual cooperation in defence and security matters’. It also adopted the Strategic Indicative Plan for the Organ (SIPO), seeking to identify strategies and activities to achieve the objectives set out in the Protocol on Politics, Defence and Security Cooperation.

Overview of SADC Early Warning Framework

From its instruments, these SADC institutions provide the political, legal and military framework for peace-support operations within the community:

- Organ (OPDS), deriving from the Protocol on Defence, Security and Cooperation
- Interstate Politics and Diplomacy Committee (ISPDC), deriving from the Protocol and responsible for functions ‘relating to politics and diplomacy,’ obviously focusing on preventive diplomacy, conflict management and early warning
- Interstate Defence and Security Committee (ISDSC), deriving from the Protocol and responsible ‘to achieve the objectives of the Organ relating to defence and security’, focusing on the ‘hard’ aspects of military defence, peacekeeping and preventive deployment, among others
- The sub-committees of these structures

Under article 11 (Conflict prevention, management and resolution), the SADC Protocol provides for the establishment of an early warning system, in order to facilitate timely action to prevent the outbreak and escalation of conflict. The SIPO therefore provides for the establishment of a Strategic Analysis Unit (paragraph 8.3.1(IV)), to be responsible for the SADC Situation Room, as the nerve centre of regional early warning and response.

In terms of cooperation and collaboration, the instruments are replete with mechanisms and procedures that aim at consultations at all levels, among others, for information sharing and decision making by summit, ministerial and technical groups, as well as the chairperson.

Overview of SADC Peace-Support Operations Framework: The SADC Standby Force

At its meeting in Lesotho in 2004, the SADC Inter-State Defence and Security Committee (ISDSC) mandated a Ministerial Defence Sub-Committee to set up a technical team to plan the establishment of the SADC Standby Brigade (SADCBRIG). The technical team, composed of military planners, met in April–May 2005 to deliberate on the establishment of an interim Planning Element (PLANELM) at the SADC Secretariat in Gaborone, while a memorandum of understanding between member states was signed in Lusaka, Zambia, in August 2007, to regulate the establishment and maintenance of SADCBRIG.
The Protocol on the SADC Organ on Politics, Defence and Security Cooperation includes these objectives:

- To consider enforcement action in accordance with international law and as a matter of last resort where peaceful means have failed
- To develop the peacekeeping capacity of national defence forces and coordinate the participation of state parties in international and regional peacekeeping operations

At an extraordinary meeting in Malawi (2001), the SADC summit mandated the SADC Organ to prepare a strategic indicative plan for SIPO to provide guidelines for the implementation of the protocol for its first five years. The SIPO was eventually approved in August 2003 and provides further details on the establishment of a peacekeeping standby force. As part of the objectives of the political sector, the SIPO obliges the organ to:

- Develop peacekeeping capacity of national defence forces and coordinate the participation of state parties in international and regional peacekeeping operations
- Coordinate the region’s involvement in international peace-keeping missions
- Mobilise resources and enhance regional capacity for peace support operations

According to the SIPO, a key challenge under the defence sector is ‘developing policies and capacities to ensure that the region maintains trained units ready to be deployed in peace support operations in the region or under the auspices of the African Union or the United Nations’. One of its objectives is a commitment to developing the ‘peacekeeping capacity of national defence forces and coordinate the participation of State Parties in International and Regional Peacekeeping Operations [through the following] strategies/activities:

- Develop a regional peace-support operational capability based on the individual member state’s standby arrangements
- Consolidate and develop the activities of the regional peacekeeping training centre
- Finance the regional peacekeeping training centre (RPTC) according to the capacities of member states or through possible foreign partners
- Design and establish a regional peace-support operational structure with appropriate means
- Promote the interoperability of military equipment to be used in peace support operations
- Train regional forces for peace support operations
- Conduct joint multinational exercises’

The force will be deployed under a UN or AU mandate, in addition to a SADC mandate by the SADC Summit of Heads of State and Government, which will also approve all contributions to AU peace operations on the recommendation of the country chairing the SADC Organ; Committee of Ministers for Foreign Affairs, Defence, Public Security and State Security (plenary) from all SADC countries that have signed and ratified the organ protocol; ISDSC; a newly established SADC Committee of Chiefs of Defence Staff; and SADCBRIG PLANELM.
Within the SADC Secretariat, the Department for Politics, Defence and Security, headed by a chief director reporting directly to the executive secretary, will be composed of three sub-divisions: Directorate for Politics and Diplomacy that will work towards the organ; Directorate for Defence and Security; and a strategic analysis unit, also responsible for the early warning situation room. The SADC Regional Peacekeeping Training Centre (RPTC) in Harare, Zimbabwe, will also fall under the department.

In accordance with a SADC ministerial decision, SARPCCO has been recognised as a SADC implementing agent on crime matters. Subsequently, the SADC Summit of heads of state/government (Maseru, Lesotho, 18 August 2006) directed that SARPCCO should become a law enforcement structure of SADC, while retaining its policy and executive structures (see introduction to section 2 of module 1).

The SADCBRIG guidelines stipulate that earmarked units will remain in their countries of origin on an on-call system. On deployment, the force or member states will support/sustain the force for the first three to six months. There is no decision yet on the location and composition of a military logistic depot.

The SADCBRIG commander will compose a deployment force from the standby pool during mission planning to obviate a deployment being held to ransom because one or more troop-contributing countries (TCCs) should decide not to contribute to a particular mission or be unable to do so.

Meanwhile, member states have pledged contributions for the SADCBRIG structure, including its PLANELM. (Angola has also earmarked contributions to the Economic Community of Central African States (ECCAS) standby brigade, given its dual membership of SADC and ECCAS.) The PLANELM will be composed of regional military and civilian staff on secondment from member states for two years. The PLANELM will not be incorporated into SADCBRIG during missions.

Article 11 of the Protocol provides for a peace-support operations framework based on enforcement action as a last resort if peaceful means of conflict resolution fail, in accordance with article 53 of the UN Charter and only with the authorisation of the UN Security Council. Indeed, the SADC Mutual Defence Pact which, pursuant to article 11(3e) of the protocol, addresses collective security arrangements against external threats to the region, provides that such armed attacks and intervention actions by the region shall be reported immediately to the UN Security Council, and to the AU PSC.

Although the instruments do not use the term ‘peace support operations’, the spirit of their provisions and the technical understanding of the range of actions envisaged under them constitute a peace-support operations framework. This is evident from article 9 of the Mutual Defence Pact relating to defence cooperation, as well as the series of ‘Blue’ regional joint exercises. Nevertheless, that provision is now made by the MoU for SADCBRIG, as is true of the Eastern African Standby Brigade (EASBRIG).

CHALLENGES AND PROSPECTS OF AFRICAN PEACE SUPPORT OPERATIONS

Security mechanisms face enormous challenges, whether at AU or REC level. These challenges, among others, revolve around the complexity of conflicts and limited entry points; lack of capacity and expertise, resource constraints; structural constraints with
regard to the harmonisation of the policies and mechanisms of the AU and RECs, as well as translating policy framework decisions and political rhetoric into actionable steps; and the insufficiency and/or inappropriateness of external assistance.

At AU level, the operationalisation of the ASF is beset by considerable resource deficits in terms of equipment, logistics and funding for deployment and mission sustainment. These deficits have been in evidence in the African Mission in Burundi (AMIB), and also in the African Mission in the Sudan-Darfur (AMIS), for instance. Although some RECs have successfully undertaken peace-support interventions in their own regions, these interventions have essentially been coalitions of the willing and able, under a lead nation or nations. Even where such regions achieved broad consensus on a common and collective regional mandate, there were no collective burden-sharing commitments. Thus, the ability of RECs to undertake peace support operations has been dependent on the capability and willingness of these lead nations to shoulder the associated burden.

These deficits affect the capacity of the AU and RECs to undertake effective peace operations. They also underscore the need for effective cooperation and collaboration between the AU and RECs on the one hand and the UN and the international community on the other, to put in place mechanisms to support African peace support operations efforts.

**Exercise 2.7**

Briefly explain the concept of the ASF.

Discuss the phases of ASF establishment.

Outline the role of AUPOL.

What are the key functions and structure of the AU ASF?

What are the key functions and structure of EASBRIG?
APPENDIX 2.1


Security Council Distr: General
19 September 2003

Adopted by the Security Council at its 4830th meeting, on
19 September 2003

The Security Council,

Recalling its previous resolutions and statements by its President on Liberia, including its resolution 1497 (2003) of 1 August 2003, and the 27 August 2003 Statement by its President (S/PRST/2003/14), and other relevant resolutions and statements,

Expressing its utmost concern at the dire consequences of the prolonged conflict for the civilian population throughout Liberia, in particular the increase in the number of refugees and internally displaced persons,

Stressing the urgent need for substantial humanitarian assistance to the Liberian population,

Deploring all violations of human rights, particularly atrocities against civilian populations, including widespread sexual violence against women and children,

Expressing also its deep concern at the limited access of humanitarian workers to populations in need, including refugees and internally displaced persons, and stressing the need for the continued operation of United Nations and other agencies’ relief operations, as well as promotion and monitoring of human rights,

Emphasising the need for all parties to safeguard the welfare and security of humanitarian workers and United Nations personnel in accordance with applicable rules and principles of international law, and recalling in this regard its resolution 1502 (2003),

Mindful of the need for accountability for violations of international humanitarian law and urging the transitional government once established to ensure that the
Reiterating its support for the efforts of the Economic Community of West African States (ECOWAS), particularly organisation Chairman and President of Ghana John Kufuor, Executive Secretary Mohammed Ibn Chambas, and mediator General Abdul Salami Abubakar, as well as those of Nigerian President Olusegun Obasanjo, to bring peace to Liberia, and recognising the critically important role they continue to play in the Liberia peace process,

Welcoming the continue support of the African Union (AU) for the leadership role of ECOWAS in the peace process in Liberia, in particular the appointment of an AU Special Envoy for Liberia, and further encouraging the AU to continue to support the peace process through close collaboration and coordination with ECOWAS and the United Nations,

Commending the rapid and professional deployment of the ECOWAS Mission in Liberia (ECOMIL) forces to Liberia, pursuant to its resolution 1497 (2003), as well as Member States which have assisted ECOWAS in its efforts, and stressing the responsibilities of all parties to cooperate with ECOMIL forces in Liberia,

Noting that lasting stability in Liberia will depend on peace in the sub-region, and emphasising the importance of cooperation among the countries of the Sub-region to this end, as well as the need for coordination of United Nations efforts to contribute to the consolidation of peace and security in the sub-region,

Gravely concerned by the use of child soldiers by armed rebel militias, government forces, and other militias,

Reaffirming its support, as stated in its Statement by its President on 27 August 2003 (S/PRST/2003/14), for the Comprehensive Peace Agreement reached by Liberia’s Government, rebel groups, political parties, and civil society leaders in Accra, Ghana on 18 August 2003, and the Liberian ceasefire agreement, signed in Accra, 17 June 2003,

Reaffirming that the primary responsibility for implementing the Comprehensive Peace Agreement and the ceasefire agreement rests with the parties, and urging the parties to move forward with implementation of these agreements immediately in order to ensure the peaceful formation of a transitional government by 14 October 2003,

Welcoming the 11 August 2003 resignation and departure of former Liberian President Charles Taylor from Liberia, and the peaceful transfer of power from Mr. Taylor,

Stressing the importance of the Joint Monitoring Committee (JMC), as provided for by the 17 June ceasefire agreement, to ensuring peace in Liberia, and urging all parties to establish this body as quickly as possible,

Recalling the framework for establishment of a longer-term United Nations stabilisation force to relieve the ECOMIL forces, as set out in resolution 1497 (2003),

protection of human rights and the establishment of a state based on the rule of law and of an independent judiciary are among its highest priorities,
Welcoming the Secretary-General’s report of 11 September 2003 (S/2003/875) and its recommendations,

Taking note also of the intention of the Secretary-General to terminate the mandate of the United Nations Office in Liberia (UNOL), as indicated in his letter dated 16 September 2003 addressed to the President of the Security Council (S/2003/899),

Taking note also of the intention of the Secretary-General to transfer the major functions performed by UNOL to the United Nations Mission in Liberia (UNMIL), together with staff of UNOL, as appropriate,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region, to stability in the West Africa Sub region, and to the peace process for Liberia,

Acting under Chapter VII of the Charter of the United Nations,

1. Decides to establish the United Nations Mission in Liberia (UNMIL), the stabilisation force called for in resolution 1497 (2003), for a period of 12 months, and requests the Secretary-General to transfer authority from the ECOWAS-led ECOMIL forces to UNMIL on 1 October 2003, and further decides that UNMIL will consist of up to 15,000 United Nations military personnel, including up to 250 military observers and 160 staff officers, and up to 1,115 (civilian) police officers, including formed units to assist in the maintenance of law and order throughout Liberia, and the appropriate civilian component;

2. Welcomes the appointment by the Secretary-General of his Special Representative for Liberia to direct the operations of UNMIL and coordinate all United Nations activities in Liberia;

3. Decides that UNMIL shall have the following mandate:

Support for Implementation of the Ceasefire Agreement:
a. to observe and monitor the implementation of the ceasefire agreement and investigate violations of the ceasefire;
b. to establish and maintain continuous liaison with the field headquarters of all the parties’ military forces;
c. to assist in the development of cantonment sites and to provide security at these sites;
d. to observe and monitor disengagement and cantonment of military forces of all the parties;
e. to support the work of the JMC;
f. to develop, as soon as possible, preferably within 30 days of the adoption of this resolution, in cooperation with the JMC, relevant international financial institutions, international development organisations, and donor nations, an action plan for the overall implementation of a disarmament, demobilisation, reintegration, and repatriation (DDRR) programme for all armed parties; with particular attention to the special needs of child combatants and women; and addressing the inclusion of non-Liberian combatants;
g. to carry out voluntary disarmament and to collect and destroy weapons and ammunition as part of an organised DDRR programme;

h. to liaise with the JMC and to advise on the implementation of its functions under the Comprehensive Peace Agreement and the ceasefire agreement;

i. to provide security at key government installations, in particular ports, airports, and other vital infrastructure;

Protection of United Nations Staff, Facilities and Civilians:

a. to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of its personnel and,

Without prejudice to the efforts of the government, to protect civilians under imminent threat of physical violence, within its capabilities;

Support for Humanitarian and Human Rights Assistance:

a. to facilitate the provision of humanitarian assistance, including by helping to establish the necessary security conditions;

b. to contribute towards international efforts to protect and promote human rights in Liberia, with particular attention to vulnerable groups including refugees, returning refugees and internally displaced persons, women, children, and demobilised child soldiers, within UNMIL’s capabilities and under acceptable security conditions, in close cooperation with other United Nations agencies, related organisations, governmental organisations, and non-governmental organisations;

c. to ensure an adequate human rights presence, capacity and expertise within UNMIL to carry out human rights promotion, protection, and monitoring activities;

Support for Security Reform:

a. to assist the transitional government of Liberia in monitoring and restructuring the police force of Liberia, consistent with democratic policing, to develop a (civilian) police training programme, and to otherwise assist in the training of (civilian) police, in cooperation with ECOWAS, international organisations, and interested States;

b. to assist the transitional government in the formation of a new and restructured Liberian military in cooperation with ECOWAS, international organisations and interested States;

Support for Implementation of the Peace Process:

a. to assist the transitional Government, in conjunction with ECOWAS and other international partners, in reestablishment of national authority throughout the country, including the establishment of a functioning administrative structure at both the national and local levels;

b. to assist the transitional government in conjunction with ECOWAS and other international partners in developing a strategy to consolidate governmental institutions, including a national legal framework and judicial and correctional institutions;

c. to assist the transitional government in restoring proper administration of natural resources;
d. to assist the transitional government, in conjunction with ECOWAS and other international partners, in preparing for national elections scheduled for no later than the end of 2005;

4. **Demands** that the Liberian parties cease hostilities throughout Liberia and fulfil their obligations under the Comprehensive Peace Agreement and the ceasefire agreement, including cooperation in the formation of the JMC as established under the ceasefire agreement;

5. **Calls upon** all parties to cooperate fully in the deployment and operations of UNMIL, including through ensuring the safety, security and freedom of movement of United Nations personnel, together with associated personnel, throughout Liberia;

6. **Encourages** UNMIL, within its capabilities and areas of deployment, to support the voluntary return of refugees and internally displaced persons;

7. **Requests** the Liberian Government to conclude a status-of-force agreement with the Secretary-General within 30 days of adoption of this resolution, and notes that pending the conclusion of such an agreement the model status-of force agreement dated 9 October 1990 (A/45/594) shall apply provisionally;

8. **Calls upon** all parties to ensure, in accordance with relevant provisions of international law, the full, safe and unhindered access of relief personnel to all those in need and delivery of humanitarian assistance, in particular to internally displaced persons and refugees;

9. **Recognises** the importance of the protection of children in armed conflict, in accordance with its resolution 1379 (2001) and related resolutions;

10. **Demands** that all parties cease all use of child soldiers, that all parties cease all human rights violations and atrocities against the Liberia population, and stresses the need to bring to justice those responsible;

11. **Reaffirms** the importance of a gender perspective in peacekeeping operations and post-conflict peace-building in accordance with resolution 1325 (2000), recalls the need to address violence against women and girls as a tool of warfare, and encourages UNMIL as well as the Liberian parties to actively address these issues;

12. **Decides** that the measures imposed by paragraphs 5 (a) and 5 (b) of resolution 1343 (2001) shall not apply to supplies of arms and related materiel and technical training and assistance intended solely for support of or use by UNMIL;

13. **Reiterates** its demand that all States in the region cease military support for armed groups in neighbouring countries, take action to prevent armed individuals and groups from using their territory to prepare and commit attacks on neighbouring countries and refrain from any actions that might contribute to
further destabilisation of the situation in the region, and declares its readiness to consider, if necessary, ways of promoting compliance with this demand;

14. **Calls upon** the transitional government to restore fully Liberia’s relations with its neighbours and to normalise Liberia’s relations with the international community;

15. **Calls on** the international community to consider how it might help future economic development in Liberia aimed at achieving long-term stability in Liberia and improving the welfare of its people;

16. **Stresses** the need for an effective public information capacity, including the establishment as necessary of United Nations radio stations to promote understanding of the peace process and the role of UNMIL among local communities and the parties;

17. **Calls on** the Liberian parties to engage for the purpose of addressing the question of DDRR on an urgent basis and urges the parties, in particular the transitional government of Liberia, and rebel groups Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL), to work closely with UNMIL, the JMC, relevant assistance organisations, and donor nations, in the implementation of a DDRR programme;

18. **Calls on** the international donor community to provide assistance for the implementation of a DDRR programme, and sustained international assistance to the peace process, and to contribute to consolidated humanitarian appeals;

19. **Requests** the Secretary-General to provide regular updates, including a formal report every 90 days to the Council on the progress in the implementation of the Comprehensive Peace Agreement and this resolution, including the implementation of UNMIL’s mandate;

20. **Decides** to remain actively seized of the matter.
APPENDIX 2.2

Privileges and immunities
‘Experts on Missions for the United Nations

SECTION 22

Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded:

a. Immunity from personal arrest or detention and from seizure of their personal baggage;

b. In respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the UN;

c. Inviolability for all papers and documents;

d. For the purpose of their communications with UN, the right to use codes and to receive papers or correspondence by courier or in sealed bags;

e. The same facilities in respect of currency exchange restrictions as are accorded to representatives of foreign government on temporary official missions;

f. The same immunities and facilities in respect of personal baggage as are accorded to diplomatic convoys.’

Section 23: Privileges and immunities are granted to experts in their interests of the UN and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his/her opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interest of the UN.
MODULE 3

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SECTION 1

History, mandate and role of United Nations police

BACKGROUND

UN police officers were first deployed in the 1960s to the UN peacekeeping operation in the Democratic Republic of the Congo (DR Congo). Since then, UNPOL has become an increasingly important element of UN peacekeeping in helping war-torn societies restore conditions conductive to social, economic and political stability.

Since 1989, UNPOL has participated in approximately 25 operations, mandated and/or managed by the UN or other regional organisations all over the world. It currently participates in 14 UN missions, as well as operations headed by the African Union (AU), European Union (EU), the Organisation for Security and Cooperation in Europe (OSCE), and under other bilateral agreements. Routinely, more than 10,290 police officers from 81 countries go on patrol, provide training, advise local police services, help ensure compliance with human rights standards, and assist in a wide range of other fields.

In Africa, the first police in an AU-mandated peace operation involved about 1,300 police officers in the AMISOM police to 69, including a headquarter element of seven officers that was located in Nairobi since 2008.

The benefits of this work are clear. UNPOL/AUPOL help to create a safer environment where communities will be better protected, and criminal activities will be prevented, disrupted and deterred. The diverse national experiences of UNPOL/AUPOL officers and their commitment to peace and security are their best tools to promote the rule of law. The mandate of police is different in each mission. In some missions, the mandate has been limited to monitoring the local police services. In more complex missions, the mandate includes advising, training, helping to establish local police services, enhancing their work and, in some cases, law enforcement.

This complexity is compounded by the need to integrate all components of the criminal justice system to ensure comprehensive and sustainable rule of law. Although rule of law activities in peacekeeping operations have increased in recent years, the involvement of peacekeeping personnel in this sector is not new. Police mandates and roles continue to change and evolve in response to needs. The role

Duration
2 hours

Section aim
To familiarise the participant with the history, mandates and role of police in peace support operations

Section objectives
At the end of this section, participants should be able to:

■ Explain the historical background of UNPOL/AUPOL deployment
■ Give an overview of police mandates
■ Explain the role, functions and mandates of UNPOL/AUPOL
■ Discuss the key concepts of community policing
■ Explain the concept of formed police units
of police has grown from monitoring and advising functions to reforming, restructuring and institution building of local police services, and performing executive law enforcement functions. Judicial affairs and corrections officers have also been deployed in peacekeeping operations in recent years to provide the necessary expertise to rebuild and support these crucial institutions and to complement the role of a transitional authority in the application of the due process of law.

FUTURE DIRECTIONS

It is not possible to predict the future directions of UNPOL/AUPOL mandates as they will continue to change and evolve according to the needs of future post-conflict situations. Police components have developed a significant track record in monitoring, advising and training local police services, in addition to assisting in police reform and restructuring activities. Each of these areas continues to develop and to be refined with experience. Mandates for executive law enforcement, while they cannot be ruled out for the future, are less likely to recur. Lessons learned from these experiences, however, will continue to inform the development of UNPOL/AUPOL doctrine, as will the experience of other regional and multinational policing entities. UNPOL/AUPOL may also be engaged in initiatives to pre-empt potential problems, which are often a contributing factor to the conflict, within the administration of law and order in a particular country. Such efforts would mitigate known problems before the country collapses into chaos. The police component has proven to be a valuable and often critical component of multidimensional peacekeeping and can continue to be a valuable tool for the international community in helping consolidate peace and security in post-conflict societies. The sustainable enhancement of national police capacity, given its vital role in the maintenance of the rule of law, can serve as a viable exit strategy for a peacekeeping operation.27

UN POLICE STRENGTH

Figure 2.1 illustrates UNPOL strength worldwide. It changes constantly because of the developments in missions. Thus, the strength as provided here might change over time.

EXAMPLES OF UN MISSIONS IN AFRICA

MUNURSO (UN Mission for Referendum in Western Sahara)

- Mandate: Monitor the ceasefire agreement
- Current authorisation: Until 30 April 2009 (Security Council resolution 1813 of 30 April 2008)
- Strength: 1 700 military (as at 31 March 2009), including:
  - 218 total uniformed personnel, including 20 troops, 6 police officers, 192 military observers; supported by 100 international civilian personnel, 160 local civilian staff and 19 United Nations
UNAMSI (UN Mission in Sierra Leone)

- **Duration:** 2 October 1999 to 31 December 2005.
- **Mandate:** Ceasefire implementation (UN Security Council resolution 1270 (1999) of 22 October 1999)
- **Strength:**
  - **Authorised maximum strength:** 17,500 military personnel, including 260 military observers (S/RES/1346) and up to 170 police personnel (S/RES/1436)
  - **Maximum deployment (31 March 2002):** Military: 17,368; UN Police: 87; international civilian: 322; local civilian: 552
  - **Strength as of 30 November 2005:** 1,043 total uniformed personnel, including 944 troops, 69 military observers and 30 police supported by 216 international civilian personnel, 369 local civilian staff and 83 United Nations Volunteers

UNMEE (UN Mission in Ethiopia and Eritrea)

- **Duration:** 31 July 2000 to 31 July 2008.
- **Mandate:** Monitor the cessation of hostilities.
- **Strength:**
  - **Maximum deployment (31 May 2002):** 4,154 total uniformed personnel, including 3,940 troops and 214 police supported by 229 international civilian personnel and 244 local civilian staff

MONUC (UN Mission in the DR Congo)

- **Duration:** 30 November 1999 to present.
- **Mandate:** To monitor the implementation of the (Lusaka) Ceasefire Agreement and investigate violations of the ceasefire.
- **Initial authorised strength:**
  - **Military personnel:** 16,700, police personnel: 475, civilian personnel include specialists in human rights, humanitarian affairs, public information, child protection, political affairs, medical and administrative support.
- **Current authorised strength (S/RES/1856 of 22 December 2008):**
  - Up to 19,815 military personnel, 760 military observers, 391 police and 1,050 personnel of formed police units
- **Current strength (31 March 2009):**
  - 18,431 total uniformed personnel, including 16,601 troops, 737 military observers, 1,093 police; 965 international civilian personnel, 2,251 local civilian staff and 578 United Nations Volunteers

UNMIL (UN Mission in Liberia)

- **Duration:** September 2003 to present
- **Mandate:** Support for the implementation of the ceasefire agreement and the disarmament, demobilisation, repatriation and reintegration (Security Council resolution 1509 (2003))
- **Current authorisation:** authorised until 30 September 2009 (resolution 1836 of 29 September 2008)
Section 1 History, mandate and role of United Nations police

■ Total authorised strength:
  ■ Authorised strength, 19 September 2003 – 13 July 2005 [S/RES/1509]: up to 15,000 military personnel, including up to 250 military observers and 160 staff officers; up to 1,115 police officers, including formed units; and the appropriate civilian component
  ■ Authorised strength, 14 July 2005 – to present [S/RES/1694]: up to 14,875 military personnel; 1,240 police officers, including formed units; and the appropriate civilian component
  ■ Strength as of 31 March 2009: 11,345 total uniformed personnel, including 9,988 troops and 139 military observers; 1,218 police; supported by 493 international civilian personnel, 1,040 local staff and 220 UN Volunteers

UNOCI (UN Operation in Côte d’Ivoire)

■ Duration: April 2004 to present
■ Mandate: Monitor ceasefire and movements of the armed groups
■ Strength:
  ■ Initial authorised, 4 April 2004 – 23 June 2005: 6,240 military personnel, including 200 military observers; as well as 350 police officers, some 435 international civilians and 529 local civilians, and 119 United Nations Volunteers [S/2004/3/Add.2]
  ■ Since then, the authorised strength of UNOCI has been reviewed and changed by the Security Council on a number of occasions, depending on the situation in the country and the needs of the mission
  ■ Strength as of 31 March 2009: 9,136 total uniformed personnel, including 7,837 troops, 187 military observers; 1,112 police; supported by 420 international civilian personnel, 705 local staff and 289 United Nations Volunteers

ONUB (UN Operation in Burundi)

■ Duration: 1 June 2004 to 31 December 2006
■ Mandate: Among other, to ensure the respect of ceasefire agreements, through monitoring their implementation and investigating their violations.
■ Strength: total authorised of 5,650 military personnel, including 200 observers; 120 police personnel, 434 international civilian personnel, 170 United Nations Volunteers, and 446 local civilian staff. (S/2004/210/Add.1)
■ Peak strength (30 September 2005) of 5,665 total uniformed personnel, including 5,400 troops, 168 military observers and 97 police; supported by 316 international civilian personnel, 383 local civilian staff and 156 United Nations Volunteers

Note: Mention the role of SADC and AU (regional forces, AMIB) and its original mandate to monitor the implementation of the Arusha Agreement.

UNAMID (AU-UN hybrid operation in Darfur)

■ Duration: 31 July 2007 to present
■ Mandate: Support implementation of the Darfur Peace Agreement
■ Strength:
  ■ Authorised strength (S/RES/1769 of 31 July 2007): up to 19,555 military personnel; 6,432 police, including 3,772 police personnel and 19 formed
police units comprising up to 140 personnel each; and a significant civilian component

- **Strength as of 31 March 2009**: 15,351 total uniformed personnel, including 12,737 troops, 188 military observers, 2,426 police officers, supported

**Figure 3.2 OSCE deployment of (civilian) police**

Source: OSCE (date not known precisely but estimated to be in 2005)
Section 1 History, mandate and role of United Nations police

by 919 international civilian personnel, 1 447 local civilian staff and 303 United Nations Volunteers

Note the roles of:

■ SADC in the peace processes in Burundi (UNOB) and DR Congo (MONUC), as well as the contribution of SADC member states in UNOB (Malawi, Mozambique, Namibia, South Africa and Zambia) and in MONUC (South Africa and Zambia)
■ ECOWAS in the peace processes in Liberia and in Western Sahara, as well as the contribution of ECOWAS member states in UNMIL (Benin, Gambia, Ghana, Nigeria and Senegal) and in MINURSO (Ghana, Guinea and Nigeria)
■ Other regional interventions, eg Organisation for Security and Cooperation in Europe (OSCE)

THE UN POLICE DIVISION

The UN Police Division was set up in October 2000 as part of the Department of Peacekeeping Operations (DPKO), with a staff of experienced police officers from contributing countries. The division is mandated to plan and support the work of UN police officers in UN peacekeeping operations.

The goals of the division are to:

Support UN police components of UN peacekeeping operations

■ Enhance planning capacity for police components of UN operations
■ Assist as appropriate in strengthening the performance, effectiveness and efficiency of local criminal justice systems, including police and corrections
■ Enhance ability to deploy rapidly a functional police component
■ Improve quality representation in the field

The creation of the division has further highlighted the future role of UNPOL in peacekeeping operations. The UNPOL division is headed by the chief police adviser (CPA), who is allocated senior status equal to that of the military adviser (D2), and is assisted primarily by a chief of staff and deputy police adviser. Although the division is still in the process of evolution, it currently consists of a Policy and Planning Section, which looks into the development of the total plan and policy for the new missions, the Training and Development Unit and the Mission Management Cell, which has the constant function of managing the missions in terms of its main management and logistical supports. The latter comprises desk officers who are assigned to monitor particular missions, and they are constantly under pressure to meet ongoing mission management issues. The CPD also has information, police generation and legal/disciplinary sections. In 2008, the total headquarters staff was made up of 25 police officers from 13 countries.

The objective of the UN Police Division is to strengthen the performance, effectiveness and efficiency of local criminal justice system – police, judiciary and corrections – in which police components serve.

UNPOL also seeks to enhance human rights by promoting the UN Criminal Justice Standards for Peacekeeping Police, as well as the Universal Declaration of Human Rights in all areas of its work. It promotes the rule of law by working closely with its peacekeeping partners on police, judicial and penal issues.
OFFICE OF RULE OF LAW AND SECURITY INSTITUTIONS

The Office of the Rule of Law and Security Institutions (OROLSI) was created in the DPKO in 2007 to provide an integrated and forward-looking approach to UN assistance in rule of law and security entities. OROLSI unifies police, judicial, legal, correctional units, and mine action, disarmament, demobilisation and reintegration (DDR), as well as new security sector reform functions, primarily in support of UN peacekeeping operations, as well as globally with regard to the police and corrections in the context of countries with no peacekeeping missions. OROLSI is led by an assistant secretary-general, who reports to the under-secretary-general for peacekeeping operations.

Rule of law and public safety and security are central to sustainable peace in countries emerging from conflict. Member states have increasingly recognised that reinforcing the rule of law and establishing viable security institutions are fundamental to crisis management, peacekeeping and peacebuilding. The establishment of OROLSI therefore reflects the central role that rule of law aspects increasingly play in (modern) peacekeeping operations. It contributes to longer-term sustainability of peacekeeping operations and supports exit strategies.

OROLSI’s key task is to provide strategic advice and guidance to missions and headquarters in the area of rule of law and security institutions. In close collaboration with other members of the DPKO and the DFS, OROLSI’s units will also concentrate on planning field activities, doctrine development, screening and deployment of personnel, as it is essential to select the right personnel, as well as identifying and disseminating lessons learned.

STANDING POLICE CAPACITY

The Standing Police Capacity (SPC) has an initial group of 25 hand-picked officers as a rapid response team for the division. The members of the team were chosen for their skills in all aspects of law enforcement, to meet the immediate demands of twenty-first-century peacekeeping. The SPC is a headquarters-based operational unit, geared towards field deployments. The initiative is aimed at meeting the requirement for policing and other law and order functions, in contrast with the slow deployment of police contingents, which compromises the success of operations. The SPC has been fully staffed since May 2008. In line with its vision and mission, the SPC has two key core functions:

- To provide immediate start-up capability on the ground for the police components of new UN peace operations, including strategic advice to ensure effectiveness, efficiency and professionalism
- To provide rapid support, advice, expertise and assistance to the police components of existing UN peace operations in the field of institutional law enforcement capacity building. If specifically directed, it will be used to conduct operational assessments and evaluations of police components.

CHARACTERISTICS OF UN (AND AU) POLICE

- Multinational
  - Religious diversity
History, mandate and role of United Nations police

- Multi-ethnicity
- Diverse police backgrounds/training
- Independent chain of command
  - Report to the police commissioner
  - In some missions, report to the political adviser or SRSG
- Deployed alongside the local police
- Deployed throughout the mission area
- Non-executive mandate
- Executive mandate

**TASKS OF UN POLICE DIVISION**

- To give advice to UN and DPKO on police issues
- To manage police missions
- To plan deployment
- To act as contacts with police-contributing countries (PCCs)
- To assist with the memorandum of understanding through specialised police assessment teams
- To assist police in contributing countries to develop training for their peacekeepers
- To produce police publications in cooperation with the Training and Evaluation Service (TES)
- To review lessons learned and develop best police peacekeeping practice

**UN/AU POLICE IN-MISSION**

The UN (and AU) police component is generally established as a separate element in a peacekeeping operation, usually under the operational control of a police commissioner, who reports to the SRSG or head of mission. There is usually a single chain of command in the UNPOL component, with all personnel accountable to the commissioner. The UN Police Division of DPKO provides advisory and operational support to peacekeeping operations from headquarters in New York by advising, providing technical guidance and supporting the police commissioners and staff. The administration and support component of the peacekeeping operation provides logistics and administrative support to the UNPOL as it does to all components of the peacekeeping operation. As with all UN (and AU) personnel, UNPOL (and AUPOL) must abide by local laws, and is expected to promote internationally accepted principles of ethical, legal and democratic policing at all times as well as ensuring compliance with human rights standards.

**THE ROLES OF POLICE**

*Advising and reporting*

In the early 1990s, police components were tasked mainly with monitoring local police services to ensure observance of the principles of democratic policing. This required observing the behaviour of local police in the performance of their duties and reporting issues of concern to the head of mission for appropriate action. In
UNTAG (United Nations Transition Assistance Group), for example, the UNPOL component was to ensure that the South West Africa Police fulfilled their duty of maintaining law and order in an efficient, professional and non-partisan manner. UNPOL investigated public complaints against the local police and reported any violations of human rights by the police services. Their presence in tense border areas helped build confidence in the impartiality of the UN and reassured the general public. Although UNPOL had no direct authority for the maintenance of law and order, and could influence the standards of policing only indirectly, they contributed significantly to keeping the transition plan for Namibia on track.

Monitoring approaches and concepts have shifted increasingly towards a process of advising and working with local counterparts. This process of advising local police – which includes observation, advice, supervision and reporting on counterparts – continues to be a core police role in multidimensional peacekeeping missions. The process is not an end in itself, but a means of detecting problems, identifying steps to address them, and assessing the effectiveness of existing measures of redress. When working with a local police service, police may look at the effectiveness of the local police command structure; its ability to conduct internal investigations; its relations with judicial authorities; and, most importantly, its relations with the community that it serves and protects.

Reforming, restructuring, training and strengthening institutions

Another task for police has been to reform, restructure and train national police services to help ensure that they become respected, sustainable, well-structured law enforcement institutions. Examples of these mandates include the missions in Haiti and Bosnia-Herzegovina. Missions mandated to support local police reform initially did so by providing training and mentoring. The primary goal of training local police has been to strengthen police services so that their conduct and services are professional and effective, and comply with international standards for democratic policing.

Reforming, restructuring, training and strengthening efforts must consider the national context, including cultural, political, economic and social realities. Imported models may not be best suited to the local situation, and these models may need to be adapted to local realities if they are not to be counter-productive. Working closely with national authorities will ensure local ownership of any reform and restructuring efforts, and their involvement will ensure sustainability of the initiatives in the long run.

The four main local target groups for police training are new recruits, active police officers, middle and senior managers in the police service, and police trainers. Training courses developed by police have covered such subjects as democratic policing standards, human rights, crisis management, relations between police and judicial authorities, personnel management, finance, logistics, procurement, facilities and equipment maintenance and asset management. Courses on organised crime and human trafficking were also part of the training curriculum for local police in Bosnia and Herzegovina. Good training programmes have been based on a flexible curriculum that can be tailored to the local situation. In Haiti, case studies used in training police cadets were based on cases that human rights monitors had investigated in the country.

UNPOL/AUPOL may not always be directly responsible for designing and delivering training, but may complement or coordinate development activities
(eg training and support) provided bilaterally by member states and regional organisations that may have greater resources and capacity to conduct such police enhancement programmes in certain situations. UNPOL/AUPOL have also become increasingly responsible for the selection, screening and training of local police candidates, on-the-job mentoring and monitoring, and evaluating their performance in the field. Peacekeeping missions with mandates for reforming and restructuring national police services have also been responsible for advising national authorities on how to design and establish more appropriate (often significantly smaller) administrative and operational structures for national police services, in addition to overseeing efforts to instil more professional, democratic and community-oriented principles of policing. An important element of this work has been to emphasise the strict separation of military and paramilitary entities from UN/AU police in developing national law enforcement structures.

Effective personnel management and recruitment is vital to the reform of police services and includes removing undesirable personnel from the police service and developing systems to ensure that they are not recruited in the future. In addition to direct screening activities, internal oversight and investigation capacities are important in any police service. In the process of screening and selecting local police officers, it is frequently important to ensure that recruits from former warring parties are incorporated into a single policing structure, and that minority groups and women are sufficiently well represented in police ranks. Local police and authorities may perceive UNPOL reform and restructuring activities as unwelcome interference, but their cooperation is critical to success. In situations where the international community has faced resistance, at times UNPOL/AUPOL have faced tremendous difficulties in implementing reform and restructuring solutions. In such instances, UNPOL needs sufficient influence and leverage over the parties to effect change in local structures, procedures and behaviour.

Educating the public

An important and sometimes overlooked aspect of police reform and restructuring is the need to ensure that the general public are aware of their rights and have appropriate expectations of local law enforcement structures. Experience has proved the importance of public information strategies, community policing and civil society engagement in developing respect for the reformed police. In the absence of public understanding of, and support for, police reform, the civilian population may view the process as a technical exercise with minimal impact on their lives. Public forums, roundtables, seminars, radio broadcasts and other outreach efforts can help build understanding and support for police in local communities. In Haiti and Rwanda, for example, human rights non-governmental organisations (NGOs) were invited to speak to police cadets during their basic training. Similar meetings were arranged between NGOs and judges and prosecutors in training at the judicial academy. Some grassroots human rights organisations in Haiti even invited national police to attend their human rights training sessions.

Electoral assistance

The role of the police is important in all phases of an election process, including the pre-election phase, which involves security for voter registration and
campaigning, as well as identification of secure polling sites; the election day itself 
(which can pose security challenges such as the potential abduction of candidates, 
intimidation of voters when casting ballots and sabotage at the polling booths); 
and the post-election phase, which includes security of the ballot papers and gen-
eral security after the election.

During each phase, police provide security and help ensure that basic human 
rights are protected, such as freedom of expression and association, and the right 
to peaceful demonstrations. Protecting voters and candidates from intimidation, 
harassment, abduction and retribution are key police responsibilities throughout 
the period. UNPOL/AU POL can assist local police through training and advising 
on security planning and operations for the election.

**Disarmament, demobilisation and reintegration**

Disarmament, demobilisation and reintegration (DDR) are complex and intercon-
nected processes, which have the ultimate objective of reintegrating ex-combatants 
into society. The role of police is often not recognised, but a number of experiences 
have shown that the greater the involvement of police in DDR-related confidence-
building initiatives, the greater the acceptance of ex-combatants and their relatives 
into society.

UNPOL/AU POL can assist other components of the mission in several DDR-
related functions such as coordination, advising and monitoring. The reintegration 
of ex-combatants into the local police service has often been an element of DDR 
programmes, and UN/AU police assistance with this process can be essential to 
success.

**Building new police institutions**

The establishment of new law enforcement institutions has been the long-term 
objective of police activities in the transitional administration missions of Kosovo 
and Timor-Leste as well as in peacekeeping operations such as the UN Mission 
in Bosnia-Herzegovina (UNMIBH). In the UN Interim Administration Mission in 
Kosovo (UNMIK), more than 5 000 Kosovo police service officers had graduated 
by 2003, and entered active service alongside their UNMIK police counterparts. In 
Timor-Leste, UNPOL was mandated to maintain law and order as well as to estab-
lish and train a credible and professional national police service. In the first two 
years, more than 2 000 local police officers graduated from the police academy, 
and were co-located with the police throughout the country as part of a mentoring 
programme. A gradual handover of police activities to the certified officers of the 
newly established Policía Nacional de Timor-Leste has taken place successfully.

Building an adequate cadre of trained, professional police officers is usually the 
primary focus of UNPOL/AU POL missions with institution-building mandates, 
and is an important and highly visible confidence-building activity. Establishing 
basic administrative and financial management arrangements for the local police 
services early on is vital for institution building. It is particularly important to 
identify sources of funding, prepare budgets and accounting systems, develop 
office procedures, and create effective procurement and asset management tools 
and human resources systems. The early establishment of strong internal over-
sight, audit and internal investigations units is critical for transparent, accountable
Section 1  History, mandate and role of United Nations police

Institutions. In some peacekeeping operations, local police salaries have been an issue of some concern. In these situations, a cost-of-living analysis can be conducted to help determine a fair and equitable police salary scale, without which it could be difficult to adopt democratic and community policing practices or attract the best candidates.

Effective police reform and restructuring demand short- and long-term resources. A priority area for funding should be the infrastructure necessary to build the police service, such as training facilities, police stations, communications equipment, information management networks, police vehicles and police uniforms. This capital investment must be balanced against sustainability considerations, however, so that the recurrent costs of the new facilities and equipment do not overburden the police service and the government in the longer term, and lead to a situation where the government is unable to pay police salaries or maintain equipment.

Executive law enforcement

A significant new development in the role of police in peacekeeping missions occurred with the mandates approved for the transitional administration missions of Kosovo and Timor-Leste in 1999. As part of the legislative and executive authority given to these missions, the police component was vested with broad responsibilities: maintaining law and order; developing local law enforcement systems; and training local personnel to assume law enforcement duties at the end of the transition period. This type of mandate is referred to as an ‘executive law enforcement’ mandate and effectively requires the police to serve as the national police service until domestic capacities are developed. In UNMIK, for example, the executive policing mandate required UN police to carry out all normal policing duties, including:

- Protection of property and lives
- Investigation of crime and criminality
- Enforcement of law and order
- Assistance and support to capacity building for the local police

For example, in Kosovo, special police units were tasked with carrying out public order functions, such as crowd control and area security, while the peacekeeping border police ensured compliance with immigration laws and other border regulations. A UN/AU police component mandated with executive authority requires a large number of experienced personnel to carry out the full range of law enforcement tasks. In fulfilling executive responsibilities, UNPOL/AUPOL are expected to evaluate and respond to the constantly changing situation in the mission area while working strictly within the parameters of the mandate.

COMMUNITY POLICING

Community-based policing is an increasingly important element of policing in post-conflict environments and is closely linked to public education. The community policing approach enhances the confidence of the local community in the police, and fosters cooperative relationships. It provides reassurance to vulnerable groups, returning
refugees and internally displaced persons (IDPs), owing to the visible presence of police officers working with local populations in and among the community. Addressing common community and policing concerns through, and with, the community can help to ensure that improvements in law and order are better understood and accepted by the population. Community policing is a key approach for UNPOL in peacekeeping missions. Many host countries of peacekeeping operations have certain entrenched local policing practices. These can be adapted to include modern community policing practices. The local communities must be encouraged to address their own social problems. UNPOL/AUPOL can act as a catalyst for the participation of the local communities in finding solutions to their security and justice problems.

Definition of community policing

Community policing is a system where the people act together with police to prevent crime and disorder in the communities. It is a policing strategy and philosophy based on the notion that community interaction and support can help control crime, with community members helping to identify suspects, detain vandals, and bring problems to the attention of the police. The goal of community policing is to reduce crime and disorder by examining the characteristics of problems in neighbourhoods and then applying appropriate problem-solving remedies.

Key components of community policing

Community partnership: Community partnership means adopting a policing perspective with certain characteristics:

- Police recognise the need for cooperation with the community on issues that include seeking information, undertaking awareness, educational and recreational events, and carrying out crisis intervention services in order to establish mutual trust.
- Community policing means adopting a policing perspective that exceeds the standard law enforcement emphasis. It also recognises the value of activities that contribute to the wellbeing of society, for example providing emergency medical services and helping resolve domestic conflicts.
- Building trust will require an ongoing effort, as it will not happen overnight and it may involve supporting social institutions in the community such as families, schools and religious institutions that may have been weakened by crime or disorder. The creation of viable community structures is necessary to nurture sustained alliances between police and the community.

Problem solving: This is more than the prevention and elimination of crimes. Problem-oriented policing is premised on the concept that underlying conditions in a community create problems. These conditions may include:

- Eliminating traffic congestion by erecting traffic control signs
- Destroying or rehabilitating abandoned buildings conducive to criminal habitation
- Setting up joint community-police drug counselling and rehabilitation centres. Drug education in schools can significantly reduce gang violence
- Teaching store clerks how to act in the event of robbery in order to avoid injury or death, as well as how to respond to or report the incident
Improving environmental conditions that encourage crime. A collaborative police-community effort to improve street lighting, remove overgrown weeds and seal off vacant structures can be important in fighting crime.

Police are encouraged to view themselves as community advocates and as problem-solving partners with a local community. This approach to policing is democracy in practice and places the onus on the police to anticipate community needs and problems, and attempt to solve them. Community policing is therefore an explicit effort to create a more democratic and decentralised institution where the forces are generalists rather than specialists. This approach is based on the assumption that policing will be more effective with the support of and input from the community.

**Important challenges to contend with in community policing**

Understanding what constitutes a community

- Based on geography and shared values
- Transcends location at a fixed physical address
- Is not based on the agenda of a powerful group

The need to balance professionalism/expertise and democratic participation. Police should avoid submitting to a dominant segment of the community.

The emergent increase in private policing, which not only undermines democratic participation of the community, but can also compromise accountability as security becomes more of a commodity than a public good.

**LEGAL FRAMEWORK**

**Deployment**

- Security Council Resolution (SCR)/Decision of the Peace AU Peace and Security Council (at appropriate levels)
  - Mandate
  - Type of operation
  - Regional organisation
- Status of forces agreement (SOFA)
  - Expert on mission
  - Immunity
  - Use of uniform, weapons, etc
- Rules of engagement (ROE/DUFFs)
  - Use of force and firearms
  - Standard operational procedures (SOPs)

**Execution**

- International human rights standards
- UN (and AU) criminal justice standards
The non-executive mandate

- Advise on the performance of the local police by means of in-classroom and on-the-job training
- Assist in the restructuring of training and development
- Monitor and mentor to measure the performance of the local police
- Reform and mentoring
- Support and report on non-compliance with the HR standards
- Investigation

The executive mandate

The executive mandate covers all kinds of police work in the mission area. For example:

- Community policing
- Establishment of new indigenous police service
- Public security
- Investigation
- Forensic
- Anti-riot (public order management)
- Close protection
- High risk arrest
- Specialised/formed police units (SPU/FPU) need all the same capacities as any other national police unit (Kosovo, East Timor, DRC, Liberia and Sudan have formed police units)

UNPOL/AUPOL AND HUMAN RIGHTS ISSUES

- Ethical and legal policing
- Democratic policing
- Investigations
- Arrest and detention
- Torture and degrading treatment
- Use of force and firearms
- Women and children
- Juvenile justice
- Refugees and IDPs
- Policing during civil disorder and states of emergency
- Human rights monitoring and reporting
- Restructuring and reform

SMART CONCEPT

- Supporting human rights and humanitarian assistance
- Monitoring the performance of local law enforcement agencies, prisons, courts and implementing agreements
Section 1  History, mandate and role of United Nations police

- Advising the local police on humane, effective law enforcement
- Reporting on situations and incidents
- Training the local law enforcement in the best practices for policing and human rights

UN/AU POLICE MONITORING ACTION

<table>
<thead>
<tr>
<th>Local police</th>
<th>UN/AU police action</th>
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<tbody>
<tr>
<td>Strength</td>
<td>Reform/downsizing</td>
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<tr>
<td>Weapons</td>
<td>Restrictions</td>
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<tr>
<td>Equipment/buildings</td>
<td>Special projects/training</td>
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<tr>
<td>Community relations</td>
<td>Community police training</td>
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<tr>
<td>Investigations</td>
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<tr>
<td>Violations of HR</td>
<td>Sanctions/training/advice</td>
</tr>
<tr>
<td>Judicial system</td>
<td>Reform/training</td>
</tr>
</tbody>
</table>

- **Strength**: Note the role of DDR and how it can be instrumental in downsizing or increasing the strength of the local police through institutional reform
- **Weapons**: Note the arms restrictions and the convention on the non-proliferation of arms, especially in executive missions
- **Equipment/buildings**: Note the special projects that are aimed at logistical support and reconstruction of institutions. Training of local police is vital
- **Community relations**: Relations are developed through community policing and other special interventions training. Note the role of community involvement in the reconstruction of the new police service
- **Investigations**: UNPOL/AUPOL perform an advisory role to the local police. Training and provision of necessary equipment are used to enhance service delivery
- **Violations of HR**: Note the role of human rights training and how it can improve respect for human rights. Also note the results against human rights violations achieved by the local police, for example sanctions, including punishment
- **Judicial system**: The role of training and judicial reform is crucial to ensure respect to the rule of law

Figure 3.3 Reporting System (UN model)
LESSONS LEARNED

Future missions must take into account and compensate for:

- Lack of language and driving skills
- Diversity of police training, traditions and experiences among nationalities
- Low professional standards of some contingents
- Lack of democratic and community policing background
- Differences in the aspects of motivation to the contingents by their own countries
- Lack of preparations and adequate support (logistics)
- Slow and late deployment to the mission area
- Ambiguity in the mandates
- Wide range of actors and stakeholders in the mission area

By using:

- Logistic support
- Coordination
- Strategic planning

NEW MISSIONS

- Reform and restructure will be the core of mandates
- Monitoring and advising will be performed in conjunction with each other
- Qualified field training officers are needed
- There is the possibility for mandates with executive powers as needed with reform and restructure

FUTURE ROLE OF POLICE

- Assistance to states with law and order problems, before potential conflict situation spirals out of control
- Focus on reform and restructuring of local police forces (long-term commitment to establishing the foundation of good governance)
- Helping a war-torn society restore conditions for social, economic and political stability in cases of intra-state conflict
- Meaningful representation in the DDR process.

FORMED POLICE UNITS

A formed police unit (FPU) is a specialised unit armed with non-lethal weapons and authorised with a robust law enforcement capacity. It consists of approximately 140 police officers who have been trained together and work as a cohesive, specialised unit. In UN/AU peacekeeping, the need for formed police units (FPUs) came about as a result of the realisation that in situations of serious threat to peace...
or public order in a mission area, unarmed UN police officers were ineffective in containing the situation, while heavily armed military personnel were not appropriately trained or equipped for such response. To address this gap in public security in mission areas, a police unit armed with non-lethal weapons and authorised with a robust law enforcement capacity, known as an FPU, began to be deployed in 2000. The use of FPUs has since increased significantly, to the extent that the units now constitute important components of international police personnel, especially UNPOL. In Africa, FPUs are notable parts of the UN peacekeeping missions in Darfur and Liberia. In Darfur for instance additional FPUs UNAMID are being deployed so as to increase their total number from 19 to well over 50.

FPUs may be deployed in executive or non-executive missions, and may be charged with certain core functions:

- Protection of UN/AU personnel and facilities, plus other individuals, key facilities, installations, equipment, areas and goods, where designated by the SRSG/SRCC in consultation with the police commissioner, and civilians threatened with immediate physical violence as ruled by the relevant directive on detention, searches, and use of force for members of formed police units on assignment with a UN/AU mission
- Provision of security support to national law enforcement agencies, including joint patrols, show of presence, concurrence in the maintenance of peace and security and promoting confidence-building measures
- Capacity building of local formed police units

**CORE TASKS OF FPUS**

If necessary, FPUs may also be required to:

- Ensure public order and respond to threats to peace
- Secure vulnerable buildings
- Provide mobile security to vulnerable areas
- Protect VIPs
- Gather criminal information
- Conduct counter-terrorism and counter-insurgency operations
- Provide election security
- Man road blocks and checkpoints
- Conduct civil disorder operations
- Perform riot and crowd control functions
- Conduct patrolling and public surveillance operations
- Carry out escort duties
- Train local police agencies in crowd control and law and order duties

**SITUATIONS FOR FPU RESPONSE**

FPU response to situations can take place in two main ways:

- Planned operations that are requested by the chain of command to cover specific events during high-risk periods that may last several days
Quick reaction operations that are short-notice deployment ordered by the chain of command in a response to unexpected situations involving potential or actual civil disorder

Exercise 3.1
Describe the roles of the UN/AU police.

What are the differences between executive and non-executive mandates?

Explain how the UN/AU police use the SMART concept in dealing with human rights abuses.

Identify four tasks police can undertake in a peacekeeping operation.

Explain the situations under which FPUs are to be deployed.
SECTION 2
Police selection and training (United Nations)

SELECTION CRITERIA FOR POLICE (UN)

Any police officer volunteering for service as a UN police monitor must possess:

- **Nationality**: Be a citizen of the member state he/she represents
- **Professional status**: Be a sworn member of the police force he/she represents. This excludes all personnel without policing experience, unless specifically selected at the request of the UN/AU for a specialised position in the mission
- **Mental and physical health**: Meet the established UN/AU medical criteria outlined in the *Medical support manual for UN field operations*. Potential monitors must be closely screened for physical, mental and substance dependency conditions that may impair their work in the operations. Direct communication with the UNPOL unit and the medical service unit in New York is strongly advised
- **Experience**: Minimum of five years’ active community policing experience. The UN/AU may require more extensive experience in some missions. Leadership positions in each mission will require more experience and more specialised skills, as determined by the UN/AU
- **Language proficiency**: Be able to communicate effectively in the official language of the mission for which he/she has been selected. Communication refers to being able to read, write, listen and speak at a level where he/she can understand and be understood
- **Driving ability**: Possess a valid driving licence from his/her member state, and be able to operate a 4x4 vehicle in any driving condition
- **Weapon handling and shooting skills**: Criteria depend on the mandate
- **Age**: Should be older than 25, and younger than 50

TRAINING OF UN/AU POLICE

- **UN/AU Police Officers Course**: This is a comprehensive and compulsory course that equips a police officer with the necessary knowledge and skills on how missions are conducted. It usually lasts for a week or two. EAPCCO regional courses are conducted over two weeks.
Pre-mission training: This is a mission-specific course that focuses on the police officers’ specific mission. It encompasses basic information about the mission area, for example location, climate, culture, and diseases.

Induction training: This training is usually conducted at the mission area. It refers to a clear briefing about the mission area and the other role players in the mission. Those who did not undergo the UN Selection Assistance Team (SAT) evaluation in their home country will usually do the evaluation at the mission area.

**GENERIC AND PRE-MISSION TRAINING AS PREPARATION FOR PSO**

Principles of democratic policing demand a high level of representative, responsive and accountable policing for the community. UNPOL/AUPOL officers must always uphold human rights and democratic policing principles and conduct themselves according to the highest standards of integrity and professionalism. These standards must extend to their own personal conduct. UNPOL/AUPOL officers contributed for service with the UN/AU must always be beyond reproach in their integrity, impartiality and personal behaviour.

Further to this, there is a requirement to prepare the police officer for the duties of UNPOL/AUPOL missions. In his/her work, the officer will not work with the legal system of his/her home country, but under international rules, regulations, covenants and bodies of principles. Even if these mostly correspond with the legal framework of the home country, they must be known to the UNPOL/AUPOL.

Also, lessons learned have shown that UNPOL/AUPOL officers often have inadequate skills in:

- Knowledge of international police standards and human rights
- First aid
- Map reading

Furthermore, UNPOLs/AUPOLs should arrive to the mission area with

- Basic computer skills
- Basic knowledge of the UN/AU systems and practices
- Basic knowledge of the structure of the UNPOL/AUPOL component in the mission, the operating procedures and the code of conduct
- Negotiation and mediation skills
- Gender and cultural awareness
- Basic training in stress management
- Basic knowledge of report writing
- Basic knowledge of geography and history of the mission area

**SELECTION ASSISTANCE TEAMS**

Since 1996, UN DPKO has identified pre-mission training in home countries as an important and cost-effective mechanism to screen police officers before
deployment. The SAT selects police according to their successful completion of the following exercises:

- Working knowledge of the mission language (usually English)
- 4x4 driving
- Shooting skills and safe weapon handling

According to the UN, in 2000 a total of 9,929 candidates were tested by the SAT in their home countries. Of this number, 3,376 passed (34%), and 6,553 failed. In 2001, 12,237 candidates were tested: 3,427 passed (28%) and 8,710 failed. Pre-deployment screening saved the UN approximately $20,000,000, as they would otherwise have been forced to repatriate these candidates from the mission area.

**IN-MISSION INDUCTION TRAINING**

On arrival at the mission area, police will normally undergo short induction training and a test programme. The induction training will cover only the specific conditions and work for that police mission and cannot replace a pre-mission training programme in the home country.

### Exercise 3.2

Briefly explain five selection criteria for UN and AU police.

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Give the importance of pre-deployment training.

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What is the difference between pre-mission training and induction training?

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What are the major challenges in the selection and training of UN and AU police?

________________________

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MODULE 4

The United Nations and African Union Police Peacekeeper
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SECTION 1

Conduct and discipline of uniformed personnel

BACKGROUND

Peacekeepers represent the United Nations, the African Union and their own countries. Their conduct, whether negative and positive, impact on the success of the whole mission.

The United Nations and the African Union embody the aspirations of all people of the world for peace, human dignity and equal rights. As a representative of the United Nations, every peacekeeper must uphold the principles and ideals of the United Nations Charter by maintaining the highest standards of integrity and conduct at all times.

The Universal Declaration of Human Rights is the basis for the actions of peacekeeping personnel.

Peacekeepers must also comply with the standards of conduct and behaviour set out in the documents issued by the United Nations and the African Union, including the Secretary-General’s Bulletin titled Observance by United Nations forces of international humanitarian law (reference 47).

Peacekeepers are present in the mission area to help people and society recover from the trauma of conflict. They must therefore accept constraints in their public and private lives that help them accomplish their assignment in the spirit of the ideals they uphold. Wherever a United Nations peacekeeping mission is deployed, expectations are high. Consequently, the conduct of peacekeepers is closely observed by all stakeholders.

PEACEKEEPERS: GUIDING PRINCIPLES OF PERSONAL CONDUCT

The guiding principles in this module embody the core values of the United Nations in promoting international peace and security. Peacekeepers are encouraged to commit themselves to following them in spirit and in deed.

- **Impartiality**: Even-handedness; neither preferring nor supporting any one group, person or plan over another
- **Integrity**: Honesty, knowing and doing what is morally right
Section 1  Conduct and discipline of uniformed personnel

- **Respect**: Accepting others’ ways, giving value to others’ rights, customs, behaviours and wishes, even if they are different from one’s own
- **Loyalty**: Unqualified support for the mandate of the mission, always fully supporting it, even when circumstances may challenge that support

The code of conduct for uniformed personnel is based on agreed international principles and standards that are set out in the Geneva Conventions, Common Article 3 and the Universal Declaration of Human Rights, Articles 1-3.

**Impartiality**

The impartial and objective pursuit of the mission’s mandate, regardless of any kind of dissuasion, is essential in preserving the legitimacy of the operation and the consent and cooperation of conflicting parties. None of the parties should gain unfair advantage as a result of the actions of United Nations peacekeepers.

The effort to maintain impartiality must not, however, foster inaction. Peacekeepers must discharge their tasks firmly and objectively, without fear or favour.

<table>
<thead>
<tr>
<th>Do …</th>
<th>Don’t …</th>
</tr>
</thead>
<tbody>
<tr>
<td>… remain impartial at all times. To do so you need to understand the mission mandate and comply with all mission directives and operational instructions</td>
<td>… take any action that might jeopardise the mission</td>
</tr>
<tr>
<td></td>
<td>… take any unauthorised communications to external agencies, including making unauthorised press statements</td>
</tr>
<tr>
<td></td>
<td>… improperly disclose or use information gained through your service with the United Nations mission</td>
</tr>
</tbody>
</table>

**Integrity**

Personal integrity establishes your credibility and authority as a United Nations peacekeeper.

Your personal integrity is essential for building trust with the host population and demonstrating your commitment to the mission mandate. You must behave professionally at all times whether you are under observation or not.

- **DO…** conduct yourself in a professional and disciplined manner.
- **DO…** support and encourage proper conduct among fellow peacekeepers.
- **DO…** wear proper dress at all times.
- **DO…** properly account for all moneys and property assigned to you.
- **DO…** care for all United Nations equipment placed in your charge.

The most obvious example of a lapse in integrity is being guilty of misconduct, even if minor in nature. Misconduct includes any act, omission or negligence that violates:

- Principles of human rights
- Core values and principles of the United Nations
Standard operating procedures (SOPs), directives or other applicable rules, regulations or administrative instructions of the peacekeeping mission.

Misconduct specifically includes:

- Neglect in performance of duty
- Wilful disobedience of a lawful order
- Wearing one's uniform improperly
- Intoxication while on duty or in public
- Harassment, including sexual harassment
- Sexual abuse and exploitation of any individual, particularly children
- Criminal acts
- Abuse of authority
- Breach of confidentiality
- Abuse of United Nations privileges and immunities
- Use, possession or distribution of illegal narcotics
- Embezzlement or other financial malfeasance
- Driving while intoxicated or other grossly negligent driving.

Respect

A field mission usually embraces a wide diversity of nationalities, races, religions and cultural backgrounds. Such diversity is part of the strength of the United Nations. Some cultures and behaviours may be vastly different from your own. Treat all people with dignity and respect. Show respect and understanding of diverse points of view. Demonstrate this understanding in your daily work.

Examine your own biases and prejudices and avoid stereotypical attitudes. Exercise restraint at all times in expressing personal views.

<table>
<thead>
<tr>
<th>Do …</th>
<th>Don’t …</th>
</tr>
</thead>
<tbody>
<tr>
<td>… respect the environment of the host country</td>
<td>… be abusive or uncivil to anyone</td>
</tr>
<tr>
<td>… treat the inhabitants of the host country with respect, courtesy and consideration</td>
<td>… use unnecessary violence or threaten anyone in custody</td>
</tr>
<tr>
<td>… support and aid the infirm, sick and weak</td>
<td>… collect unauthorised souvenirs</td>
</tr>
<tr>
<td>… respect all other peacekeepers regardless of status, rank, ethnic or national origin, race, gender or creed</td>
<td>… commit any act that could result in suffering for the local population, especially women, children and old people.</td>
</tr>
</tbody>
</table>

Loyalty

The following ‘dos’ and ‘don’ts’ apply with the principle of loyalty.

<table>
<thead>
<tr>
<th>Do …</th>
<th>Don’t …</th>
</tr>
</thead>
<tbody>
<tr>
<td>… remain loyal to the values, objectives and goals of the United Nations and to the mission’s mandate. Regardless of your own views or interests, you are in the mission to serve the interests of the United Nations and the international community.</td>
<td>… pursue any national or personal agenda. Uphold decisions that are in the interests of the United Nations, even if they are unpopular or oppose your personal interests. The sole consideration for all your actions and decisions should be the interests of the United Nations.</td>
</tr>
</tbody>
</table>
Section 1 Conduct and discipline of uniformed personnel

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<table>
<thead>
<tr>
<th>Do ...</th>
<th>Don’t ...</th>
</tr>
</thead>
<tbody>
<tr>
<td>… bring discredit upon the United Nations or your country by conducting yourself improperly, failing to perform your duties to the best of your abilities or abusing your position as a peacekeeper.</td>
<td>… yield to pressure to act in the interest of any party by virtue of your affiliation with their creed, race, religion, nationality, culture or other affiliation</td>
</tr>
</tbody>
</table>

BLUE HELMETS’ CODE OF CONDUCT

The pocket-sized card titled *Ten rules – Code of personal conduct for blue helmets* summarises all the ‘dos’ and ‘don’ts’ associated with the four principles of impartiality, integrity, respect and loyalty. Each peacekeeper will be issued with the card as a reminder of the code of personal conduct he/she is expected to abide by.

*Ten rules* is supplemented by a two-page, folded card titled *We are United Nations peacekeepers* that gives the full details of the ‘dos’ and ‘don’ts’ in expanded form.

Consequences of Misconduct

The consequences of an act of misconduct for an individual offender depend on the severity of the offence. Serious and minor misconduct may be differentiated as follows.

**Serious misconduct** is any act, omission or negligence, including a criminal act, that violates mission SOPs, directives or other applicable rules, regulations or administrative instructions and that results in serious damage or injury to an individual or the mission. Serious misconduct includes, but is not limited to:

- Sexual abuse and exploitation of any individual, particularly children
- Harassment, including sexual harassment
- Abuse of authority
- Breach of confidentiality
- Abuse of United Nations privileges and immunities
- Use, possession or distribution of illegal narcotics
- Embezzlement or other financial malfeasance
- Wilful disobedience of a lawful order
- Driving while intoxicated or other grossly negligent driving.

**Minor misconduct** is any act, omission or negligence that violates mission SOPs, directives or other applicable rules, regulations or administrative instructions without resulting in serious damage or injury to an individual or the mission. Minor misconduct includes, but is not limited to:

- Improper uniform appearance
- Neglect in performance of duty not amounting to a wilful or deliberate act
- Intoxication while on duty or in public
- Negligent driving.

**Privileges and Immunities**

Consequences to individuals are also determined by the privileges and immunities they enjoy. The privileges and immunities of peacekeepers were mentioned during the presentation on the legal aspects of peacekeeping. Those privileges and immunities are granted to peacekeepers to facilitate their performance of official duties and to serve the interests of the United Nations and/or the African Union. They are not for personal benefit. A peacekeeper’s privileges and immunities depend on his/her category (whether formed military contingent, military observer, police official or civilian staff). Despite the differences, all peacekeepers remain liable to disciplinary action and even criminal proceedings for violations of the code of conduct for uniformed personnel that amount to criminal acts.

Whatever your position within the mission, your misconduct may have consequences beyond your personal situation. The impact may contribute to:

- Erode confidence and trust in the United Nations
- Jeopardise the achievements of the mission
- Jeopardise the status and security of peacekeepers

Depending on the level of misconduct, a peacekeeper will be subject to one or more of the following consequences.

**Internal Disciplinary Action**

You may be subject to disciplinary action by your superior officer or supervisor by verbal or written censure or reprimand, removal from a position of authority and/or retraining in a skill area. Military peacekeepers may be subject to the code of military discipline resulting in fines, detention, repatriation or dismissal.

**Repatriation/Termination of Contract**

You may be repatriated to your home country on the recommendation of the Force Commander, Police Commissioner or the Head of Mission. For civilian staff, serious misconduct may result in dismissal from United Nations service. Remember that no act is worth the loss of your good reputation, your job or your career prospects.

**Criminal Proceedings**

All peacekeepers have a responsibility to respect local laws. If an act of misconduct amounts to a criminal act, whereby laws of the host country have been broken, the offender may face criminal prosecution. That applies to United Nations military observers, police and civilian staff. Military members of national contingents enjoy immunity from criminal process in the host country, but they can be tried under their own national military laws and may face a court martial. The immunities
Section 1 Conduct and discipline of uniformed personnel

and privileges that you have as a United Nations peacekeeper do not permit you to break the established laws of the land.

Financial Liability

In cases of negligent damage or loss of United Nations property, you may be liable for the financial cost of replacement. The appropriate amount may be sought from you or your national authorities, who in turn may take disciplinary action to recover the money from your salary.

SARPCCO Code of Conduct for Police Officials

Article 1: Respect for human rights

In the performance of their duties, police officers shall respect and protect human dignity and maintain and uphold all human rights for all persons.

As members of the UN, SARPCCO countries follow human rights values and norms. It ought not to be difficult for a professional officer to understand UN requirements on human rights and norms. Application of the SARPCCO Code of Conduct can help with application of services in mission areas.

Article 2: Non-discrimination

Police officers shall treat all people fairly and equally, and avoid any form of discrimination.

Article 3: Use of force

Police officers may only use force when strictly necessary and to the extent required for the performance of their duties, adhering to national legislation practices.

Article 4: Torture, cruel, inhuman, or degrading treatment

No police official, under any circumstances, shall inflict, instigate or tolerate any act of torture or other cruel, inhuman or degrading treatment or punishment to any person.

Article 5: Protection of persons in custody

Police persons shall ensure the protection of the health of the persons in their custody and, in particular, shall take immediate action to secure medical attention.

Article 6: Victims of crime

All victims of crime shall be treated with compassion and respect. Police officers shall ensure that proper and prompt aid is provided where necessary.
Section 1 Conduct and discipline of uniformed personnel

Article 7: Respect for The Rule Of Law And Code Of Conduct
Police officers shall respect and uphold the rule of law and the present code of conduct.

Article 8: Trustworthiness
The public demands that the integrity of police officers be above reproach. Police officers shall, therefore, behave in a trustworthy manner and avoid any conduct that might compromise the integrity and thus undercut the public confidence in a police force/service.

Article 9: Corruption and abuse of power
Police officers shall not commit or attempt to commit any act of corruption or abuse of power. They shall rigorously oppose and combat such acts.

Article 10: Performance of duties
Police officers shall at all times fulfill the duties imposed upon them by law, in a manner consistent with the high degree of responsibility and integrity required by their profession.

Article 11: Professional conduct
Police officers shall ensure that they treat all persons in a courteous manner and that their conduct is exemplary and consistent with the demands of the profession and the public they serve.

Article 12: Confidentiality
Matters of a confidential nature in the possession of the police officers shall be kept confidential, unless the performance of duty and need of justice strictly require otherwise.

Article 13: Respect for property rights
In the performance of their duties, police officers shall respect and protect property rights. This includes the economical use of public resources.

Interpol Code of Conduct for Law Enforcement Officers

The principles

- The primary duties of law enforcement officers are the protection of life and property, the preservation of public peace, and the prevention and detection of criminal offences. To fulfill these duties law enforcement officers are granted extraordinary powers; citizens therefore have the right to expect the highest standards of conduct from them.

- This code sets out the principles, which guide law enforcement officers’ conduct. Where officers hold a discretion, whether or not to exercise their powers, the code does not seek to restrict that discretion; it rather aims to define the parameters of conduct within which that discretion should be exercised.

- This code applies to the conduct of law enforcement officers in all ranks whilst on duty, or whilst off duty if...
the misconduct is serious enough to indicate that the individual is not fit to remain a law enforcement officer, or to undermine public confidence in the organisation or the profession.

- The code will be applied in a reasonable and objective manner. Where sanctions for misconduct are available and under consideration, due regard will be paid to the degree of negligence or deliberate fault and to the nature and circumstances of an officer’s conduct.

1 Honesty and integrity
It is of paramount importance that citizens have faith in the honesty and integrity of their law enforcement officers. Officers should therefore be open and truthful in their dealings; avoid being improperly beholden to any person or institution; and discharge their duties with integrity.

2 Fairness and tolerance
Law enforcement officers have a particular responsibility to act with fairness and impartiality in their dealings with citizens and colleagues, treating all with courtesy and respect. Officers must avoid favouritism of an individual or group, and all forms of victimisation or discrimination.

3 Use of force and abuse of authority
Officers must never knowingly use more force than is reasonable, nor should they abuse their authority.

4 Performance of duties
Officers should be conscientious and diligent in the performance of their duties. Officers should attend work promptly when rostered for duty. If absent through sickness or injury, they should avoid activities likely to retard their return to duty. They should sustain and, where possible, improve their professional knowledge and competence.

5 Lawful orders
Unless there is good and sufficient cause to do otherwise, officers must obey all lawful orders and abide by the regulations of their organisation. Officers should support their colleagues in the execution of their lawful duties, and oppose any improper behaviour, reporting it where appropriate.

6 Confidentiality
Information, which comes into the possession of a law enforcement agency, should be treated as confidential. It should not be used for personal benefit and nor should it be divulged to other parties except in the proper course of law enforcement duty. Similarly, officers should respect, as confidential, information about law enforcement policy and operations unless authorised to disclose it in the course of their duties. Personal comment should not be voiced in ways or circumstances likely to damage public confidence in the organisation or the profession.

7 Impairment
Whilst on duty* officers must not be impaired due to alcohol or narcotic abuse. Officers should not consume alcohol when on duty unless specifically authorised to do so or it becomes necessary for the proper discharge of their duty. Officers must not consume illegal narcotics whether on or off duty except with the prior knowledge and informed consent of their organisation.

*An officer who is unexpectedly called out for duty should be able, at no risk of discredit, to say that he or she has consumed alcohol and may not be ready for duty.

8 Appearance
Unless on duties, which dictate otherwise, officers should always be smart, clean and tidy whilst on duty in uniform or in plain clothes.

9 General conduct
Whether on or off duty, law enforcement officers should not behave in a way which is likely to bring discredit upon their organisation or the profession. This principle applies to former law enforcement officers too.

10 Cooperation and partnership
Law enforcement officers should cooperate with and assist others lawfully mandated to prevent and detect crime within the same jurisdiction, and beyond with the consent of the competent authorities in each jurisdiction.

‘We believe in a free and just society. To be truly just, society must embrace high standards of integrity and openly resist corruption.

To this end we join with the community to ensure such standards and accept responsibility to fight all forms of corruption through education, prevention, and effective law enforcement.’

Code of ethics for law enforcement officers

‘I hold my law enforcement powers on behalf of the people. Through my professional and personal example, I shall demonstrate that I respect them and I shall strive to realise their high expectations of me.

I am sworn to protect them and I shall enforce their laws in good faith, fairly, with courage and integrity, to the best of my ability.

In so doing, I shall build their trust and confidence in the law.

I shall never betray them by wilfully abusing my powers, authority or knowledge.

To these ends, I serve the people’.


SCENARIOS

The following scenarios illustrate different breaches of the code of conduct for uniformed personnel.
Case Study 1: A little money on the side

During a peacekeeping mission, two peacekeepers decided to make a little money on the side by buying alcohol cheaply from the United Nations commissary and selling it to the locals for profit. They knew that alcohol was expensive in local shops, so they anticipated finding a ready market for their trade.

In a short time, word spread round the local community that alcohol was on sale at a specific United Nations position. Business boomed for the two soldiers. In order to secure more stock and to avoid raising the suspicions of the commissary staff, the two encouraged other peacekeepers to buy alcohol on their behalf in return for a share of the profits. Sales grew further until word of the operation reached local shopkeepers and civic leaders. They complained to the mission headquarters, which acted swiftly to close the illegal operation and discipline those involved. Nonetheless, several articles appeared in the local press that created adverse publicity about corruption in the United Nations.

Group Discussion

■ What violations of the code of conduct for uniformed personnel do you see in this story?
■ Were the peacekeepers doing anything wrong? If so, what?
■ What consequences do you think their activities will have on:
  a. The community?
  b. Other United Nations peacekeepers at the position?
  c. Relations between the peacekeepers and the local community?
  d. The international image of the United Nations and the country that those peacekeepers came from?
■ Do you think the behaviour of the peacekeepers poses any danger to themselves and their colleagues?
■ What disciplinary action do you think should have been taken against those peacekeepers?
■ What other measures can be put in place to prevent this type of behaviour?

Case Study 2: Money for love

Peacekeepers have established their base on the outskirts of a small rural community. A large local family lives near the camp and often comes to ask the guards at the gate for food, kerosene and other small favours. The family is quite friendly and poses no threat to the peacekeepers. There are also three pretty teenage sisters in the family.

After a few weeks, one of the peacekeepers invites one of the sisters into the camp and starts an affair with her. In a short time, other peacekeepers ‘capture’ the other sisters. It is obvious that the sisters are having sex with their newly found boyfriends but there is no evidence of rape. The peacekeepers who are having affairs with the sisters are now seen visiting the family late in the night and showering them with gifts of food and kerosene and other small but essential needs. The girls’ parents usually retire into their house whenever the peacekeepers come to visit. They have not openly expressed any displeasure with their daughters’ affairs and they are obviously benefiting from the gifts and money that are being given to their daughters. The sisters are also dressing better than the other girls in the village. Gossip has developed in the village about the girls and their peacekeeper boyfriends. Some local youths have become unfriendly towards the peacekeepers.

Group Discussion

■ What violations of the code of conduct for uniformed personnel do you see in this story?
■ Do you think the peacekeepers have behaved properly?
■ How do you think the girls’ parents feel about the circumstances?
■ How do think the local community feels about the circumstances?
■ What could be the possible consequences for the girls and the peacekeepers if such relations are allowed to continue?

Case Study 3: Are these the sort of people the UN sends to help us?

The scene is a bar, very popular with peacekeepers, where a group of them are having a night out. They have been there for about three hours and from the loudness of their conversation and their laughter, they have been drinking quite a bit. Other patrons of the bar are not looking too pleased but nobody has requested that the peacekeepers keep their noise down.

The trouble starts when one of the peacekeepers, while trying to stand up, stumbles a little and knocks the drinks off the next table. Four local young men who have also been in the bar for some time occupy that table. One of the local young men demands that the peacekeeper pays for his drink, the broken glass and compensate him for his wet clothes. The peacekeepers disagree and a loud argument begins. Other patrons join the argument and there one local young man pushes a peacekeeper. The peacekeeper retaliates with a punch.
and soon a free-for-all starts in the bar. More bottles and glasses get broken and tables and chairs pushed aside. One peacekeeper has blood gushing from the side of his head. Another has a swollen lip and a torn shirt. Other peacekeepers arrive and assist in restoring order. They also persuade the drunken peacekeepers to leave the bar. As they leave, one local is heard saying, ‘Are these the sort of people the UN sends to help us?’

**Group Discussion**

- What violations of the code of conduct for uniformed personnel do you see in this story?
- What were the causes of the bar fight?
- How could that situation have been prevented?
- What dangers, if any, were the peacekeepers exposed to?
- How could the situation affect the credibility of the United Nations mission?

**Exercise 4.1**

Discuss the policy framework for the conduct and discipline of uniformed personnel.

Explain the two categories of offences.

Outline the guiding principles of peacekeeping and provide examples.

Name four rules in the SARPCCO Code of Conduct and explain how these rules can be appropriate in a peacekeeping environment.

**SUMMARY**

- Good behaviour and self-discipline are your security
- A peacekeeper is deemed to be on duty 24 hours a day, 7 days a week
- Your behaviour will be closely observed by all parties to the conflict
- You are an ambassador of the UN/AU, your region and your own nation
- Your behaviour will reflect upon the United Nations Organisation as a whole
SECTION 2

Cultural awareness

DEFINITION OF CULTURE

There are numerous definitions of culture. In simple terms, culture is the way people live. This is expressed through customs, arts, language, eating habits, gestures, norms, and social institutions. These are acquired as people grow up. Each culture is important in the society where it is practised. No culture is superior to another. It is important to understand your own culture before you can understand other people’s cultures. The following points underscore aspects of culture that you should note.

ASPECTS OF CULTURE

Eating habits and food

Food habits differ from one place to another. For example, in Asia, people use chopsticks when eating, whereas in Europe most people use forks and knives. In some areas people eat from a common dish, whereas in others, each eats from his/her own dish.

Commonest and most striking differences.

- Eating habits differ. Some nations use knife, fork and spoon. Some use chopsticks and a spoon. Other nations use the right hand instead of cutlery. Eating with only the right hand is considered an art!
- Some nations eat from individual plates and others use one big common plate.
- In many cultures, the left hand is considered unclean. So, never use the left hand when eating with your hands. Watch, imitate and learn from others.
- When seated, do not point the soles of your feet/shoes towards your host. That is considered highly offensive in Muslim countries.
- In some countries, women do not eat at the same table as the men. Some women may eat before the men, and are required to stand against the wall in the room where the men are eating.
- Do not be surprised. Every option may have its reasons and advantages.

Duration

2 hours

Section aim

To equip the participant with basic knowledge of cultural awareness and how he/she can cope with culture shock in the mission area

Section objectives

At the end of this session, participants should be able to:

- Explain what cultural differences are
- Discuss at least two examples of cultural differences
- Explain with practical examples how to deal with problematic situations that may arise in the mission area from cultural differences
Why care about what to eat?

One man’s meat is another man’s poison. Frog is an expensive dish in France, but neighbours may not like it. Large ants are eaten grilled as snacks in many countries, and are very tasty. While the ‘hot dog’ is a popular food in many countries, real dog meat may be eaten in other countries. Habits are different and not always related to religion.

It can be very offensive to serve guests with meals that are prohibited by their religion. For example, Muslim and Jewish populations do not eat pork, based on religious grounds (pigs are considered unclean). Christians may not like to eat horse, dog or cat meat, as they are domesticated animals in their society. Cows are regarded as sacred animals in some cultures – take care not to serve beef to someone of the Hindu faith! While fish is generally considered a neutral dish, be aware that many people are allergic to seafood. Drinking habits regarding beer, wine or spirits are also different for each culture or religious group.

Religion

Religion plays a major part in many societies. Make sure that you are familiar with the religion(s) practised in the host country. Respect their beliefs and national holidays. For instance, Friday is the weekly holiday in Muslim societies. Hinduism is one of the religions of India. If you are invited to a Hindu temple, ensure that you take off your shoes. The same applies if you enter a mosque (Muslim place of worship). Female peacekeepers are required to cover their head and bodies.

Peacekeepers are free to practise their religion wherever they go.

Age and hierarchy

In many countries the elderly have a leading role. Learn how to give the proper salutation to local leaders. For example, a peacekeeper in Angola (UNAVEM III) wanted to get in contact with the chief. To do so, he approached and consulted with some younger people in the village, who eventually agreed to arrange a meeting with the village chief. When the meeting took place, the peacekeeper was aware that when speaking with the elderly, he should not get down to business immediately. Instead, he began the meeting by talking about family, weather, the crops and similar neutral issues. The moral of the story: be sure to get your facts straight before you approach local leaders so that you do not offend. Different cultures have different practices and different hierarchies. Showing respect and establishing good relations can make all the difference.

Language

The most important form of communication is language, both written and spoken. Communicating over the radio requires discipline and the use of the phonetic alphabet. Note that non-verbal or body language can easily be misinterpreted. English is the most common language in UN/AU missions, even though the official languages of the UN include Arabic, Chinese, French, Russian and Spanish. Those of the AU include Arabic, French, Kiswahili, Portuguese and Spanish.
Few UN/AU peacekeepers speak English as their mother tongue. Forms of English vary; there are big differences between US English and British English, not only in spelling, but also in meaning and in accent. There is ample room for misunderstanding when two peacekeepers are talking in English if it is not the first language of either. So, if you do not understand the message, ask to have it rephrased. Some nations have a heavy accent when they speak English. Sometimes you may understand better if the message is written.

In the mission area, it is extremely helpful to speak just a few sentences of the local language. Local people will appreciate it and your job will be much easier.

However, caution dictates that it may be unwise to speak to someone in a local language/dialect. For example, in Kosovo, it was advisable not to use a local ethnic language in areas populated by different ethnic groups because you might be assumed to be partial to the ethnic group whose language you were using.

A little knowledge of another UN/AU language can be of assistance, as it may be possible to communicate in a language other than English or the local dialect. Though it is not a UN language, German peacekeepers were able to speak German to the local personnel in Kosovo, as a lot of Kosovars are familiar with the language. Many people in Kosovo speak Italian, German, French and English, in addition to their own local languages.

Another piece of advice: good humour can help you survive. But be careful. Humour is not cross-cultural and your sense of humour may offend some people!

**Body language**

Gestures or body language have different meanings for different people of the world. Even between adjacent countries, the meaning may differ. One supposedly universal sign is the ‘thumbs up’, but even that has a very rude interpretation with slight variations in, for instance, Iran and Ghana. A modest and kind smile will never be misunderstood. The polite handshake has been adopted in most cultures. Note, however, that in some countries you should never greet a woman with a handshake or any form of physical contact.

The sight of men walking hand in hand is common in many countries as a sign of trust and friendship, but in others it is seen as a sign of their sexual orientation.
Section 2 Cultural awareness

In April 2002, a UN DPKO training team was invited to Iran to present lectures to students from Iran, Serbia, Sri Lanka and other new troop-contributing countries. Everything went perfectly well and the course was a real success. Only one person went home a little bit embarrassed: a UN staff member, wanting to show his appreciation for the excellent assistance he received from the Iranians gave them ‘two thumbs up’. The UN staff member lived in New York, where this shows your highest consideration. As Iranians are very polite people, they did not show their surprise. However, as they continued to receive the thumbs up, they started to wonder why he did not like them, and whether they were providing him with sufficient assistance. Eventually, a middleman informed him that the thumbs-up sign in Iran is extremely rude: in fact, it is the worst non-verbal message anybody can send.

Example of losing face

In Lebanon a family were searched by a peacekeeper at a UN checkpoint. Unfortunately, the peacekeeper was rude and did not treat the man with respect or courtesy. The man was humiliated while his wife and family watched. He lost face with his wife. This hurt his manhood. This kind of treatment was unwarranted and unnecessary. As a result, the checkpoint later suffered from bad relations with the community and attracted negative publicity.

Story of children and friendliness

The peacekeeper in this case was a coloured person. A coloured police officer was tasked with providing security for a local parliamentarian at an official event. When the children attending the event saw the coloured peacekeeper, they surrounded her and bombarded her with questions, from geographical issues to any aspect of living in her home country and even personal questions. The Kosovar Police Service had to chase the children away as the peacekeeper was trying to leave to undertake her security duties. At the end of the event, one of the little girls who had asked her questions brought her a flower.

The peacekeeper reflected on the healthy curiosity of children and thought of the coloured children from her hometown: they were likely to demonstrate the same level of curiosity when they encountered a white person.

Non-verbal communication, or body language, is very important. Different gestures and signs mean different things in different areas. As a peacekeeper, you should know some of these to avoid offending (or confusing!) others.

Two other very important issues are eye contact and ‘losing face’ (being humiliated). Eye contact is very important in many cultures. If you do not look into people’s eyes, you may not be considered honest. Also, with eye contact you can make sure that the other person is listening to you. But in some cultures it is offensive to look directly into people’s eyes. It is also important to ensure that you never cause someone to lose face with the public. Losing face can undermine someone’s status and authority. Take care not to reprimand anybody in public, or create a win-lose situation in a negotiation.

Cross-cultural awareness is about rules that may not be written down. But even then, some cultural issues are so important that they are included in the mission’s standard operating procedures (SOP). For example, the SOP in UNIFIL (Lebanon) says that you should be careful where, when and of whom you take a photograph. In some cultures it is offensive to pat children on the head or to play with them if you are a stranger.

Children love body language. In this refugee camp (Albania 1999) the family show the Muslim sign for victory. In other parts of the same country or neighbouring countries, the victory sign is different.

So, if you want to greet people at a distance, wave, bow or salute without making any overt gestures.

Dress code

Peacekeepers should dress in a manner that does not offend local customs and rules when they are in civilian clothes. In some countries there is a strict dress code for women.
Climate

This picture shows peacekeepers in front of the Palais des Congrès, the UN headquarters in Geneva. It is hot in Geneva in May, but only for the local people. Peacekeepers from other continents may feel very cold. How do you think the Western officer would dress in Kenya in May?

In some parts of the world it may be so hot that people sleep outside. Peacekeepers from countries with cold temperatures may have problems with acclimatising in such places.

Peacekeepers from some countries have never experienced snow. When going to snowy places they need to prepare themselves and buy a lot of warm clothes and thermal underwear! Learn from those who come from cold countries and get tips on what to wear. Temperatures may drop as low as –34 degrees Celsius. Experience has shown, however, that buying winter clothes from warm countries may not be effective. While clothes from cold climate countries appear thinner, they can be warmer than a bulky outfit purchased from a tropical country. It may be worth considering the purchase of a uniform intended for peacekeeping contingents from cold countries.

History

Peacekeepers ought to have some knowledge of the host country’s history. This includes:

- What is the background for the conflict?
- What expectations does the host country have towards the peacekeepers?

Knowing the history of the country in which you are serving will make you a more successful peacekeeper. If possible, try to learn the most current developments in the local history. You can be sure that the various parties to the conflict have different opinions, but basic facts are helpful, and will make you a more confident peacekeeper. You can obtain more information about the place you are going to by visiting libraries, embassies and the Internet, and by talking to those who have been to the mission.

Traffic

It is important to show respect for locals while driving through traffic. Wounding or killing local people in traffic accidents in a UN/AU mission may trigger a security incident. For example, in 1994 in UNIFIL (Lebanon), a traffic accident resulted in a UN position being targeted – it received 400 direct hits from small-arms fire. In other missions, traffic incidents have had similar repercussions, even when the UN driver was not at fault. If you drive badly, the UN/AU will be blamed.

Time

Soldiers and policemen must be punctual. In some cultures and situations, it is disastrous to be late. However, in other countries, people may not be slaves to the clock. In one mission the answer from the local militia chief was: ‘You have the
clock, we have the time.’ Be aware that many nations have no tradition of being on time. This may have practical reasons, such as the local traffic usually being congested or local weather having an influence on traffic – this can even happen with employees at UN Headquarters in New York. Find out the local cultural practices with regard to punctuality. Do not take it as an insult if the locals don’t show up on time and are in no hurry. However, it is important for peacekeepers to be on time in a mission because there may be situations where delays can be fatal.

CULTURE SHOCK

This may be defined as an individual’s natural response to changes from his or her own national and ethnic environment to another, in which some disorientation or discomfort occurs.

Culture shock is precipitated by anxiety caused by losing well-known signs and symbols of social interaction. When you arrive in a new mission, you will face new impressions: language, climate, new currency, new colleagues, and road signs with letters you do not recognise. You will also feel the absence of your friends and family. While veteran peacekeepers may be familiar with this condition, others may feel some discomfort. The discomfort is part of the adaptation process.

FACTORS FOR SUCCESSFUL INTERCULTURAL ADJUSTMENT

- **Openmindedness**: Be flexible. Do not stick to your own opinions. Accommodate other people’s views.
- **Sense of humour**: There are many things in the host nation that will make you feel sad, angry, annoyed, embarrassed or even discouraged. Laughing off those things will guard against despair.
- **Ability to cope with failure**: Tolerating failure is very important. Everyone fails at some point when away from home. In the home environment you may be a star, but when away, things may be different.
- **Communicativeness**: Ability to communicate your feelings verbally and non-verbally will help you to adjust.
- **Flexibility and adaptability**: You should be able to tolerate the ambiguity of new situations. Keep your options open and guard against being judgmental.
- **Curiosity**: The desire to know more about people, places, ideas, etc, is important. The more you learn, the better you adapt.
- **Strong sense of self**: People with a strong sense of ‘themselves’ stand up for what they believe.
- **Positive and realistic expectations**: These will keep you hopeful and help you to fulfil your expectations.

Since the UN (and possibly the AU) requires police peacekeepers to have at least five years’ active community policing experience, peacekeepers usually have specific areas of expertise. However, when you arrive in a mission area, you might find that you are not able to obtain a similar position. Sometimes, this can be as a result of politics within a mission, despite the application of equal rights in the UN/AU systems. Sometimes it is because other officers have proved more knowledgeable
than you. Do not be unduly bothered or worried when you find yourself in such a position. The most important thing is to undertake and finish the mission in a friendly and harmonious manner, so it is advisable to continue to be cheerful and professional.

GOOD RELATIONS WITH OTHER CONTINGENTS

Cultural awareness is not limited to the population in the mission area. It is also applicable to the UN/AU forces you cooperate with in the mission. For some people, pre-conceived ideas about other nations persist until they have met and worked with nationals from such countries. Different nationalities may have different approaches to policing, so if you ask for support, you are likely to become more knowledgeable. Similarly, you can teach your colleagues other ways of dealing with issues. A lot of officers make friends and stay in touch or visit long after the mission has ended. You never know when you might meet again.

Pointers for establishing and maintaining good relations:

■ Establish contact with other contingents
■ Apply the same cultural awareness to other peacekeepers as to the local population
■ Do not think you are superior or inferior to other contingents

Case study 4: Shipwrecked

You are on marine patrol when you receive a message that the ILLALA has struck a rock and is sinking. Some people are missing, and others are swimming and are scattered around. You have been asked to go there and assist. You are using a small boat, which can carry only five passengers (including yourself). When you come to the scene, you find the following people on the wrecked ship:

■ The middle-aged landlord of the property you are renting
■ A fifteen-year-old boy
■ The son of the president, aged twenty
■ A pregnant woman
■ A wounded man
■ A two-year-old girl
■ An old man

Question:
Which four survivors will you give priority to?

SUMMARY

■ Cultures differ from one place to another. No culture is better or worse than another.
■ ‘East or west, home is best’ implies culture shock.
■ Everyone is disoriented by culture shock, but thinking about and working on your objectives helps to overcome the problem.
■ Use positive thinking to adjust to intercultural set-ups.
■ Good relations open up opportunities to learn.
■ Be respectful of the other people’s beliefs, traditions, cultural and religious practices. This includes the local population as well as the other peacekeepers.
SECTION 3
Stress management and team building

WHAT IS STRESS?
Stress can be defined as ‘anything that stimulates you and increases your level of alertness’. In other words, it is the reaction to the physical and psychological process of coping with events or situations that place pressure on your body. Stress is often a normal response to an abnormal situation.

It may serve the function of self-preservation (protection) in a threatening situation, enabling you to:

- Concentrate, that is, pay full attention to a particular threat
- Mobilise maximum physical energy
- Prepare for action in order to respond to the threat

Stress has always served a purpose. For our prehistoric ancestors, and for us, stress was and is of great informative value. It has enabled human beings to survive up to the present day. Stimulus is part of our survival skills, and sustains human development.

Thus, stress can be a positive thing, but it can become addictive. Too much stimulus is bad and negatively affects performance. Stress can be managed, however.

Stress consumes physical, cognitive and emotional energy. Although it is natural to suffer some degree of stress in difficult situations, in order to avoid disruption of a person’s ability to function properly, both physically and mentally, stress should not be allowed to accumulate to a point where it cannot be controlled. When an individual consents to participate in a peacekeeping mission, he/she should be aware that peacekeepers often encounter stressful situations, particularly if the mission is in a conflict zone, and know basic steps to control the effects of such stress in his/her life.

STRESS MANAGEMENT FOR PEACEKEEPERS

Types of stress
- Basic
- Cumulative
- Traumatic

Duration
3 hours

Section aim
- To equip peacekeepers with basic information about stress: how to recognise and reduce it
- To provide the peacekeeper with skills to enable him/her to operate effectively in a present-day complex and multifunctional peacekeeping operation
- To empower peacekeepers to maximise opportunities to achieve their goals

Section objectives
At the end of this section, participants should be able to:
- Define the terms ‘stress’, ‘team’ and ‘team building’
- Explain three types of stress and their symptoms
- Demonstrate knowledge of stress management
- Demonstrate understanding of the stages in team building techniques.
- Describe the components of a peacekeeping operation and their complementary roles in achieving the mission objectives
Basic Stress

Every individual experiences basic, minor stress in daily situations that may produce tension, frustration, irritation and anger, among others. A person’s vulnerability (reaction) is largely determined by one’s physical and psychological strength or weakness at these times, and thus the level of stress will vary from one person to another. For example, a person who is ill, has not had enough sleep, or is troubled or worried, is likely to react more readily and more intensely. Personal attributes that may contribute to one’s reaction to stress are:

- Past experiences
- Education
- Professional skills
- Philosophical approach to life
- Age
- Level of physical fitness
- Personal self-esteem

Cumulative stress

Cumulative stress is the result of strain that occurs too often, lasts too long, and is too severe. To fulfil the mandate and act professionally, a lot of effort is required, especially where:

- You can be assigned with colleagues with whom you are not personally or culturally compatible. Failure to adjust to intercultural environments and lack of good relations with other contingents are also stressful
- You are inactive for a long time. For example, in the mission in Angola, one UNPOL described his experience as a waste of time, and the mission became so stressful because he spent long periods of time without much to do.
- You are exposed to severe, unpleasant situations in which you are helpless, for example water shortages, electricity blackouts, extreme temperatures, and illnesses.
- You are away from home and loved ones.

If it is not addressed, cumulative stress may lead to professional exhaustion or, worse still, burn-out. This is where a person exhibits attitude changes to work or colleagues, for example avoiding work or becoming immersed in it. Indicative signs include depression, loss of confidence, guilt, relief, grief, intense fatigue, denial of loss of efficiency, inability to objectively assess personal and professional performance; and physical signs such as headaches, back pain, and stomach ulcers.

Traumatic stress

This can be defined as stress that occurs as a result of a single, sudden assault that harms or threatens an individual or someone close to him/her, either physically or psychologically.

- The peacekeeper is likely to encounter certain traumatic situations:
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Section 3: Stress management and team building

- Being a powerless spectator of violence, murder, large-scale massacres, epidemics, disaster, and famines
- Hearing first-hand information of ill-treatment and torture
- Receiving direct or indirect intimidations and threats
- Experiencing the bombing of buildings and mining of roads
- Being subjected to attacks on vehicles and convoys
- Experiencing armed robberies
- Witnessing large-scale destruction

Reactions to these situations may appear immediately or after a few hours, days or months. This is referred to as post-traumatic stress.

GENERAL SYMPTOMS OF STRESS

If someone is subjected to stress and he/she does not manage it, his/her body will continually mobilise itself for fight and flight behaviour. Eventually, the early warning signs of stress will be exhibited. These are grouped into four categories:

- Physical
- Behavioural
- Emotional
- Mental

Physical signs

These include nausea, headaches, faster heartbeat, diarrhoea, sweating, rapid breathing, tense muscles, grinding teeth, dry mouth, cold hands and feet, and dizzy spells.

Behavioural signs

- Inability to sleep or disturbed sleep
- Being aggressive or violent
- Not caring about appearance
- Overeating or not eating
- Increased alcohol intake
- Difficulties in meeting commitments or taking more work home
- Loss of sexual interest or excessive sex drive
- Being more forgetful
- Making more mistakes
- Prolonged silences or isolation

Emotional signs

- Edginess, anxiety or worried behaviour
- Irritability, anger, emotional outbursts, being close to tears all the time
- Feelings of worthlessness, nervousness
- Feeling victimised or taken advantage of
- No enthusiasm because nothing seems important
- Grief or depression
**Mental signs**

- Confusion or muddled thinking
- Heightened alertness
- Lack of concentration, mind going blank, being easily disrupted and distracted
- Difficulty in making decisions

**SOURCES OF STRESS**

There are several sources of stress. Many people believe that certain aspects of their work and lifestyle cause stress. It is important to realise that the environment to which one is exposed and the food and drink one consumes can also cause stress. Major causes include:

- Internally generated stress
- Environmental and job stress
- Separation stress
- Survival stress

**Internally generated stress**

This comes about because of anxiety and worrying about events beyond your control. Such events could be the result of relationship problems which have been caused by your own behaviour, for example divorce, bankruptcy, deployment with low experience, poor attitude towards the assignment, lack of confidence in yourself and the mission, and lack of sense of security in family relations.

**Environmental and job stress**

In this case, the living and working environments cause stress. This may arise from pollution, noise, untidiness, other distractions and events at the place of work or residence. The nature of the work may cause stress if it is ambiguous: uncertain length of mission, communication problems (phones, mail, etc), geographical difficulties (weather or terrain), and lack of confidence in unit training and leadership.

**Separation**

This may contribute to stress if you do not prepare in good time. It results from previous experience of family separation, attitude of the family towards the assignment, important family events during the separation, and lack of confidence in the support available to families while deployed.

**Survival stress**

This occurs when survival or health is threatened, and you are placed under severe pressure. The presence of such a threat causes the secretion of adrenaline as your body prepares for fight or flight. Where hostilities are occurring – such as hostage taking, armed robberies, artillery shelling, gunfire, mines, injuries and
mass deaths – peacekeepers have to rely on common sense, diplomacy and moral authority, because they often have no authority to use weapons. Such experiences can be extremely stressful, depending on the level of knowledge of stress management and experience in dealing with such crises.

**TECHNIQUES FOR COPING WITH STRESS**

It is very important for peacekeepers to be aware that they are responsible for their own stress, and that stress is normal. Peacekeepers should also understand the importance of an optimum level of stress. If you are under-stressed, you will be bored and unmotivated. On the other hand, if you are over-stressed, it will adversely affect your quality of life. Your stress levels should be monitored and adjusted accordingly in order to remain at the optimum level. If you are able to manage stress effectively, it will significantly improve your quality of life.

Peacekeepers are regularly exposed to both minor and major incidents, which can result in the build up of stress. It is important to mitigate stress in the mission area by planning in good time. Collect and provide for all the items that would be needed in the mission area. Do not assume that you will find whatever you require for a lengthy period in mission areas. That is why the UN DPKO gives peacekeepers a baggage allowance of up to 100 kg. For instance, you can carry maize flour or a collection of your favourite music. You will probably find similar resources, but not the same. Therefore, take the opportunity to bring those things that will make you feel more relaxed or at home.

**REDUCING STRESS IN THE MISSION AREA**

When you are under stress in the mission area, you can reduce it by:

- Building social networks and unit cohesion, including keeping regular contact with loved ones and family
- Encouraging the use of humour
- Indulging in meaningful physical activities and recreation or holidays. Often, you may be working in a mission area far from home. Usually (in order to save money), there are no plans to go home for a holiday. It is helpful, especially if you are experiencing problems, to consider a holiday at home or at a recreational area outside the mission area
- Engaging in peer sharing, feedback and team building. The peacekeepers from your contingent can help to sort out your problems (see the following paragraphs for more information on this)

**Reducing post-mission stress**

Some peacekeepers may suffer delayed after-effects. Adjusting to normal life back home may not be easy after encountering traumatic situations. Techniques for recovery and staff stabilisation include:

- Understanding and accepting that post-traumatic reactions are normal
■ Being patient because adjusting physically and mentally can take a long time
■ Communicating your experience to others. It is advisable to communicate or share experiences with others, even though they may not seem interested. This helps to relieve stress
■ Allowing ample time for recovery. After stressful situations we need more rest and sleep than usual. This is very important for proper recovery, but it can be difficult because friends and relatives who had missed you will need your attention and company
■ Seeking help from others. If post-traumatic stress lasts longer than 30 days, it may be necessary to seek help from trained personnel or counsellors

Other strategies include:

■ Managing your time well
■ Having a positive attitude and a sense of humour
■ Controlling alcohol consumption and smoking
■ Improving quality time

**TEAMS**

A team is a group of people working together towards a common goal. Mission goals include:

■ The mission mandate
■ National success, for example a medal parade, a successful mission without disciplinary problems

**Team building**

Team building is the process of enabling the group of people to reach their common goal. It has been recognised as an important component in any organisation that aims at providing quality service. It can serve as a tool for stress management.

**Stages in team building**

There are three stages in team building:

**Clarify team goals**

Goals provide a sense of direction, so they have to be clearly defined. If goals are foggy or too easy to achieve, the team will not be motivated and will fail to perform effectively. In peacekeeping operations the mandate and SOPs must be clearly defined for the mission to be a success.

**Identify issues that hinder the team from achieving their goals**

Possible factors include:

■ Bureaucratic hassles, for example in the UN/AU systems
■ Inadequate skilled personnel in the mission. The team should have the right
mix of skills. For example, in present-day peacekeeping operations there should be experienced and qualified personnel in various fields

- Poor communication among team members

**Put appropriate problem-solving mechanisms in place to address the issues and remove hindrances**

There should be training programmes to address the problem of incompetent personnel.

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**Case studies 5: Bored to death**

You are Inspector John Phiri, a UN police officer with the UN Mission in Liberia (UNMIL). Initially, you enjoyed life at your new post in Tubmanburg. Three months on, with the onset of the rainy season, things seem to have changed, as the place has become dreary, and the roads are in very bad condition, thus limiting your movements. You are beginning to spend endless time calculating how you are going to use your money. Your shopping list seems to be getting longer as you add on many things you want to have back at home, excluding your building project and a car. Time seems to be running very slowly, if at all.

**Question**

What can you do to end your boredom? Whom will you talk to about your state of boredom?

**Team site blues**

Some of your colleagues at the station in Tubmanburg have just rotated home to their countries. The colleagues who replaced them don’t want to maintain the central cooking arrangements. Nor do they like going on police patrols or carrying out mentoring tasks. Among other things, they complain that they are using their money to feed Liberian National Police (LNP) officers. To make matters worse, some of them are refusing to clean the ablutions at the station, arguing that in their home countries this is the work of batmen and domestics.

**Question**

What is the nature of the problem at the station? What measures can you take to resolve them before the whole station is booked for lack of police professionalism?

**Bad news from Mangochi**

You were gradually recovering from the difficulties of your tour when you receive an unpleasant piece of news from home. One of your police colleagues just back from CTO/leave informs you that:

- Your family is having financial problems and, as a result, your wife is flirting with a butcher at the market who gives her sufficient meat for meals. The story goes that she became pregnant with the butcher’s baby, but she went for a secret abortion to conceal the bad news.
- As a result of the financial problems, your daughter in Grade 6 is playing truant from school and is not doing well with her studies.
- And finally, that your boy aged 6 almost drowned in Lake Malawi when he went for a swim with some of his mates one Saturday morning. He was not being supervised because his mother had not returned home from a visit to her mother in another village.

**Question**

What can you do about this problem?

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**SUMMARY**

- Stress is normal
- All peacekeepers should be familiar with the symptoms of stress and know how to cope with the effects
- Team building can help you put in place stress management mechanisms to resolve personal and professional conflicts.
- Peacekeepers may find more related information in Module 5: Safety awareness
SECTION 4
Gender issues and peacekeeping

WHAT IS GENDER?

‘Gender’ describes the roles and relationships of women, men, girls and boys, what they do, and how their roles affect and are affected by society. It illustrates what we expect them to do or how to behave in the family, community and nation. It is about who has access to power and control, and how it is used and shared.

‘Access’ examines the power and status of different members of the community who have to make decisions on how to use resources and share the benefits.

‘Control’ implies management decisions. Every culture, including minorities within the dominant culture, has a socially determined idea of how men and women should behave, the work they should do, and the responsibilities they fulfil. It is tied to notions of what is right and what a society values in its men and women. Not everyone in society is seen in the same way.

Being a housewife may be an option in wealthier families. Poor women always work – often in and outside the home. Women and men may be equally discriminated against if they are from a lower caste or place in society. Likewise, race is a significant factor in society’s image of what is appropriate for men and women. Age can provide women with more respect and recognition, but in some societies widows are subjected to high levels of discrimination.

- Gender ideas change over time and vary across cultures.
- Gender affects women, men, girls and boys in the family, community and in the nation. It is what society considers ‘right’ for men and women.

Conflict speeds up cultural changes. Consider countries that have been at war. A lot of men went to fight. Women assumed roles they did not have access to or control over before. After the war, gender issues did not remain as they had been before the war. The experiences and changes that had taken place had had an impact. Some people would have lost members of their families or would continue to have female-headed households.

Education and exposure to other cultures and circumstances can also change individuals’ perspectives and beliefs. If internalised, these changes bring about cultural transformation, for example the culture of speaking of or using condoms.

Duration
1 hour

Section aim
To assist participants to integrate gender awareness into all of their activities

Section objectives
At the end of this section, participants should be able to:
- Demonstrate skills that recognise different needs, capacities and expectations of female and male perspectives, and thereby become gender sensitive
- Identify how and why gender is relevant in peacekeeping
- Describe ways of combating gender bias
- Demonstrate how human rights standards provide a basis for a gender perspective
- Assess and discuss the impact of their actions on the affected population and do their work in a way that recognises the gender dimensions of peacekeeping.
Gender affects all aspects of life: economical, social and political. Economically, projects under development must take gender implications into account or they are at risk of failing to achieve their objectives. Policies, for instance regarding budgetary allocations, have an impact on women. While a budget usually sets out financial aggregates without mentioning women or men, failure to do so can result in unequal access to resources in the family, community and even the whole nation. Unfortunately, the inability to understand the need to take men and women into account can result in a negative impact on women and on human development.

Having access to a resource implies, for instance, the flexibility to use a police vehicle for duties. When it is made difficult to use one, even though as an employee you are entitled or supposed to use that facility, this denotes limited access. Where you are considering how to progress with duties that may frequently require travel, this hindrance can be described as having no access to a required resource to facilitate work. Sometimes an individual can have access to a resource, but does not have control over how it is used. In similar terms and in some societies, women have no access to or control over resources.

GENDER VS SEX

**Sex**
- About biological characteristics: being male or female
- Does not change
- Universal
- Determined at birth

**Gender**
- Determines what is right for women, men, girls and boys
- Varies in different cultures
- Influenced by social differences, for example race, class and education

Gender tries to strike a balance for the benefit of all components of gender in a community. For example, ‘Banja la Mtsogolo’ – a family planning and sexual reproduction clinic in all districts of Malawi – started to campaign on the right of women to choose the amount of time between bearing children, or ‘child spacing’. Their strategy targeted women only, and turned out to be ineffective, because although women were enthusiastic, it sidelined men, who were also affected by ‘child spacing’. Eventually, men were incorporated into the decision making and implementation, and progress has been made. The clinic strategy regarded child spacing as an issue that affected only women, but in fact it concerns both sexes.

GENDER ANALYSIS

Peacekeepers should become gender sensitive, that is, wear ‘gender lenses’ in order to incorporate a gender perspective into peacekeeping duties. This can be done by:
Examining the distribution of activities, resources and benefits among household members and societies in relation to welfare and decision making

Finding out – using disaggregated figures of men, women, boys and girls – whether practical and strategic needs have been met in all fields that the peacekeeper is operating in, for example monitoring and reporting violations and site visits. This helps to understand situations and identify gaps for better interventions in policies and implementation.

Generally members of peacekeeping missions are bound by the domestic and regional laws of the host state's institutions. If an individual does not abide by international norms, regional and domestic laws, then he/she is subject to prosecution in his/her own national courts. For instance, if peacekeepers in a mission procure prostitutes, they are likely to perpetuate human rights violations. The credibility and effectiveness of any mission relies on respect for human rights, including gender rights. Therefore, it is proper to treat members of the opposite sex and those acting in different roles in a manner that demonstrates gender sensitivity, whether in the UN/AU organisations or in the local population.

POSITION AND CONDITION OF WOMEN AND MEN:
GENDER AUDIT/ANALYSIS

Women

- Make up 50% of the world’s population
- Work 66% of world’s working hours
- Earn 10% of the world’s income
- Own 10% of the world’s property
- Produce 50% of the world’s agricultural output (60% to 80% of the total in Africa)
- Make up 66% of the world’s illiterate people
- Head 33% of the world’s households
- Make up 50% of the world’s enfranchised population, but hold no more than 10% of all seats in national assemblies

Differences exist based on class, religion, ethnicity, education, etc, so it must not be assumed that the average is totally homogenous. If wars and conflicts are essentially about economic issues and their related aspects, what are the implications of this position if peacekeeping is not engendered? Women are half the adult population in any given society; the staff of law enforcement services ought to reflect the 50/50 ratio. This is a matter of national policy.

In 1995, Heads of State and Government met in Beijing for the Fourth World Conference on Women to develop a platform for action aimed at accelerating the implementation of the Nairobi Forward-looking Strategies for the Advancement of Women (1) and at removing all the obstacles to women’s active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision making. This means that the principle of shared power and responsibility should be established between women and men at home, in the workplace and in the wider national and international communities. Equality between women and men is a matter of human rights, a condition for social justice and a prerequisite for
development and peace. One of the strategic objectives was to increase the number of women in power and decision making. The Platform for Action notes:

Despite the widespread movement towards democratisation in most countries, women are largely underrepresented at most levels of government, especially in ministerial and other executive bodies, and have made little progress in attaining political power in legislative bodies or in achieving the target endorsed by the Economic and Social Council of having 30 per cent women in positions at decision-making levels by 1995. Globally, only 10 per cent of the members of legislative bodies and a lower percentage of ministerial positions are now held by women.32

GENDER AND CULTURE

Culture is a system of meanings, beliefs, values and behaviours shared by members of the community or group, through which experiences are interpreted and carried out. These meanings, beliefs, etc, constitute who we are. Owing to different experiences at given times, our perception of issues and how we are supposed to deal with them changes. Culture influences gender because, by definition, it includes behaviour that in turn influences the roles that different sexes and age groups play. This influences our behaviours and those of the community sharing the experiences. The duty of a police peacekeeper is not to change the local population’s culture, but to respect and uphold it. This will build trust and confidence in the mission, as well as enhance its credibility and security.

GENDER AND HUMAN RIGHTS

Peacekeepers have a responsibility to protect human rights. This includes providing additional protection to those considered particularly vulnerable, such as women and children.

Human rights encompass:

- Equal rights of women, dated from the League of Nations in 1935
- Universal Declaration of Human Rights
- UN Charter Preamble, which includes no distinction between race or sex
- ECOSOC, set up by the UN to promote human rights (1946)
- Articles and conventions such as CEDAW (Convention on the Elimination of all forms of Discrimination against Women), which is often described as an international bill of rights for women. It is the only treaty that affirms reproductive rights of women and men, and targets culture and tradition as influential forces shaping gender roles and family relations
- Political rights of women and non-discrimination in education (International Convention on Civil and Political Rights)
- UN women conventions, which most of the members of the UN, and in particular of EAPCCO, have signed or ratified
- The African Court on Human and Peoples’ Rights that seeks to promote respect for the rights of African citizens
Therefore, the personal conduct of peacekeepers should demonstrate the credibility of the UN/AU with full respect for the conventions and principles of the relevant international instruments.

Peacekeepers are responsible for protecting human rights, ensuring cessation of violations, and creating a secure environment where abuses of human rights are not tolerated.

- Peacekeepers are bound by national and domestic law and can be prosecuted if they do not respect human rights laws.
- The credibility and effectiveness of the mission suffers if peacekeepers do not respect these laws. In peace support operations (PSOs) individual behaviour counts.
- Peacekeepers are expected to uphold human rights. As members of UN/AU missions they are bound by UN/AU laws and conventions.
- Peacekeepers should take note of:
- Human rights laws are founded on the principles of being universal (for everyone), indivisible (rights cannot be selected; all apply) and equal (they are of equal value).

**GENDER AND ARMED CONFLICT**

Sexual violence against women and girls is increasingly used as a tool of war and armed conflict. Armed groups aim to weaken enemy forces by targeting perceived host or supportive communities through rape to terrorise them into accepting their authority, or humiliate and punish them if they are suspected of aiding opposing forces. There is no more effective way of shattering a community than targeting its providers and caregivers and violating kinship ties, norms and identity through rape. Many women are also victimised by security forces, such as police and others in positions of authority and power, and by opportunistic common criminals and bandits, who take advantage of the prevailing climate of impunity and the culture of violence against women and girls. In many cases, instability, violence and lack of civil infrastructures promote a state of general lawlessness, and forced displacement can exacerbate vulnerabilities.

Clearly, women are not always victims: they may actively support one side over another, become combatants, provide medical assistance, and otherwise aid and abet armed groups. But whether they are supporters or not, all women are preyed upon by soldiers and combatants as they look for resources to keep their families alive, such as foraging for food or going to the market. Already having little control over their own sexuality, many women resort to trading sex for food, money, or shelter. The necessity of these ‘supporting roles’ also presents the risk that women will be abducted and forced to provide sexual services and domestic labour. Many
women have become resigned to the fact that they will be subject to some form of abuse or exploitation.

Men and boys are often forcibly recruited into military forces, and on occasion are compelled through threats, intimidation or drug addition to kill, rape and commit other atrocities against their will. This violates their right to life, liberty and freedom.

GENDER-BASED VIOLENCE, AND HIV AND AIDS

The increase of gender-specific human rights violations, such as rape, abduction and sex mutilation, places women at great risk of contracting HIV and AIDS and other sexually transmitted infections (STIs). Rape can cause severe damage to their bodies as well as to their reproductive health system. Women can be forced to carry an unwanted pregnancy and to deliver their babies in the absence of medical services.

Peacekeepers need to take proper care of victims, as it is their duty to create an environment that reduces such incidents.

WOMEN AND PEACEBUILDING

Women are stakeholders not only in conflict, but also in peace, reconciliation and economic recovery. The leadership capabilities and skills provided by women, necessary for reconstruction, are often overlooked. Because women experience conflict differently from men, their views on issues are likely to bring a fresh perspective. In particular, their knowledge of the community and its needs, such as health care, education, land and labour, is indispensable to post-war recovery. Only the full participation of women in formal and informal peace processes and their inclusion of all sectors of society can further the development of workable solutions and bring sustainable peace.

GENDER AND EFFECTIVE PEACEKEEPING

Mission-specific gender guidelines should be provided for contingents going for peacekeeping. Understanding gender and culture and the effects of conflicts through gender analysis, population profiles, community norms, activities analysis, and access and control of resources will help prevent assumptions and stereotyping.

SUMMARY

- Numerous studies and the UN/AU have concluded that development must be directed by and to men, women, boys and girls, based on their equality, and their important but different experiences, perspectives and needs.
- Security is for everyone, so must involve everyone and cater for their different needs, as conflicts do not affect them in the same manner.
- Integrating gender perspective into policing has proved advantageous.
Excerpts from *Peacekeeping and gender relations in the Democratic Republic of Congo and Sierra Leone 2004*¹³

**Peacekeepers must always:**
- Treat the inhabitants of the host country with respect, courtesy and consideration.
- Respect local customs and practices through awareness and respect for the culture, religion, traditions and gender issues.
- Support and encourage proper conduct among fellow peacekeepers.
- Respect the environment of the host country.
- Conduct themselves in a professional manner at all times.
- Peacekeepers will never:
  - Bring discredit upon the UN through improper conduct, failure to perform duties or abuse of positions as peacekeepers.
  - Commit any act that could result in physical, sexual, or psychological harm or suffering to members of the local population, especially women and children.
  - Become involved in sexual liaisons that could affect impartiality or wellbeing of others.

**Interventions included:**
- Being disciplined in home country.
- Enforcement of UN Resolution 1325 in mission gender training.
- MONUC Code of Conduct.

**MONUC Code of Conduct**

The code of conduct was tailored in the context of DR Congo to deal explicitly with the prohibition of sexual abuse and exploitation by members of civilian and military components of MONUC. The following are prohibited:
- Any exchange of money, employment, goods or services of sex, including sexual favours or other forms of humiliation, degrading or exploitative behaviour. The public solicitation of such acts shall be considered aggravating.
- Any other sexual conduct that has a detrimental effect on the image, credibility, impartiality or integrity of the UN.
- Any sexual activity with a person under the age of 18. The mistaken belief in the age of the person cannot be considered a defence. This provision shall not apply to national laws.
- Presence of MONUC personnel in bars, nightclubs where services of prostitutes are available.
- Following reports of sexual activities between male civilian and military peacekeepers and local women and girls, research was conducted into the nature of gendered relations between MONUC peacekeeping personnel and local civilian women, with the intent to generate findings around gender issues and training.
- The methodology considered appropriate incorporated data-led approaches involving qualitative, semi-structured individual and group interviews conducted with male and female peacekeepers and UN civilians in two sectors of MONUC.
- A background sketch shows that women and children comprise 75% of refugees and IDPs in the country and have been disproportionately targeted in war. DRC ranked 155 from 191 countries in the human development index.
- Factors fuelling the DR Congo’s instability and conflict include:
  - Illegitimate exploitation of natural resources by foreign forces and armed groups.
  - Slow progress of national unity government.
  - Country dislocation into regional ‘fiefdoms’.
  - Ethnic group fracture lines.
  - Lack of substantial international commitment.
  - Views of peacekeepers on the future of DR Congo.

**Module 4**

**Module 4**

**Gender issues and peacekeeping**

**Section 4**

**Note**

- Human trafficking is described as exploitation of human beings for revenue through forced sex or prostitution or child labour, and trafficking of human organs. The Secretary-General issued a zero-tolerance stance on human trafficking, even in areas where prostitution is allowed. That is so because human trafficking is a gross violation of human rights and an affront to the rule of law. Trafficking is often linked to organised crime and uses corruption as a tool. Involvement of peacekeepers not only compounds the problem, but also exposes the UN and undermines its authority.
- Sexual harassment is any unwelcome sexual advance, request for sexual favours or other verbal or physical conduct of sexual nature, when:
  - It interferes with work.
  - It is made as a condition of employment.
  - It creates an intimidating, hostile or offensive work environment. It is particularly serious when behaviour of
this kind is engaged by any official who is in a position to influence the career or employment conditions (including, hiring, assignment, contract renewal, performance evaluation or promotion) of the recipient of such attentions.

- Behaviour that constitutes sexual harassment includes, but is not limited to:
  - Demands (direct or implicit request) for sexual favours in exchange for favourable treatment or continued employment
  - The repetition of suggestive comments or innuendos
  - The exhibition of materials of sexually oriented nature
  - The use of crude or obscene language or gestures, or the telling of risqué or obscene jokes
  - Repeated and/or exaggerated unwelcome compliments about a colleague’s personal appearance
  - Invitation to social activities if they persist after the recipient has made clear that they are not welcome
  - Deliberate and unsolicited physical contact, including fondling or groping, or unwelcome close physical proximity
  - Comments (verbal or written), gestures, or physical actions that are perceived as demeaning, belittling, or causing personal humiliation or embarrassment

An informal approach to solving these problems may be through counselling and mediation. After 10 to 30 days the complainant may issue formal complaint. The formal approach starts with the filing of a written complaint. The accused is then made aware of the complaint. A prompt and speedy investigation follows. Confidentiality of the case and records is on a need to know basis, and results will be given to the head of mission and contingent commander until after mission, when they shall be sent to New York HQ. Resolution is found through appropriate action based on a decision by the head of mission. There is the possibility of sanctions.

- Cases have been reported in which humanitarian workers have failed to treat refugees with the respect and dignity to which they are entitled. Allegations of asylum fraud and the involvement of UN peacekeepers in sex and gender-related violence have also been made. In some areas women were seen lying in the gardens around camps in compromising circumstances, at the time that peacekeepers were knocking off duties for sexual favours, since they were not allowed into the camps. A military observer acknowledged that his colleagues paid for sex with local women. He suggested that calls for prohibition of sexual abuse and exploitation by all members were idealistic, and peacekeepers should rather demonstrate respect for women who are forced into this highly exploitative position. However, he didn’t suggest how this could be achieved, but elaborated that a number of his colleagues could not wait for vacations before seeking a sexual outlet. Though asked about general perception of MONUC at the beginning of the group interview, members of Congolese civil society were quick to mention the issue of commercial sex. In spite of training on gender issues and the creation of a specific code of conduct for MONUC personnel, SEA continues to be committed by UN personnel.

- Elsewhere in Bosnia and Cambodia, peacekeepers’ presence contributed to the proliferation of the sex industry. Women are victims of unbelievably horrific injustices in conflict situations. As refugees, IDPs, combatants, heads of households and community leaders, women often experience violence, forced pregnancies, abduction, sexual slavery and deliberate infection with HIV and AIDS. The costs to the individuals involved included shame of families as pregnancies brought revelations that they were involved in prostitution, resulting in eviction from homes. The impact of rape was unlikely to be reported as such acts remain taboo in many societies.

- Positive influences of MONUC include being a precursor to the peace process in the form of inter-Congolese dialogue and the establishment of a transitional government. MONUC supported other NGOs that were actively involved in reuniting families, reunifying politically divided factions, creating employment for local people, and facilitating greater freedom of expression for the media. MONUC had stimulated the presence of NGOs, including the Office of Gender Affairs (OGA). In turn, the organisations drew attention to the plundering of resources and prostitution.
MODULE 5

United Nations and African Union Peacekeeping Issues
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SECTION 1

Negotiation and mediation

PART 1: NEGOTIATION

Introduction

In this section, participants will learn how to use negotiation as a process in resolving conflicts. The section also defines conflict, and explains the role of the peacekeeper as a negotiator.

Negotiation is a tool that is employed when a conflict can no longer be resolved by persuasion or coercion. Conflicting parties resort to negotiation when they realise that the conflict in which they are involved is destructive, and neither party can come to a resolution.

'Negotiation' has become a household word. Hardly a day passes without it being referred to in the news, be it electronic or printed. This points to the importance of negotiation as a means of resolving conflicts. This means that every peacekeeper has to be equipped with the necessary negotiating skills that will enable him/her to survive in a mission, and contribute meaningfully towards de-escalating potentially explosive situations.

Historical background of negotiation

The practice of negotiation is as old as humanity itself. In our African culture, negotiation has always been part of life. Almost every facet of African life is about negotiating: marriage negotiations, negotiation for a piece of land, etc. The independence of most African countries from colonialism came about as a result of negotiation. Mankind has therefore realised that a myriad of problems can be solved only through negotiation.

Definitions and discussion of negotiation

- Negotiation is a process whereby two or more parties discuss their differences and attempt a joint decision on their common concerns.34
- Negotiation is a direct intervention, aimed at seeking an agreement with one or more parties, for example to secure the safe passage of a relief convoy.
Negotiation can therefore be described as a process of communication in which two or more conflicting parties strive to reach a mutually binding agreement. It is an exchange of structured information between conflicting individuals or parties with vested interests or a source of gain to which each individual or party considers him/her/itself entitled by custom and right.

Negotiations enable people to participate in making decisions that affect their lives. People generally dislike accepting decisions that are dictated to them by others. If peacekeepers realise this, then they can desist from dictating decisions to others and engage the parties in meaningful negotiations so as to come up with mutually agreeable decisions, to which others have contributed. The UN/AU have been called upon to intervene through its various organs in many disputes and conflicts. In some of these instances it has managed to avert wars. For example, the dispute between Cameroon and Nigeria was referred to The Hague for arbitration, thereby averting hostilities between the two countries. Unfortunately, in so many other countries in Africa (Somalia, Angola, Zimbabwe, Rwanda, South Africa and others) thousands of lives have been lost and billions of dollars worth of property has been destroyed, only to have people realise later that negotiations would have helped find a solution. Negotiations during political disputes succeeded to various degrees in Kenya and Zimbabwe through the mediation by Kofi Annan (former UN Secretary General) and Thabo Mbeki (former president of South Africa), respectively.

**Exercise 5.1**

Explain the importance of negotiation in everyday life.

Explain the importance of negotiation as a process of decision-making in a UN/AU mission.

What scenarios would emerge if UN peacekeepers dictated decisions to communities?

In what kind of negotiations are you, as a peacekeeper, likely to be involved in the mission area?
PART 2: CONFLICT

Definition of conflict

For trainees to understand fully the concept of negotiation, it is important for them to have insight into what conflict is.

- Jandt and Gillette define conflict as ‘the opposition of individuals’ or groups’ interests, opinions, or purposes’.
- The Concise English dictionary defines conflict as ‘a fight; a collision; a struggle; a contest; opposition of interest or purposes; mental strife or struggle’.

These definitions have something in common: there is an opposition of interests or purposes. Conflict can be destructive, but can also be constructive. Conflict can therefore be put into two categories: necessary conflict and unnecessary conflict.

Exercise 5.2

In groups, define conflict in your own terms and list what you think the causes or sources of conflict are.

Causes and types of conflict

- **Informational conflicts** arise because of lack of information, or misinformation
- **Relationship conflicts** are the result of strong emotion, stereotypes, miscommunication and/or repetitive negative behaviour
- **Value conflicts** arise over ideological differences or differing standards on evaluation of ideas or behaviours. This occurs when one projects one’s values onto other people
- **Structural conflicts** are caused by unequal distribution of power and resources. Conflict arises over competition for limited resources
- **Interest conflicts** involve actual or perceived competition of interests, such as resources, the way a dispute is to be resolved, or perceptions of trust and fairness

Knowing the type of conflict in which parties are involved helps negotiators or mediators to decide what strategies to employ in their attempts to resolve the conflict.

Conflict analysis

Before entering into a conflict as a negotiator or mediator, the peacekeeper must gather certain information pertaining to the conflict. This increases the possibility that his/her entry will be constructive. A negotiator or mediator can develop
a comprehensive picture of the conflict by identifying its key elements. This information usually points the negotiator in a certain direction, suggesting ways to engage the parties to reduce tensions and work to find solutions to the problems they face. The key elements that the negotiator or mediator must consider are:

- **Conflict history**
  - What are the significant events between the parties?
  - Have they had previous disputes?
  - Was there a recent change in their relationship?
  - What past efforts have been made to resolve it and why have they failed?

- **Context**
  - How are the parties currently trying to resolve their differences?
  - What is the physical environment of the conflict?
  - How do the parties communicate and make decisions?

- **Primary parties**
  - Who are the parties that are directly involved in the conflict?
  - What are the parties' positions?
  - What are the parties' underlying interests?
  - What are their values?
  - What are their perceptions of the other party?
  - Do the parties have settlement authority?
  - Do the parties have constituencies? If so, what is the relationship with the constituency?
  - What interests, goals or needs do the parties share?

- **Power**
  - Does one party have power over the other?
  - Is power relatively balanced? If not, how will this affect negotiation? Is negotiation a constructive response?
  - What is the source of that power (e.g. formal/informal, resource, relational, moral, information, personal)?
  - What resources are at each party's disposal?
  - Are parties using their power? If so, what is the result?

- **Additional parties/stakeholders**
  - What people or groups, beyond the obvious parties, have a stake in this dispute: in resolving it; in keeping it going; and who can affect an outcome?
  - Primary stakeholders may need to be included in any negotiation efforts
  - Secondary stakeholders need at least to be kept informed
  - People with a stake in perpetuating the conflict need to have their influence limited
  - What roles do these parties play in the conflict?
  - Are these parties aligned with either primary party or are they seen as neutral?
  - Are there public or private agencies that ought to be involved in the process? If so, when and how should they be involved?

- **Issues**
  - What are the primary issues as identified by the parties?
  - Are there hidden issues or secondary issues that have not been stated by the parties?
  - What types of issues are they (information, relationship, value, interest, structural)?
What kinds of intervention procedures are necessary for the types of issues identified?

Is this a genuine conflict in its own right or is it merely a symptom of other unresolved conflicts?

What is happening now?

Should the first step be efforts to move towards negotiations or are short-term reduction strategies called for?

**Stage of conflict**

- Is the conflict escalating or stabilising? Why?
- If escalating, what is happening?
- If stabilising, what is happening?
- Are issues moving from specific to general?
- Is there an increase in issues or resources to wage the conflict?
- Are parties increasing their use of power?
- Has disagreement turned to antagonism?
- Are powers polarised, or has extremist leadership arisen?
- Is communication being distorted? Are parties engaged in propaganda campaigns?
- Are safety valve mechanisms in place?
- Is there a fear of escalation?
- Are there agreements on norms and values?
- Are there social bonds or friendships among party members?
- Are there other third party interveners?
- Are there time constraints or other limitations on continued use of resources?

**Timing**

- Is the timing right to intervene?
- If you plan an intervention, are the parties likely to share the view that it is the right time and therefore also likely to be interested in that effort?
- Would it be wiser to wait until a later time?
- Who is likely to benefit from an immediate intervention, as opposed to six months later?

**Alternatives and options for settlement**

- What are the parties’ best and worst alternatives to a negotiated agreement?
- How informed are the parties about their alternatives/options?
- Are the parties aware of each other’s alternatives/options?
- What steps have the parties taken to achieve these options/alternatives?
- How realistic are the parties? 36

**Positions and interests**

Whenever one is to intervene in a dispute as a negotiator or mediator, it is critical to recognise that problems, concerns, needs, fears, expectations, hopes and desires underlie most demands or ‘positions’. These are often the true motivators and are referred to as ‘interests’.

To illustrate the difference:

- Positions are stated as something that you have decided on – your interests are often what have caused you to decide.
A position is what is presented to the world as your solution to a given conflict – your interests are often what have caused this conflict.

Your position is what you say you want – your interests are what you really want.

Parties in a dispute rarely identify clearly what their interests are. This may be because:

- They may feel it is strategically better to hide these interests, so as not to weaken their position.
- Parties in an intense conflict often start to equate their position with interests. They become so involved with ensuring that their position is met or maintained that they forget or do not consider what motivated them to adopt their position in the first place.
- They fear that to disclose interests may lead to ridicule or loss of face, especially if the interests are ‘soft’, for example fear, insecurity.

**Exercise 5.3**

In groups, based on your own understanding of the conflict in Liberia, answer the following questions:

- What were causes of the conflict in Darfur?
- Who were the primary parties in the conflict?
- Who were the secondary parties in the conflict?
- Who were the other stakeholders in the conflict?
- What were the primary parties’ interests and positions?
- Were there parties that were benefiting from the conflict continuing?

**Strategies for moving from positions to interests**

- Concentrate on building a rapport with the parties, and engendering trust in the process. Demonstrate genuine concern and a desire to understand the situation. The more solid the relationship with the intervener, the more willing parties will be to disclose those things that really motivate them.
- Do not waste effort in challenging positions. Criticising people or their positions or trying to get them to ‘back off’ from their positions only causes them to cling to them more stubbornly.
- Move the discussion to the underlying interests or problem by using open, non-threatening questions. For example, ‘Help me understand why you view this as so important.’
- Point out interests that are similar or the same and highlight these. For example, ‘I hear from you that you are both concerned that a confrontation may lead to violence, which both of you want to avoid at all costs.’
- Help parties to understand that to identify and explore the interests of the other party does not necessarily mean that they agree with them, and similarly, that to disclose interests does not detract from a party’s bargaining power, but rather moves parties towards a better solution. Ask parties to come up with options for agreement. For example, ‘What do you think can be done to solve this problem?’

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**SARPCCO generic UN/AU police officers course**
**Styles of negotiation**

The style of negotiation the mediator or negotiator may choose is determined by such factors as tradition, culture, bureaucratic organisations and perceptions of the role of negotiation.

The negotiator may choose to employ four styles while negotiating:

**Factual style**
- Be precise in presenting facts
- Refer to the past: what has already been tried out, what has worked, and what has been shown from past experiences
- Be indicative: go from the facts to the principles

Assumption: Facts speak for themselves.

**Intuitive style**
- Focus on the situation as a whole
- Project into the future
- Tap the imagination and creativity of the person
- Be quick in reacting
- Build upon the reaction of the other person
- Assumption: Imagination can solve any problem.

**Analytical style**
- Use logic when arguing
- Look for causes and effects
- Analyse the relationships between the elements of the situation, problem or issue
- Be patient
- Analyse the advantages of various options

Assumption: Logic leads to the right conclusions.

**Normative style**
- Establish a sound relationship at the outset of the negotiation
- Show interest in what the other person is saying
- Identify his/her values and adjust to them as far as possible
- Be ready to compromise wherever possible
- Appeal to his/her feelings

Assumption: Norms and values are of decisive importance in negotiation.

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**Exercise 5.4**

In groups, list possible advantages and disadvantages of the four styles of negotiation.

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PART 3 COMMUNICATION SKILLS

Goals for listening skills
A good negotiator or mediator must have good listening skills.

Goals
- To create a supportive environment that helps people relax and focus on issues
- To develop rapport and trust with both parties
- To convey empathy and respect for each person, regardless of his/her beliefs, words, and conduct
- To summarise concisely the essence of each party’s view
- To state problems in terms of problems and issues, not personalities
- To listen actively and empathetically

How to achieve these goals
- Be attentive
- Be alert and non-distracted
- Be interested in the needs of the other person, and let him/her know you care about what is said
- Be a non-judgmental, non-criticising ‘sounding board’

Do not
- Patronise the other party
- Become emotionally hooked, that is, become angry, upset or argumentative. Do not let your values or biases interfere with what you understand is being said
- Jump to conclusions
- Interrogate or give advice

Ways to listen effectively
- It has been said that 80% of communication is body language. Use your body to create a positive atmosphere with your non-verbal behaviour, that is, appropriate eye contact, nodding the head, facial expressions, gestures, etc. Your body should be oriented towards the speaker (head, arms, legs). Use the tone, tempo and volume of your voice
- Murmur responses to encourage and acknowledge the speaker
- Invite more from the speaker
- Summarise the basic viewpoints of the speaker as you have heard them. Use summaries to focus each party’s statement on issues and solvable problems, instead of personalities
- Make notes on your pad to keep track, but do not bury yourself in your notes
- Paraphrase or restate in your own words

Paraphrasing
Paraphrasing, or restating what the speaker has said in your own words, is a powerful tool:
■ For communicating understanding to others
■ For moving the conversation to deeper levels (a good paraphrase often brings further, more reflective responses from others)
■ For slowing down the conversation between the parties
■ For laundering vicious or insulting statements to make them less inflammatory while retaining the basic points that were made

How to paraphrase
■ Focus on the speaker. For example, ‘You are saying …’ or ‘You believe …’
■ A paraphrase has two components. The first is a restatement of the facts. For example, ‘Your neighbour’s cattle destroyed your entire crop.’ The second is a reflection of feelings. For example, ‘You feel discouraged about things getting any better.’
■ A paraphrase contains no judgment, but describes emphatically. For example, ‘So you believe very strongly that …’ or ‘If I am understanding you correctly, you …’ or ‘The way you see it then …’
■ Act like a mirror, not a parrot.
■ A paraphrase should always be shorter than the speaker’s own statement.

PART 4: PREPARATION FOR NEGOTIATION

Likely topics
■ POW exchange
■ Repatriation of war dead
■ Status of force agreement (SOFA)/status of mission agreement (SOMA) and the UN/AU conduct of tasks
■ Possible areas of limitation
■ Administration of the area between opposing forces
■ Freedom of movement
■ Traffic in/out of Area of Separation (AOS) and movements within the AOS
■ Conditions for the population within the AOS
■ Exploitation of natural resources and infrastructure
■ Refugees and displaced persons
■ Communication between UN/AU and the parties

Negotiation plan
To prepare well for negotiations, you should do the following:
■ Homework
  ■ What is the problem/task?
  ■ Has it been dealt with before?
  ■ Why has it come up at this time?
  ■ What is the background/history?
  ■ Obtain all possible information about the immediate conflict and outline the options for a settlement
Section 1 Negotiation and mediation

- Read previous reports on the matter
- What was the UN/AU conclusion and how does it relate to previous/future arrangements?
- Who are the persons involved: name, rank, personality, authority, religion, attitudes?
- What are your options, limitations, timeframe, mandate, etc?
- When and where will the negotiations take place (get confirmation)?
- Establish an agenda for the meeting

**Internal preparations**
- Who is going to do the talking?
- Who is taking notes (can notes be taken and/or a tape recorder used)?
- Decide on the role of the interpreter
- Are you all going to attend the meeting (driver, extra team)?
- Decide on need for specialists (weapons, mines, economic, cultural, etc)

**Final preparations**
- Be at the place for the meeting in due time, in good shape and well dressed
- Sort out seating, security, parking and communication
- Consider coffee, 'drinks', food, smoking
- Place agenda, pencil and writing pads on the table

**Before the meeting**

- Plan your entry into the negotiations carefully. You should have a strategy. Be cautious about approaching people you do not know
- Begin to assess the nature of the dispute before you intervene. Do this by checking what has been written in the media, and interviewing other people who might have information or history of the dispute
- Be sure that you identify the leaders and important stakeholders in the dispute, that is, primary and secondary parties to the dispute as well as other stakeholders
- Think of things to do that the parties will find useful, for example conveying information, identifying key government officials, and ascertaining NGOs that could serve as resources
- Good timing is essential. Assess whether parties are ready to settle the dispute. If not, let them know that you will be ready when they are. Do not rush or push the parties
- Avoid giving yourself a title, but regard yourself as someone who is ready to do whatever you can to help
- Let parties know that you will be meeting with all of them
- Keep your promises
- Do not become involved in negotiation for personal glory, but for the promotion of peace. Sharing involvement and credit is a sure way of creating a credible base of operations; broadening your contacts and credibility; connecting more resources to the situation; and broadening the number of people committed to peacemaking in the community
- Always be humble. Never promise people that you are there to solve the problem, or create the expectation that with your intervention their problem will be solved. Rather underplay than overplay your role
- Treat all communication as confidential and let all the parties know this
Preparations in UN/AU context

- Obtain all possible information about the immediate conflict and outline the options for a settlement
- Who are the persons involved: name, personality, authority, religion, and attitudes?
- What are your options, limitations, timeframe, mandate, etc?
- When and where will the negotiation take place (get confirmation)?
- Establish an agenda for the meeting

Goals of intervention

Interveners in any dispute function well when they have precisely defined the short-term goals of any activity in which they are engaged. They must also have at least some concept of their long-term goals. The goals for intervention include:

- Building relationships
- Educating themselves by interacting personally with the parties and/or others to learn more about the situation
- Reducing violence by providing accurate information to the public, thereby minimising misperceptions and rumours. Separating the parties and monitoring the situation in a visible way
- Improving conduct by confronting destructive or illegal behaviour on the part of one or several parties
- Improving communication by helping parties to understand more clearly the perception or intentions of the other side
- Expanding resources to provide funds, land or other assistance, from outside sources, thereby increasing the size of the whole ‘pie’ and making resolution easier. Expanded resources also provide assistance in information gathering and research of the situation, thereby enabling the parties to negotiate more effectively
- Helping parties to establish direct negotiations without the assistance of an intervener
- Mediating to bring parties to a process of negotiation with the assistance of an intervener
- Advocating for one side to help balance power when there are serious grievances and the victims are too weak or too intimidated to openly advocate for their cause

PART 5: CONDUCT OF NEGOTIATIONS

Physical arrangements

- Ensure you have enough stationery on hand
- Make sure that the venue is well prepared with appropriate furniture
- Ensure that the seating arrangement is suitable and does not offend any party
- Check that the seating arrangement guarantees eye contact for everyone
- Know the time allotment and have a watch available
Introduction of the meeting

- Take your time and be patient
- Remember the salutations and exchanges of courtesies (in accordance with local habits)
- Introduce yourself and your team (wear a name tag)
- Outline the framework of the meeting
- Some introductory small talk may be useful and polite. It gives everybody the chance to get used to the way the common language is used and it offers a chance to assess the mood
- Offer/take refreshments

During the meeting: facilitation roles

- **Initiator**
  - Introduce yourself and the agenda
  - Remind the group about the time allotted for discussion
  - Invite each person to make a brief opening statement
  - Give the floor to others and hold your own views until the end
- **Listener**
  - Set the atmosphere for discussion by modelling careful and respectful listening
- **Gatekeeper**
  - Enable each person to obtain relatively equal floor time
  - Keep issues focused and deal with one at a time
- **Peacekeeper**
  - Note the passage of time and let others know

During the meeting: other tips

- Use each person’s name when addressing individuals, bearing in mind that you should not leave out their titles
- If people go off track, respond with a purpose statement
- What to do when there is/are:
  - Confusion: Guide with a purpose or preference statement
  - Extreme emotions: Paraphrase in a calm clear voice
  - Domination: Acknowledge the point and quickly act as gatekeeper
  - A long speech: Clarify the question and ask for a summary

Ending the meeting

- Emphasise the points of discovery or agreement
- Summarise unresolved areas, while restating views as fairly as possible

Plan further activity, with clarity about who, what, when, where, why and how it will happen.

Follow-up

The reporting of results and the follow-up on meetings are very important for the credibility of the UN/AU operation. A short verbal briefing should be prepared for
your headquarters (involve all UN/AU members present at the meeting). Also, a
detailed written report should be prepared on the negotiation, facts, conclusions,
recommendations and arrangements. Following up should contribute to other
general information systems in accordance with standing operational procedures.42

**Case study 1: Village cattle wars**

A long and bitter war has just ended in a small central
African country. Although the war has ended, now and again
there are minor skirmishes between the two main tribes in
one part of the country. In one station the situation is tense.
Two weeks ago the Shumba tribe fighters went to Ingwe
village and stole 100 cattle, claiming they were reparations
for the many people killed by the Ingwe tribe during the war.
A week ago Ingwe youths crossed the buffer zone and
abducted ten teenage girls from a remote Shumba village
after killing one man in that village.
There is tension in that area and there is talk of a
resumption of hostilities. There have been diplomatic
shuttles between the two, and no headway has been made.
Two prominent religious leaders have been involved in
trying to resolve the dispute. The Shumba tribe want their
children to be released unharmed and unconditionally. The
Ingwe tribe are not budging and are threatening to kill their
hostages within the next 48 hours if their cattle are not
returned.

**Activity**
- In groups, analyse the conflict, and put your findings in a
  report
- Write a preparatory report that covers the initial
  groundwork for bringing the two ethnic groups to the
  negotiating table
- Role-play the conduct of negotiations that will bring the
dispute to a peaceful end

**PART 6: MEDIATION**

Mediation is a process in which a neutral third party assists in resolving a dispute
between two or more other parties. It is a non-adversarial approach to conflict
resolution. The role of the mediator is to facilitate communication between the
parties, to assist them in focusing on the real issues of the dispute, and to generate
options that meet the interests or needs of all relevant parties in an effort to resolve
the conflict.

**Differences between mediation and negotiation**

The techniques used in mediation are basically the same as in negotiation. The
most important difference is that in mediation, representatives of the opposing
parties are present in the same location. This calls for careful consideration of
security measures as well as pre-accepted subjects for the meeting.

**Preparations**

- Meet the parties separately before the meeting
- Discuss the subjects to create an approved agenda and distribute it before the
  meeting
- Select a meeting place (a ‘no man’s land’ or secured area)
- Establish the conditions for the meeting:
  - Armed or unarmed?
  - How many persons will attend?
  - How many interpreters?

**PART 6: MEDIATION**

**Part aim**
To enhance the understanding of the
meaning of mediation,
the conduct of a mediator
and the attributes of an
interpreter

**Part objectives**
At the end of this part,
participants should be
able to:
- Define mediation.
- Explain the difference
  between mediation and
  negotiation.
- List the attributes
  required of an interpreter
  in mediation.
- Outline the conduct
  expected of a mediator in
  mediation.
Section 1 Negotiation and mediation

- Communications
- Seating arrangements
- Separate rooms for the groups involved?
- Consider possible solutions to the main issue

Conducting mediation

- Start the meeting by reading the agenda
- If there has been a previous meeting, give the result and the status of what has been implemented
- Appear neutral, observe objectivity and remain respectful
- Try to balance the outcome (‘one for you and another one for me’)
- On one hand, there must be no subversions, and on the other, do not jump to conclusions – let the parties negotiate.
- If nothing has been agreed on, maybe they can agree to meet again?
- No one can change the past, but maybe you can change the future.

Follow-up

Reporting results and following up on meetings are very important for the credibility of the UN/AU operation. A short verbal briefing should be prepared for your headquarters (involve all UN/AU members present at the meeting). A detailed written report on the mediation, facts, conclusions, recommendations and arrangements should be also prepared. Following up should contribute to other general information systems in accordance with SOPs.

Use of interpreters

The UN/AU provide interpreters when necessary. Interpreters are often recruited from the local population. They have varying degrees of competency, and the peacekeeper must be wary of the occasional interpreter who may be pushing his/her own agenda. The interpreter, however, is a vital part of you and your job, especially in areas concerning issues of local custom and culture. You must thoroughly brief interpreters on how you expect them to conduct themselves at meetings.

You must instruct your interpreter:

- To act with a ‘non-visible attitude’
- To be fully impartial
- To interpret what has been said word for word
- Not to analyse, but to explain culture or context only when necessary
- Not to add anything to your sentences or to try to explain them
- Never to participate in the discussion
- Always to observe confidentiality in matters that must not be disclosed

Your conduct

- Always use short sentences
- Look at your counterpart and not at the interpreter, and always maintain eye contact
Module 5 United Nations and African Union Peacekeeping Issues

Section 1 Negotiation and mediation

- Use your own interpreter (for you and the other party)
- If it is not possible to use only your interpreter, use yours for yourself and theirs for them
- Avoid negotiating in a language with which you or the other party are not fully comfortable
- Translate agreements and sign and date all versions

Role-play exercise

The trainer will divide the class into groups and give participants scenarios in which to role-play the conduct of mediation and the use of interpreters. After the role-plays, the trainer and the trainees will critique each presentation, thereby reinforcing what has been learnt during the lecture.
SECTION 2
Disarmament, demobilisation and reintegration

BACKGROUND
Disarmament, demobilisation and reintegration (DDR) have become increasingly common in new UN/AU missions, and have become part of the duties of UN/AU military, civilian and police peacekeepers. After any peace settlement in any community, if the combatants are not disarmed and integrated back into the society, that peace may not hold, resulting in a resumption of hostilities.

Former UN missions in Africa (and the AU mission in Sudan, AMIS) have been mandated to undertake DDR functions, including facilitating the return of soldiers and combatants from warring factions to civilian life.

A difficult aspect of DDR has been the disarmament and demobilisation of female combatants and child soldiers. These vulnerable groups have special needs, and peacekeepers must be trained properly to deal effectively with such groups.

Most of the initial work in DDR is done by military contingencies, and the work of police and other organisations is mostly complementary.

The role of United Nations and African Union Police (UNPOL/AUPOL) varies according to the mandate. If UNPOL/AUPOL have an executive mandate and the resources, then they may take a more proactive role in support of the DDR process.

THE BROADER SPECTRUM OF DDR
Figures 4.1–4.3 provide an overview of DDR and the role of the military in the various stages of conflict. The peacekeeper needs to know where he/she fits into the big picture.

Figure 4.1 shows the spectrum of peacekeeping. The military role and engagement peak during the conflict management and conflict resolution phases, and decrease as peacebuilding measures take effect.

Figure 4.2 shows where the DDR process fits into this spectrum of conflict. Usually, after a peace accord or a ceasefire agreement, phased disarmament and demobilisation processes of the warring factions begin. As these disarmament and demobilisation processes are being finalised, the military role decreases and civilian actors begin to handle the reintegration process. The military may still be required to stay for a while, as in Liberia, because the line between peace and armed conflict can be thin.
Section 2 Disarmament, demobilisation and reintegration

Figure 4.3 shows the stages that a soldier will go through in a successful DDR process.

WHAT IS DISARMAMENT, DEMOBILISATION AND REINTEGRATION?

Disarmament

Since the end of the cold war, UN/AU peacekeeping operations have been deployed in countries that are caught in internal civil conflicts waged with small arms and light weapons. These conflicts have resulted in over 4 million deaths, of whom 90% of the casualties were civilians, and half of these were children. Over and above that, 5 million people were disabled and 12 million were displaced.

Disarmament has therefore included the collection, control and disposal of small arms, ammunition, explosives and light and heavy weapons after hostilities have ceased. Disarmament includes the development of responsible arms management programmes.

Disarmament entails:

- Planning and management of weapons collection sites
- Weapons management and destruction
- De-mining
- Registration of soldiers and weapons

Potential target groups for disarmament include:

- Government forces
- Opposition forces
- Civil defence forces

Figure 5.1 Broader spectrum of peacekeeping

Figure 5.2 Where DDR fits

Figure 5.3 Successful DDR process

The Long Road Home

Disarm - Remove weapons
Demobilise - Disband military structures
Transition - Transition phase
Reinsert - Put them back in the community
Reintegrate - Give them viable economic alternatives
Basic change - Adjust attitudes over time
Build the future - Change attitudes over time

Source UN DPKO

Source UN DPKO

Source UN DPKO

Figure 5.3 Successful DDR process

The Long Road Home

Disarm - Remove weapons
Demobilise - Disband military structures
Transition - Transition phase
Reinsert - Put them back in the community
Reintegrate - Give them viable economic alternatives
Basic change - Adjust attitudes over time
Build the future - Change attitudes over time

Source UN DPKO

Source UN DPKO

Source UN DPKO
Reasons for disarmament of combatants and civilians

Disarmament will restore the power monopoly to the state, and is the first step towards demobilisation. It reduces the number of weapons circulating in the country, thereby reducing the chance of future resumption of hostilities or of weapons being used for criminal activities.

Demobilisation

Demobilisation is a process of downsizing or completely disbanding armed forces, government and/or opposition or factional forces, as part of a broader transformation process from war to peace. It involves assembling, quartering, disarming, administrating and discharging former combatants, who may receive some form of compensation and other assistance to encourage their transition to civilian life.

An example of such a demobilisation process occurred in Zimbabwe, when some of the guerrilla fighters were demobilised. They were given a monthly demobilisation pay of Z$138.00 for three years. They were also assisted with vocational training in a number of technical fields. Some went back to school, and others joined government departments, especially the army and police.

Demobilisation therefore entails:

- Massing of troops into camps
- Formal and controlled discharge of active combatants
- Demobilisation camps

Demobilisation camps

In setting up demobilisation camps it should be considered that combatants come from a range of political and economic backgrounds. Measures should be put in place to resolve conflicts that may arise. There should also be programmes for briefings, counselling and training.

The camps should have activities to limit boredom, frustration, and the risk of mutinies, riots, and self-demobilisation. They should therefore have recreational facilities for sports, music, dance, drama, and local cultural activities.

The camps should have facilities for education in basic literacy, skills training, vocational skills and training in agriculture, job counselling and referral. The camps should have the capacity to assess vocational skills, capacity and aptitude, and provide referrals to employment and social services.

Activities that should be offered in demobilisation camps:

- Recreation/sports
- Literacy training
- Basic education
- Skills training
- Language training
Reintegration

This is a programme or set of measures provided to former combatants that will increase the potential for their economic and social reintegration into civil society and that of their families. A reintegration programme may include financial assistance or compensation in kind, as well as vocational training and income-generating activities.

Types of assistance

In most demobilisation and reintegration experiences, ex-combatants are given some form of material and financial assistance before leaving assembly points. The assistance may be cash, in-kind assistance, vouchers, entitlements or vocational training. DDR processes vary from mission to mission. Other processes may include repatriation of foreign forces, for example UNMIL.

Responsibilities of UN/AU military units

The primary responsibility of UN/AU military units is to provide a secure environment in which UNPOL/AUPOL, UN military observers (UNMOs), AU military observers, humanitarian agencies and local authorities can work safely and have freedom of movement.

Tasks of UN/AU military units

- Destroying weapons
- Guarding ammunition and weapons storage facilities
- Guarding assembly and cantonment areas
- Establishing and manning checkpoints
- Carrying out escort duties and patrolling
- Transporting ex-combatants (disarmed personnel) to assembly sites or cantonments

Tasks of UN/AU military observers

- Supervise ceasefire agreements
- Monitor separation of forces and withdrawal and disbandment of irregular forces
- Man reception centres
- Register and collect weapons, ammunition and explosives
- Register ex-combatants
- Carry out investigations
TASKS OF POLICE

- Administer weapon buy-back schemes
- Train local police
- Executive authority
  - Advise and/or supervise local police
  - Monitor reintegration
  - Carry out investigations
  - Disarm civilians
  - Promote law and order

SAFE WAYS OF DESTROYING SMALL ARMS AND LIGHT WEAPONS

Police monitors and UNMOs may participate in the collection and destruction of small arms. This may be done by:

- Burning: labour intensive, high symbolic value
- Cutting: labour intensive, slow
- Shredding: effective, expensive

Note: Only specialists should participate in the collection and destruction of ammunition and explosives.

KEY LESSONS FROM DDR PROGRAMMES

- Lack of proper planning and thorough coordination between all stakeholders will result in confusion. Therefore, do not start the process until all stakeholders are involved
- Set realistic criteria for qualification and make special provisions for the DDR of women and children. As much as possible, the programme should cover women who participated in the conflict as combatants or as bush wives
- Insufficient funding undermines the effectiveness of the programme and confidence in the peace process. To be effective, funds should be available for the DD and the R components of the programme. The full integration of the youth will also address the sub-culture of youth violence and cross-border regional crime
- As much as possible, civil society groups, including community leaders, should be involved in the planning and coordination, particularly in the reintegration component to facilitate the smooth integration of ex-combatants
- Lack of a regional framework for DDR in conflicts with a regional character will not yield the expected dividend of regional stability
- The planning and execution of DDR programmes should address the perception that the programme rewards impunity to the neglect of the victims of the conflict. This may be done through well-planned public information and education campaigns to explain the objectives of the programme
SUMMARY

- UNPOL, UNMOs and formed military units are essential in the DDR process
- The UN/AU military component provides a secure environment, logistics support and further tasks, if mandated
- UNPOL/AUPOL and UNMOs monitor the DDR process
- UNPOL/AUPOL and UNMOs may be mandated with active participation
- Only specialists may carry out collection and destruction of ammunition and explosives
- DDR provides a bridge from the cessation of fighting to sustainable peace
- DDR needs outside help to succeed
- Experiences of demobilisation vary widely
- Successful DDR of ex-combatants often makes the difference between peace and a return to war

Exercise 5.5

List and explain the three phases of DDR.

List and explain police role and tasks in the DDR process.

List and explain at least two ways of destroying small arms.

Describe special safety considerations for handling weapons and ammunition.
SECTION 3

Media relations

Good relations with the media are critical vis-à-vis UN/AU peacekeeping operations. Policemen selected for duty with UN/AU missions are reminded of the effect that the media may exert on political leaders and policy makers, and should know how to handle the media appropriately.

PROPER HANDLING OF THE MEDIA

- Proper handling of the media can result in the success of a peacekeeping operation
- The best way to get a message to the world is via the media
- The way in which the public receive a message conveyed by the peacekeepers will have a direct influence on the levels of support, or lack of them
- Lack of information or diverging responses impact negatively on the conduct of peacekeeping operations
- Journalist ethics means that the media will try to confirm the information from different sources. Some media may be biased and try to influence the public
- The media are always present in UN/AU peacekeeping operations
- The media work 24 hours a day, seven days a week
- Technology allows for real-time communications
- The press will be where the news happens
- Peacekeepers must accomplish their mandate in full view of the media

ELECTRONIC AND PRINT MEDIA: ADVANTAGES AND LIMITATIONS

Radio

The radio has proved outstanding in its effectiveness in reaching audiences in the developing world. It is an instrument of choice for UN/AU public information in peacekeeping operations. One limitation of radio is that TV has replaced it in developed countries.
Television

Television is very effective because one image has the power of 'a thousand words'. Satellite technology and cheap TV sets ensure that the news being disseminated reaches a wide audience. Modern television news crews are mostly made up of one reporter and one cameraman. This means that they are highly mobile, able to cover events as they occur, and can send reports on the spot. The primary advantage of television as a medium is the speed of dissemination. However, the dissemination of news by television may be problematic in developing countries that have poor communications infrastructure, as news may reach only a small portion of the society.

Print

Printed material is highly respected by the public. Detailed messages can be shared, analysed and discussed in depth by the audience. Its disadvantages include lack of immediacy, limited access and use in developing countries, and the associated basic costs.

Internet

The Internet is available worldwide and offers multiple-way communication. Peacekeepers, media, local/civilian populations and governments use it. An advantage is that huge amounts of information can be disseminated to many people at one time. One limitation is that it may not be easily accessible to a wider audience, and some information sources are questionable.

Cellphones

Cellphones can be cheap and efficient. They offer a direct link from person to person, and are used by everyone where available. Their advantages include speed and flexibility. The main limitations are that fewer people have access to such gadgets and network coverage may be limited, especially in the developing world.

**GENERIC GUIDELINES ON MEDIA RELATIONS**

- Always note and report the presence of the media in your area of operation
- Verify the media accreditation of the person seeking an interview with you, in accordance with mission SOPs
- Speak only of facts that you know and are responsible for. This is guided by SOPs provided in the mission area
- Refer all other questions to the public information officer
- Think before you speak
- Be polite and helpful
- Be honest and positive, while remaining professional
- Do not discuss UN operations, plans or procedures
- Do not give information about local forces that may be used by one faction
- Do not speculate or provide an opinion as to what might or might not happen in certain circumstances
Never mislead or take sides
Never allow the media to pressure you into saying things that you would rather not say or that you should not discuss.
Never give formal interviews without prior approval from the mission public information officer

THE INTERVIEW

Do

■ Behave naturally
■ Use simple words and short sentences
■ Use correct body language
■ Plan what to say in advance
■ Look directly into the eyes of the journalist
■ Respond naturally
■ Improvise if needed
■ Keep it short and simple

Don’t

■ Say ‘no comment’. (If it is an issue on/about which you are not authorised to speak, refer the press to the appropriate authority/person)
■ Give yes/no answers
■ Use professional jargon
■ Be afraid of the camera
■ Expect the complete interview to be broadcast
■ Offer your ‘personal’ opinion
■ Believe in an ‘off the record’ statement

Exercise 5.6
Describe the advantages and limitations of radio, television, print media and the Internet in the dissemination of news in peacekeeping missions.

List and explain the nine guidelines to be followed in interacting with the media.

List and explain at least eight things that a peacekeeper should not do when being interviewed by the media.

List and explain at least four things a peacekeeper should do when being interviewed by the media.
SECTION 4

Humanitarian assistance

REASONS THAT HUMANITARIAN ASSISTANCE IS ESSENTIAL IN A UN/AU PEACEKEEPING OPERATION

- Acting in accordance with the fundamentals of UN/AU humanitarian principles:
- Geneva conventions (common article 3)
- Declaration of Human Rights (articles 1–3)
- Improving relations with local authorities and other factions
- Improving relations with the local population
- Facilitating cooperation and coordination with civilian agencies and organisations in a mission area

PRINCIPLES OF HUMANITARIAN ASSISTANCE

- **Humanity**: Human suffering is to be relieved wherever it is found
- **Impartiality**: Relief is given without regard to nationality, political or ideological beliefs, race, religion, gender or ethnicity
- **Neutrality**: Humanitarian actors may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature
- **Independence**: Decisions in the field must not be influenced by the media, or have politically motivated agendas or general pressures
- **Proportionality**: UN/AU military and police forces, as well as the civilian component, have a main task that is not primarily humanitarian assistance. Any humanitarian effort, apart from emergency actions, must be based on evaluated needs, balanced against the main mission capacity and clearly specified roles
- **Consent**: Consent means that there is ownership of humanitarian assistance programmes and therefore a sustainable action by all the stakeholders

Lessons learned: To be successful, humanitarian action requires unimpeded access to vulnerable populations and an assurance of security for humanitarian personnel. A perception of too close affiliation with the operation or objectives of any military forces may negatively impact the security environment of humanitarian personnel and equipment

Duration
1 hour

Section aim
To foster an understanding of the concept of humanitarian assistance and its role in UN/AU peacekeeping operations

Section objectives
At the end of this section, participants should be able to explain clearly the actors in the field of humanitarian assistance and the roles they play
THE DIFFERENCE BETWEEN RELIEF AND DEVELOPMENT

- ‘Relief’ operations or emergency interventions are short-term measures meant to provide immediate relief to the needy. These can be the provision of shelter, food and medical services.
- ‘Development’ refers to long-term measures that involve rebuilding the country’s infrastructure. This includes restoration of public utilities such as power, water, sewage systems and telephones.

ROLES OF HUMANITARIAN AGENCIES

These agencies provide support in the forms of:

- **Shelter**: camp layout, tents, structural building renovations, schools and churches
- **Health**: direct medical care, medical supplies, training, community education
- **Relief**: food distribution; non-food item distribution
- **Development**: capacity building, institutional support
- **Water and sanitation**: water and sanitation facilities, and construction of pit latrines and water wells

TYPES OF HUMANITARIAN ACTORS

- Local authorities
- Office of the Coordination of Humanitarian Affairs (OCHA)
- Operational UN agencies, for example World Food Programme (WFP)
- United Nations High Commission for Refugees (UNHCR) and others
- Governmental organisations
- Non-governmental organisations (NGOs)
- International organisations, for example the International Committee of the Red Cross (ICRC)

LOCAL AUTHORITIES

- The sovereignty of the state must be respected in accordance with the Charter of the United Nations
- Each state has the responsibility, first and foremost, to take care of the victims of natural disaster and other emergencies occurring in its territory
- Primary responsibility for the protection and wellbeing of a civilian population rests with the government that controls the territory in which the population is located

OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS (OCHA)

- This office is the Secretary-General’s focal point for humanitarian issues
- It is responsible for the coordination of assistance in humanitarian crises
Other tasks include early warning; needs assessment; consolidated appeals; and negotiations on access to population.

The Inter-Agency Standing Committee (IASC) is a coordinating body for UN organisations.

### UN AGENCIES

- **UNHCR**: Provides assistance to refugees/internally displaced persons.
- **WFP**: Provides food rations and feeding programmes to support relief.
- **UNICEF**: Attends primarily to the physical and mental welfare of children and pregnant mothers.
- **WHO**: Is involved in assistance programmes for preventative health care.

### GOVERNMENTAL ORGANISATIONS

These are institutions that represent national donor programmes. They are primarily grant making, but may also undertake direct assistance. Governmental organisations support international and local NGOs, UN agencies and local authorities. They often support national NGOs and, sometimes, national civil-military coordination (CIMIC or CM Coord) efforts. Examples are the European Commission Humanitarian Aid (ECHO), USAID, the Department for International Development (DFID), GOAL and the Danish International development Agency (DANIDA).

### NON-GOVERNMENTAL ORGANISATIONS

NGOs are independent of government, the UN/AU or any other organisation. They engage in a variety of humanitarian, human rights and developmental works. They work very closely with the local population. NGOs can be mandated, non-mandated or an implementing partner.

- **MSF** (Médecins sans Frontières / ‘Doctors without borders’)
  - Emergency medical services
  - **CARE**
    - Food distribution and logistics support to refugees
  - **OXFAM**
    - Development and emergency relief activities
    - Water and sanitation support to displaced populations
  - **ICRC** (International Committee of the Red Cross)
    - Mandate from the Geneva Conventions (1949) and Additional Protocols (1977)
    - Independent humanitarian institution
    - Protection and assistance to victims of conflicts
    - Financed entirely through voluntary contributions

Avoid dependency: the use of military assets in support of humanitarian operations should be exceptional and only as a last resort.
■ The peacekeeping force is normally responsible only for security
■ In exceptional circumstances it may be required to take on tasks that are normally the responsibility of a civil authority. This may occur where the appropriate civil body is not present or is unable to carry out its mandate
■ It undertakes such tasks as necessary, to maintain momentum towards a lasting solution to a crisis until the mandated civil authority or agency is prepared and able to assume them
■ Responsibility is handed over to the appropriate civil authority as soon as is practical

Exercise 5.7
List and explain at least four reasons why humanitarian assistance is essential in UN/AU peacekeeping operations.

Describe the six principles upon which humanitarian assistance is founded.

Differentiate between relief operations and development.

Describe at least five roles played by humanitarian agencies.

List six types of humanitarian agencies found in any UN/AU peacekeeping operation and describe their roles.
SECTION 5

Civil and military coordination

INTRODUCTION

Civil-military coordination is an important factor in achieving the humanitarian and development objectives of UN/AU peace operations. The interface between the peace and security objectives and the relief and reconstruction objectives is crucial if a complex peace operation is to have a holistic impact on the conflict system it is attempting to transform. Civil-military coordination specialists are trained to understand humanitarian principles and guidelines, so that they can facilitate the coordination of the security and development interface, and ensure that any military support offered is complementary to the humanitarian and development agendas.

DEPARTMENT OF PEACEKEEPING OPERATIONS’ CIVIL-MILITARY COORDINATION POLICY

The response to conflict that resulted in military or police capabilities being deployed as part of UN/AU peacekeeping operations has changed considerably in the past decade. Formed military and police units are now normally part of a multidimensional response involving political, electoral, humanitarian, human rights, and other elements. This has resulted in increasing interaction between the military, police and various civilian elements in areas not directly related to security.

Individual military observers, military liaison officers, and police have always performed key roles in liaising with development and humanitarian organisations to coordinate activities and exchange information. These tasks continue to be important for overall mission effectiveness. However, the resources and capabilities unique to formed units allow for a broader range of interaction in the non-security area, including:

- Use of military and police resources to provide, support, or complement the provision of emergency humanitarian relief
- Military and police participation in reconstruction and rehabilitation projects as part of the overall development effort

Where needed, and when properly resourced and effectively coordinated, the use of military and police capabilities can play a role in meeting UN/AU objectives.
However, neither the military and police nor the humanitarian and development communities are homogenous. Military and police contingents vary in capability, doctrine, procedures, and understanding of humanitarian and development issues. The humanitarian and development communities vary widely in mandate, outlook, degree of integration into the humanitarian coordination system, and in approach to dealing with the military and police. The present policy was developed by the DPKO in consultation with other partners, such as OCHA, primarily to facilitate coordination with these communities in the context of UN/AU peacekeeping operations.44

**CIVIL-MILITARY COORDINATION: DEFINITION**

There are differing interpretations as to what civil-military coordination means. A common theme, however, is that it refers to concepts and mechanisms for interaction between military and civilian elements deployed in the field, particularly those from the humanitarian and development communities. Given the nature of this interaction, there is a clear need for mutual understanding of terms and concepts. The following definition will suffice for UN (and AU) peacekeeping operations.

UN (and AU) coordination is the system of interaction, involving exchange of information, negotiation, de-confliction, mutual support and planning at all levels between military elements (including police) and humanitarian organisations, development organisations, or the local civilian population, to achieve respective objectives.

**THE PURPOSE AND SCOPE OF CIVIL–MILITARY COORDINATION**

**Purpose**

The purpose of coordination is to ensure that the military and police components can concentrate on their primary task of security and, where needed, can contribute to non-security tasks, specifically those related to humanitarian and development issues.

**Scope**

The policy covers coordination of military and police capability for non-security tasks in the following situations:

- Coordination within a peacekeeping mission that includes humanitarian and/or development components
- Coordination between the peacekeeping mission and the UN country team (or AU office) where it is external to the peacekeeping mission (a UN country team is composed of heads of funds, programmes and specialised agencies of the UN in a particular country). See Figure 1.12 in Section 6 of Module 1 for a list and location of the AU offices.
- Coordination between the peacekeeping mission and other international organisations such as bilateral agencies, NGOs, and other external actors such as local authorities, the local population and non-UN international military
PRINCIPLES AND CONSIDERATIONS FOR CIVIL-MILITARY COORDINATION

Complementary roles and avoidance of duplication

The UN (and AU) normally uses military, police or civilian capability only in situations that are directly related to peace and security through:

- Observation and reporting the situation and/or
- Providing security

Civilians normally perform all other tasks, such as those related to emergency humanitarian relief and development activities. Where UN/AU military and police capabilities are authorised by the head of mission to perform non-security operations, the following principles apply:

- All activities are to be consistent with the mandate of the peacekeeping mission.
- Non-related security tasks can be undertaken only if they do not interfere with or compromise security-related tasks.
- All non-security related tasks can only be coordinated fully within the mission, with the UN country team and with the larger humanitarian or development community, depending on the context.

At the same time, peacekeeping personnel should be mindful that humanitarian agencies have agreed at the strategic level (Humanitarian Inter-Agency Standing Committee (IASC)) that they will normally only request or accept support from military or police elements under certain circumstances:

- The capacity required must be unique
- The capability cannot be provided in a timely manner by civilians
- The use of military and police is the last resort
- There is clear humanitarian direction in the use of military assets

Civilian-led coordination: normal command and control

Within the UN system, the humanitarian coordinator (HC) is responsible for planning and coordination of humanitarian operations, and the resident coordinator (RC) is responsible for planning and coordination of development operations. In many cases the same individual will fill these appointments. Coordination does not imply any change in command. This means that military and police assets serving with peacekeeping operations remain under their established command and control status. Similarly, the lines of authority applying to humanitarian or development coordination within the UN system and between the UN and external actors must be fully observed.

Mutual understanding and flexibility

UN agencies have agreed on certain key principles for the delivery of emergency humanitarian assistance:
In addition, the International Red Cross (ICRC) and the Red Crescent Movement have developed a code of conduct for themselves and NGOs for use in emergency and disaster relief. Many NGOs have adopted this code of conduct. Military and police deployed by the UN/AU must develop an understanding of these humanitarian principles and avoid compromising the operations of the humanitarian community.

The activities of the humanitarian or development organisations do not occur in a vacuum, and the actions they take can have an impact on various components of a UN/AU peacekeeping operation. Mutual recognition of this inter-dependency in the field is important for the successful conduct of international activities. Therefore, mutual understanding provides a sound basis for a flexible approach to complex issues and the often-unique situations experienced in each mission.

**Coordination at all levels**

To ensure that all issues are given adequate attention and to facilitate timely direction, coordination should take place at the highest level. The SRSG/SRCC has responsibility for overall mission coordination. For a particular area covered by this policy, an integrated civil-military staff team, with civilian lead, will see to the coordination with entities that can be internal or external.

The SRSG is responsible for providing the impetus for a coordinated and coherent approach by all the components in the country. The team responsible for civil-military coordination will be part of the SRSG’s/SRCC’s staff tasked with overall mission coordination. If the mission is divided into sectors, the UN/AU official appointed to take charge of a sector is responsible for coordination in the area assigned.

**RESOURCES AND REPORTING**

Coordination does not mean change in control over resources. It is the responsibility of the UN/AU official charged with the mission finance, normally the chief administrative officer, to provide advice and fully support the objectives of the head of the mission in providing relevant submissions to the controller at UN/AU Headquarters.

The head of mission, normally the SRSG, must approve the use of military or civilian personnel and resources for non-security related tasks. In some cases, the head of mission will need to seek approval from troop- and police-contributing countries through the DPKO. The mission’s chief administrative officer will also be consulted.

There is an exception to this procedure where there is a need to provide immediate assistance in extreme situations to prevent loss of life, serious injury or significant loss of property. The assistance must be reported to the mission HQ as soon as possible.
TRAINING

The focal point for civil-military coordination advice, policy, guidelines and training within the UN humanitarian community is the Military and Civil Defence Unit (MCDU) in the UN OCHA.

The DPKO will determine the training requirement for UN peacekeeping operations, both in terms of content and of who will be trained. The responsible unit in the DPKO for military and police training is the Training and Evaluation Services (TES) in consultation with the Police Division. Within the AU system, the AU PSOD will carry out these functions.

Civilian staff are trained by Personnel Management Support Services (PMSS), which is in the DPKO’s office of mission support.

VALIDATION AND BEST PRACTICE

Like all peacekeeping activities, the Peacekeeping Best Practice Unit (PBPU) of the DPKO will act as a focal point for best practice in the issue covered by this policy.

RESPONSIBILITY FOR DPKO POLICY

The overall responsibility for the civil-military coordination policy lies with the undersecretary-general for peacekeeping operations.45

TIPS FOR WORKING WITH NGOS

Focus on the best

In any given mission there may be several NGOs, offering a diversity of services. It is not possible to deal with all of them. Peacekeepers must learn to differentiate between them.

To identify key organisations and individuals you may need to answer the following questions:

- Do they have a clear mandate and purpose?
- Do they have clear objectives?
- What experience do they have in the region?
- How long have they been operating?
- Do not overlook the local organisations. They will often have more experience and knowledge than any external organisation.

Share information

Be as open and honest as possible. NGO staff understand the need for confidentiality and the sensitivity of information as their own security may depend on it.
Get to know the key players. Personal contact is critical and will open many doors

Be prepared to listen and be patient. Many will have a better understanding of the issues and the environment than the military

Be careful of language. The military and police use similar phrases but with different meanings. Check that you understand what they mean; do not assume

Respect their independence

NGOs are independent and are not part of any hierarchy or chain of command. Do not try to dominate or command them as this will not work, and will be counter-productive

NGOs will have a different mandate and different objectives from the military and police

NGOs will wish to maintain a distance between themselves and the military campaign in order to preserve their independence and impartiality. Failure to maintain this humanitarian ‘space’ can jeopardise their security and reduce their effectiveness. Maintain an appropriate distance

Understand their approach

NGOs have a different way of working with the military and police, and this can often cause frustration

Identify where local staff stand with respect to factions

Do not always assume that expatriate staff, particularly those from western countries, are the ones in charge

Note the differences in rank and hierarchy. Often you will work with someone who seems young and/or inexperienced

REMEMBER THE FIVE KEY PRINCIPLES

**Humanity**: Aid is given for humane reasons. UN humanitarian agencies must maintain their ability to obtain and sustain access to all vulnerable populations in a given country, and to negotiate such access with all parties to the conflict. The principle of humanity requires that suffering must be addressed wherever it is encountered.

**Impartiality**: Aid is given regardless of race, creed or nationality of the recipients, without adverse distinction whatsoever. Humanitarian agencies must ensure that all vulnerable populations in all parts of the country must receive aid in an equitable, neutral and impartial manner without any political conditions attached. Aid priorities are calculated solely on the basis of need.

**Neutrality**: Humanitarian actors may not take sides in hostilities or engage at any time in controversies of a political, racial, religious or ideological nature.

**Independence**: Aid will not be used to further a political or religious standpoint, and NGOs endeavour not to act as instruments of government foreign policy.

**Consent**: NGOs negotiate their presence bilaterally, and are present with the consent of the host country.
After 23 years of war, the Afghan people are among the poorest and most vulnerable in the world. Millions of Afghans have been displaced within and outside the country. Each year, 26,800 children under 5 years die from treatable diseases such as diarrhoea. Life expectancy at birth is 46 years. Clean water is available to less than 15% of the population. The need for effective assistance from the international community is paramount.

The situation in Afghanistan, where the UN-sponsored International Security and Assistance Force (ISAF) and coalition forces are involved in civil affairs projects (projects with humanitarian component) forms part of growing military involvement in humanitarian provisions since the start of the 1990s. Military operations with humanitarian components include interventions in Somalia, Bosnia, Kosovo, and East Timor. This trend, which now encompasses military civil affairs teams in Afghanistan, has been watched with concern by NGOs since it raises fundamental questions about differences between humanitarian action and actors and military action and actors.

NGOs are particularly concerned with the issues of these military troops in Afghanistan because:
- They are not independent or impartial interveners
- They are instruments of their government’s foreign policies
- Providing humanitarian action is a front for intelligence gathering

Activity
Discuss in groups and report back.
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SECTION 1

Personal safety

BACKGROUND

Peacekeepers are finding themselves in more diversified security environments than ever before. It is critical that they should have a clear understanding of basic security awareness principles and responsibilities, to ensure that they can effectively perform their duties.

GENERAL

In some cases the head of mission (HOM) is responsible for the security not only of mission personnel, but also of UN agency personnel. Should this be the case, the HOM is given the title of ‘designated official’. As with agency operations, the host government has primary responsibility for security. However, in a peacekeeping mission, the force has a capability to defend itself; therefore in many instances peacekeepers can provide their own security. In a military observer mission, observers are not armed, and security responsibility reverts to the host government, local authorities or even a regional peacekeeping force, if one is present in the country.

CHIEF SECURITY ADVISER

Each newly established peacekeeping mission has a security section that is managed by a Chief Security Adviser (CSA). This individual is a mission appointee and is responsible for advising the HOM on security matters affecting the mission. The CSA focuses primarily on the security needs of the civilian component, but routinely advises the HOM, force commander (FC) (or chief military observer (CMO)) on security-related issues regarding the force. The CSA is responsible for preparing the mission security plan. He/she coordinates with mission staff, agencies, and local authorities. The CSO conducts security assessments, office surveys, residential inspections and investigations. He/she is also responsible for managing the guard force.

BASIC PRINCIPLES

- Always be alert and aware of your surroundings: be attentive and suspicious. Look for the unusual: loiterers, unauthorised parked cars, your car being followed, etc.

Duration

1 hour

Section aim

To familiarise peacekeepers with a variety of simple techniques, considerations and correct actions that will make them safer when on or off duty in the mission area.

Section objectives

At the end of this section, participants should be able to:

- Outline security procedures in peacekeeping areas
- Explain the steps to take when held hostage or detained
- Discuss how to cooperate with other security agencies throughout the mission area
- Outline the procedure to be adopted when being hijacked by enemy forces or opposition groups or gangs
- Use the correct procedures in radio voice communication
■ Be methodical: do not be complacent. Be disciplined in establishing and maintaining your security precautions. Try to avoid routines, such as always using the same route to go to and from work. When you go to the field, have a preparation checklist and use it to make sure you have everything you’ll need and that you have completed the proper coordination.

■ Don’t be too conspicuous: try to blend in with your new environment; try not to stand out. Thieves always look for people who are not sure of where they are and what they are doing. Try to show confidence, even if you are lost. Do not wear an excessive amount of jewellery. It may be cheap to you, but it looks valuable to a criminal.

■ Maintain communication: good communication is vital to good security. Always be updated on radio call signs, emergency procedures, and radio frequencies. Always know where you are and what your map reference is.

■ Use common sense: we all have it, but sometimes are distracted and fall victim to human nature. The best example of this is the vehicle seat belt. Everyone knows that using the seat belt can significantly reduce the risk of serious injury in an accident. Yet many UN/AU staff drive without it. This is a great illustration of not using common sense.

**DETENTION**

■ If you are captured and detained, do not attempt to hide anything
■ Explain your mission and your support from the international community
■ Try to find the reason(s) for your detainment
■ Do not provoke those who have detained you, as this may worsen the situation
■ Find out why they are interested in you
■ Never undermine your UN/AU status
■ If UNPOL are captured, it is important that they avoid resistance
■ Do your best to remain healthy and get proper sleep
■ Trust the efforts of the UN/AU and other nations to obtain your release

**CHECKPOINTS**

This involves one of the most common security problems that staff encounter in the field. The government establishes official checkpoints, but a wide range of individuals establish unofficial checkpoints. It is important for you to quickly identify which type of checkpoint it is, and whether the people manning the checkpoint are armed or intoxicated (alcohol or drugs). Standard procedures for passing through a checkpoint are listed below. You must obtain the specific local procedures when you arrive in your mission.

■ Reduce speed. If you are driving at night, dim your headlights and turn the interior dome light on so the people at the checkpoint can see who is inside
■ Stop if you are told to do so
■ Lower your window no more than 1 inch or the recommended opening for the mission
■ Be friendly and courteous. Remember if you yell, shout and scream, you may have difficulty passing
Module 6

Section 1 Personal safety

- Show ID if asked, but do not surrender it
- Stay in the vehicle unless you are ordered out. If you are ordered out, stay close to the vehicle, if possible
- Observe any search of the vehicle. Staff possessions and equipment have been taken, and illegal items have been placed in the vehicle – observe all searches!
- Protest against the removal of personal items, but do not resist. In most cases the individual is armed, and you should never argue with an armed person. Immediately call and report the incident and obtain further instructions

Security problems at checkpoints vary according to location. Some will be manned by men, and others by women and/or children. You should never become complacent with crossing checkpoints because they could become extremely dangerous at any time.

**HIJACKING**

**Guidelines**

- If you are hijacked, you should always cooperate with the hijackers
- Use evasive action and good judgement to avoid being in a hijack situation wherever possible
- Stop. Do not attempt to escape
- Do not resist
- Keep your hands in view
- Do not make any sudden movements
- Explain everything you do before you start to move
- Be careful when releasing your seat belt
- Comply with the hijacker’s demands
- Do not provoke the hijacker (no anger or rude remarks)
- Do not look directly at the hijacker
- Inform the hijackers that you are members of the UN/AU
- If they want the vehicle, ask to keep your personal belongings
- Other UN/AU vehicles should tail the hijacked vehicle and transmit progress reports

**Hijack radio message**

- HIJACK HIJACK HIJACK (3 times)
- Give your map reference if possible
- Keep the microphone out of sight

**SNIPER FIRE**

**Do not**

- Stand by open windows
- Leave curtains or blinds open at night
- Remain stationary for longer than needed
Section 1  Personal safety

Do

■ Take cover immediately when in a building
■ When in a vehicle, leave the vehicle and take cover

SUMMARY NOTES

Always tell the office what your travel plans are, and what communication equip-
ment you have

■ Never travel alone
■ When driving, drive in convoy, if possible
■ Check all the vehicle equipment before your departure
■ Keep constant or periodic contact with the office

Exercise 6.1
What are the tasks of the Chief Security Adviser in the mission area?

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

How should you behave when hijacked?

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

What are the DOs and DON'Ts when dealing with sniper fire?

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
SECTION 2

Mine awareness

DEFINITION

‘Mine awareness’ refers to a process that encourages populations and communities to become aware of mines and to become involved in creating awareness programmes, rather than an imposed solution. This involves information sharing, teaching, and identifying ways to avoid traversing mined areas.

THE FAMILY OF MINES

Anti-personnel mines (AP mines)

An anti-personnel landmine is designed to injure or kill one or more persons. AP mines can be made of wood, plastic or metal. They come in various shapes, sizes and colours. When properly laid, mines are almost impossible to see. They are laid on or beneath the ground surface and hidden in high grass or bushes, or behind trees.

AP mines are usually set off when they are stepped on or when pressure is exerted on their upper surface. Some mines are set off by pulling or cutting a trip-wire. Once triggered, they cause death or serious injury from an explosive blast and/or flying fragments.

They are grouped according to the manner in which they inflict injury.

Blast mines

These are often very cheap and designed to be triggered by the pressure caused by direct personal contact with the mine. They inflict injury through an explosive blast. Most of these types of landmines have a relatively small explosive charge. AP blast mines are surface laid and often camouflaged. They contain 35–200 grams of high explosive (HE), so they will blow your leg or arm off and give you severe burn injuries if you put pressure on their upper surface.
Section 2 Mine awareness

**Facts**
- PMA-2
- 100 g TNT
- Initiated by 7 kg pressure exerted on the fuse-top
- Fuse: UPMAH-2

**Bounding mines**
These are generally triggered by pressure on tripwires and/or direct pressure. An initial charge lifts the mine up to waist height before the main charge detonates. On detonation, the explosion shoots out metal fragments in a 360-degree horizontal arc.

**Facts**
- PROM-1
- 425 g TNT
- Initiated by 9 kg pressure exerted to the fuse-top or 3 kg pull
- Fuse: UPROM-1

**Fragmentation mines**
These are designed to cause death or severe injury from fragments propelled by the mine’s explosive charge. Most of these mines have metal casings designed to shatter into fragments on detonation, or are armed with ball bearings or metal fragments that are turned into lethal projectiles by the detonation. The most common standard fragmentation AP mines are stake mines. These are designed to fit on wooden or metal stakes hammered into the ground until the mine is resting about 21 cm above the surface. They contain 100–410 grams of HE. These mines use a pressure or trip-wire fuse. It will detonate if you put pressure on the fuse or if you pull or cut the trip-wire. The lethal radius is 25–50 m. These mines are usually protected by AP blast mines, both around the mine and along the tripwire.

**Facts**
- PMR-2A
- 100 g TNT
- Initiated by 3 kg pull
- Fuse: UPMR-2A

**Directional fragmentation mines**
These are designed to project a dense pattern of fragments within a specified arc. They are stood on legs at ground level or mounted on a tree. They use trip-wire and command-detonated fuses. The lethal radius is 100 m.

**Facts**
- MRUD
- 900 g HE and 650 steel bullets
- Initiated electrically or by trip-wire
- Fuse: UPMN-4
**Anti-tank mines**

Anti-tank (AT) mines are designed to disable or destroy vehicles, including tanks. Because they need much greater power to achieve their objective, AT mines are much larger than AP mines, and have a far heavier explosive charge. AT mines can be made of plastic, metal or wood. They come in various shapes, sizes and colours. When properly laid, they are almost impossible to see. They are laid on or beneath the ground surface, and camouflaged. AT mines are usually set off when they are driven on or when pressure is exerted on their upper surface. They can have an anti-handling device. AT mines use pressure-initiated fuses with a sensitivity of about 100 kg, but some can be tampered with, so they will take only 5–10 kg.

**UXO: UNEXPLODED ORDNANCE**

UXO are not mines, but ammunition that has not been used or has been fired, but has failed to explode. This does not mean that a UXO is safe; it is just asleep. In fact, it is extremely unstable and can be detonated by the slightest touch. They can function almost exactly as landmines, exploding when stepped on, moved or touched. Some UXO contain motion-sensitive fusing or magnetic sensors; others have a timed self-destruct feature. Usually UXO cause much more destruction than mines. UXO are commonly more powerful than mines and can kill over a wider area. The lethal range of the explosion of a common mortar, for example, is 300 m, while the explosion of a large bomb may be lethal in a range of 1 000 m or more. UXO come in various shapes, sizes and colours, for example bullets, rounds, mortars, grenades, shells, rockets, missiles and bombs.

**BOOBY TRAPS**

A booby trap (BT) can consist of a familiar object attached to a mine or explosive that is set off when the object is disturbed. An everyday object, such as a TV, radio or toy, may serve as a BT. Likewise a weapon may be used as a BT. Almost everything can be made into a BT. BTs are lures to trick people into detonating an explosive. BTs operate in many ways, for example pressure, pressure release, pull, lift, delay, vibration, sound, light, heat and tilt. They can have very simple or very sophisticated constructions. AP fragmentation mines have been used as BTs, laid in buildings, planted in flowerpots, and attached to doors or windows.

**NB:** If you didn’t put it there, don’t pick it up!

**SAFE AREAS**

- Hard surface
- KFOR (Kosovo Force) installations

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Anti-tank mines (AT)
Section 2 Mine awareness

- KFOR authorised routes
- UNPOL installations
- Known towns and villages (not houses)
- Official buildings

**SIGNS**

Normally the person who lays a mine does not leave a clear sign to indicate the presence of the mine, but someone else may leave a sign as a warning to others. It is vital to be constantly on the lookout for mine warning signs and clues that might indicate that an area is mined or contains UXO. Suspected areas should not be entered, until they have been properly checked or cleared for mines and UXO. If you see any signs, indicators or clues, you must assume that the area is mined or contains UXO. If there are no warning signs, do not assume that the area is safe. Do not remove warning signs!

**Official signs**

- Red triangles showing the danger sign
- Red or yellow tape demarcating an area or surrounding area

**Unofficial signs**

- Heaped stones
- Skull of a carcass
- Crossed sticks

**Winter message**

In winter, it can be very difficult to see whether there are mines or UXO. The area may still be dangerous, for example in Kosovo and other places where it snows. Snow and hard weather makes it more difficult to see and find signs and indicators of mines and UXO. It is therefore even more important to constantly be on the lookout when entering unknown roads or areas. Be aware that rain and floods from melting snow could move mines and UXO from higher ground and slopes.

**Other indicators**

- Warning sign, tape, stripe, ribbons of different sizes and colours, red/white, red/yellow, white, orange-coloured, blue
- Fabric homemade signs
- Ammunition cases. The most common is a military green wooden box, with yellow Serbian or Cyrillic letters. A black tube serves as the packing for mortar bombs
- Military equipment, weapons, packing, gas masks, etc
- Mine debris, accessories, safety pins, packing, or trip-wire spools
- Local behaviour. Observe and ask the local people about safe routes and signs
- Plastic bottles, stone piles, crossed branches or sticks, X, cut-down trees
- Dead animals, remains, skeletons
S – STOP AND WARN PROCEDURES

T – Think and assess the situation
O – Orientate and report
P – Plan and prepare

When you are in a safe area

- S-T-O-P (above)
- Stay on the safe ground and report to your chain of command
- Always report incidents and accidents. The report will be a piece of the mine clearance puzzle
- Stay away from suspected threats
- If you see a mine, UXO or BT, do not approach or touch it

When you are in an unsafe area

If you are lost, or you assume that you are in a minefield, or there has been an accident, the best solution is to:

- STOP (above)
- STAND STILL!
- Give first aid, if possible
- Wait for help
- Give an explanation on how to act when you or a friend hit(s) a mine
- Take no unnecessary risks! Do not move; just wait for assistance

REPORTING

- Note how the object(s) looks: shape, size, and colour
- Where is/are the object(s) located? Grids? In a house? In a field?
- Your own location. Grids and/or route description?
- Report what you see, where it is, and give a rendezvous point
- Do not touch anything
- Stay away from the possible threat

ROUTE PLANNING

- Pre-plan all your moves
- Use mine information maps
Exercise 6.2
Can you outline the main family of mines?

Where are you likely to find mines and minefields?

How should a peacekeeper behave in a minefield?

What are the two most important rules to avoid getting hurt by mines and UXOs?

What does S.T.O.P. mean?

Always leave a route plan
Check your guidelines

HINTS
Stay on hard or safe surfaces when travelling in potentially mined areas; under no circumstances should one leave a safe route
Don’t move onto the verges. Mines may have been left from a former checkpoint. Someone could have dropped ammunition in the ditches
Don’t collect souvenirs. A lot of people would like to bring things with them, when leaving the country. Do not bring mines, UXO or signs; it is better to bring your arms and legs
Don’t travel alone. If it is possible, travel with at least one other person. If one becomes injured the other one can call or go for help
Travel by day, if possible. It is easier to see warning signs and clues, to read maps and to keep track. If you have to travel by night, take it easy and read the map carefully
Look out for signs that might indicate that an area is mined or can contain UXO
Ask the local people, as they can help you with safe routes and warning signs. But remember often they don’t know either
Use your common sense

Nice to know
The Ottawa Convention on the Prohibition, Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Production

The convention, adopted in 1997 in Ottawa, Canada, builds on previous declarations, resolutions and protocols of the UN on the prohibition of the use of mines and other devices. It commits state parties to preventing:

- The use of anti-personnel landmines
- The development, production, acquisition, stockpiling, retention or transfer to anyone, directly or indirectly, anti-personnel landmines
- Assisting, encouraging or inducing, in any way, anyone to engage in any activity to a state party under this convention

The convention further calls on state parties to put in place national legal, administrative and other measures to facilitate its adherence to the convention.

NB Exemptions to the transfer of antipersonnel mines have been made only for training in mine detection, clearance and destruction, and also for destruction.
SECTION 3

Health precautions
(to be handled by a health specialist)

PART 1: HIV AND AIDS

Background

It is essential that peacekeepers of all nations should understand the significance of HIV and AIDS before taking on peacekeeping duties. Revelations in recent years show that peacekeeping operations may be playing a role in the spread of HIV and AIDS between high prevalence areas and low prevalence areas. This is an issue that should be of concern to individual peacekeepers, the troop-contributing countries, the host country, UN DPKO and the medical fraternity at large, including the World Health Organisation (WHO). Failure to conform to existing prevention and prophylactic measures in curbing this menace has far-reaching consequences to UN/AU PKO.

You may find the HIV virus anywhere. HIV is a deadly virus. HIV infection is preventable!

The HIV and AIDS pandemic is a global concern as it influences every aspect of life. In varying degrees it affects all nations and individuals. In most societies the disease is stigmatising, and people known or suspected to be HIV positive are often socially excluded. Children are born with HIV and their parents die from AIDS. The productive population is decimated, and those who are left are not able to maintain production and support their relatives. In many areas there is a lack of teachers, medical personnel and uniformed security forces. Medical services are overstretched, sometimes under-resourced, and treatable diseases are often neglected.

UN (and AU) engagement


In 2000 the Security Council passed a resolution describing the pandemic as influencing human security, because it affects the stability of nations and regions. This resolution recognises HIV and AIDS as a pandemic that is exacerbated by conditions of violence and instability. The resolution specifically notes with concern the impact of HIV and AIDS on international peacekeeping personnel. It particularly requests the UN Secretary-General and member states to take additional steps to
prevent the spread of HIV and AIDS through training, and increased international cooperation to combat the pandemic. The AU Common African Defence and Security Policy (2004) similarly recognises HIV and AIDS as a security threat.


This resolution has a particular focus on women in armed conflict. Because women are particularly vulnerable in societies in conflict, the Security Council emphasises that we are all responsible for developing our societies with due respect for the rights of women and children. It urges member states and the UN Secretary-General to ensure increased representation of women in positions of decision making and conflict resolution at all levels of society. In relation to peacekeeping, the resolution urges the UN Secretary General to ensure increased participation of women in all dimensions of peacekeeping operations (military, police and civilian). The resolution further obliges the Secretary-General to institute a study on the impact of armed conflict on women and children, and where possible, to include gender mainstreaming in its reporting on peacekeeping issues.

**United Nations General Assembly Special Session**

The United Nations General Assembly Special Session (UNGASS) in June 2001 emphasised the way HIV and AIDS affects all areas of life, with special emphasis on the human and financial impact to the poorest nations.

**Global Fund**

Kofi Annan, former UN Secretary-General, created a global fund to combat HIV and AIDS, tuberculosis and malaria. These diseases kill millions each year, predominantly in poor nations. They must be addressed in the name of humanity.

**Global numbers**

- **Numbers living with HIV**: By 2007, approximately 33.2 million people were carrying the HIV virus. Nearly all of them will be dead in 15 years. Of this number, 2.1 million are children below 15 years. At least 7 000 new people are infected daily.
- **Percentage of children affected**: The chances of an HIV-positive pregnant woman passing the virus on to her child are 1 in 3.
- **Numbers dead from HIV**: In 2007, approximately 2 100 000 people died of AIDS worldwide. On average at least 5 753 died each day in 2007.

**How does HIV spread?**

All spread of the HIV virus is preventable!

- **Sexual spread**: In more than 80% of cases the virus spreads through unprotected sexual intercourse via sexual fluids, where the virus concentration is high. The chances of spread increase where one or both partners have a sore or are bleeding.
- **Spread through infected needles and utensils**: The next biggest group are infected through the use of infected ‘medical utensils’, as in ritual scarring and...
circumcision, improperly cleaned medical equipment and sharing needles in drug abuse.

- **Mother/child**: An infected mother may pass the virus to her baby in pregnancy, during birth or by breastfeeding
- **Blood transfusions**: Use of improperly tested blood or blood products may lead to the spread of infection

HIV and AIDS do not spread through:

- Daily interaction between people
- Normal boyfriend/girlfriend activities
- Caring for the sick
- Sharing food or drink
- Insects
- First aid/resuscitation

The spread is more rampant in areas where there is:

- Poverty
- Unrest
- Displaced populations
- Promiscuity
- Commercial sex

**Treatment**

- There is no vaccine against HIV
- There is no known cure for AIDS
- Treatment can postpone death, not prevent it
■ Treatment has unpleasant side effects and interferes significantly with daily life
■ Adopting a healthy lifestyle may positively influence life expectancy

The peacekeeper, culture and relationships

Understanding the local culture

Peacekeepers are guests, and it is their responsibility to protect and relate to the local culture. This does not mean that they have to adopt the culture. It is important to remain true to your own culture, while respecting the culture in the host country. Between two cultures, a rule of thumb is to behave according to the culture with the most restrictive rules for human relationships.

Being guests, peacekeepers must understand and respect the local culture. Peacekeepers are there to respect and protect the culture, not to challenge it. If your own culture sets higher standards for behaviour than you experience in the mission, respect your own cultural values. Neither culture is better than the other!

A balanced relationship

A relationship must be built on a balance between the partners. Peacekeeping rarely facilitates balanced relationships. Unbalanced relationships are most often biased in favour of the peacekeeper. If you want to help a person, don’t degrade him or her. It is no excuse that the seller needs the money. Commercial sex is unacceptable.

The role of the military and the police

High sexual activity

Most uniformed personnel are between 15 and 45, which is the age that men and women are most sexually active.

Influential group

In many societies uniformed personnel are part of a highly respected group, which influences the behaviour and lifestyle of others.

Male behaviour

In most military and police organisations, the majority of the members are males. There may be a tradition to encourage the type of male behaviour in which conflict should have a ‘winner’ and the strongest and most assertive is the leader of the pack. Peer pressure is high to conform to the behaviour that the group has decided is ‘acceptable’. This may include being coerced into sexual acts or behaviour at times under group pressure. As with many male groups, women are the focus of interest and fantasies.

The context of a peacekeeper

■ Positive expectations in population
The population normally has high expectations of peacekeepers. They bring about stability and security, but are also expected by some to bring about prosperity. The facilities of peacekeepers are normally of a high standard and signal that the peacekeepers have money. The standards of the peacekeepers, materially and socially, may influence local standards. The peacekeeper must be aware of this, so as not to accidentally abuse or be abused by people that have an agenda related to this.

On mission, the unit and the officers offer the only social control. The control mechanisms of family, friends and culture are not there, and this may influence a peacekeeper to let go of the normal taboos and inhibitions. Loneliness and the lack of privacy also at times reduce the adherence to cultural values.

- Has food, money and security
- Often lonely, even in a social group
- Can transmit diseases between mission and home!

**Use of alcohol and drugs**

- **You may lose control of yourself:** The use of alcohol for relaxation and in social contexts influences behaviour in a negative way. It reduces normal social control, and may lead to actions and behaviour that are not seen as acceptable, even to the individual.
- **You may behave dangerously:** In areas of conflict, recreational drugs such as marijuana, ket, cocaine and pharmaceuticals are often readily available, as are drugs for intravenous use. All these drugs influence behaviour and reduce inhibitions. With intravenous drugs there is an additional risk of spread of HIV through sharing of needles.

**Sexual relationships in mission**

The UN/AU strongly discourage peacekeepers from entering into sexual relationships with any member of the host population, as these relationships are normally unbalanced in favour of the peacekeeper. If, however, they do have sexual relations, they are expected to behave responsibly and protect themselves, as well as their partner, from the spread of HIV and other sexually transmitted infections (STI).

**Protection**

If you have sex in a mission area, protect your partner, yourself and the ones you love with a condom! Condoms are free, and available in all missions. Any mission member should feel free to use them. This does not constitute acceptance by the UN/AU for entering into a sexual relationship. It is an acknowledgement of the fact that some do enter into sexual relationships and have a need for protection.

**Bad reasons for not using a condom**

- They are too small
- Optimist! A condom is tested to hold seven litres
- They are too slippery
If you do not have great sex, it is the condom's fault

Voluntary confidential counselling and testing

- The UN/AU promotes voluntary confidential counselling and testing (VCCT)
- Testing must be voluntary
- No testing should be done without counselling
- Test results must be confidential
- A positive test must not lead to social exclusion

PART 2: MALARIA

UN (and AU) engagement

Why is the United Nations concerned about malaria?

Worldwide there are more than 200 million cases of malaria each year. This has a major influence on productivity and security. Malaria kills more than a million people every year, and 75% of them are children. The course of the disease is worse in immuno-compromised patients. This leads to malaria becoming more deadly in the current HIV and AIDS pandemic.

Why is malaria a concern in peacekeeping?

Malaria is a significant cause of death in peacekeeping missions on the African continent. About 10 peacekeepers die from malaria every year. Nearly all these deaths were avoidable!

In some contingents every month one third of the soldiers have clinical malaria. This is also avoidable!

Characteristics of malaria

The spread of malaria

A person becomes infected through the bite of the female Anopheles mosquito. The bite injects parasites that infect the liver. After having multiplied for 10–20 days in the liver, the parasites are released into the bloodstream and enter the red blood cells. This causes the clinical disease of malaria. These 10–20 days are called the incubation period, and are part of the disease, because the number of parasites is increasing in this period, even if the patient has no symptoms.

It is important to take preventative medication in malaria prone areas. When in these areas, you should always sleep with a mosquito net, and avoid sleeping near breeding environments (tall grass, water).

Symptoms of malaria

- General body weakness
- Shivering
Module 6

Section 3 Health precautions (to be handled by a health specialist)

How to prevent infection

Malaria is to a large extent a preventable disease.

- **Vector control**: By controlling the environment, it is possible to reduce the number of mosquitoes. Drain pools of stagnant water as mosquitoes breed there. Cut grass and brush short. Cut low-hanging branches, and use spray or fog to kill mosquitoes.
- **Repellent**: Dip uniforms, tents and mosquito nets in chemicals that repel mosquitoes (peremetrine). Any parts of your skin that are not covered by clothing should be treated with repellent: >30% DEET is recommended.
- **Nets**: Cover doors and windows with nets to avoid letting mosquitoes into buildings. Cover your bed with a mosquito net.
- **Attire**: The Anopheles mosquito bites only at night. The individual should therefore cover as much skin as possible to prevent mosquito bites.

Immunity

People from areas with a high rate of malaria are considered semi-immune. This does not prevent them from getting malaria, but it generally seems to lead to a milder form of the disease, with fewer complications. Some, however, do become severely ill.

PART 3: PERSONAL HYGIENE

Background

Most of the diseases that affect human beings may be avoided with a few simple steps. Until a few decades ago, most military casualties in all conflicts were the result of harsh conditions in the field plus bad hygiene. Even today, serious diseases may occur merely because of unhygienic conditions of service or attitudes. In addition, most peacekeeping missions are deployed in areas where there is very little infrastructure and where climates conspire against hygiene. It is the duty of every UN/AU peacekeeper to care about his/her personal hygiene as well as that of the living quarters and work areas.

Personal hygiene

Personal hygiene describes the effect that physical factors in the environment (outside your own body) can have on your health and physical wellbeing. Personal hygiene is your own contribution to preventing disease that may affect you or others.

The United Nations/African Union care

The UN/AU have pledged to combat communicable diseases. The UN/AU care about the health and wellbeing of peacekeepers. The state of the hygiene of a unit influences operational readiness.
Some important points for maintaining your individual hygiene

- When washing, use clean water to avoid infecting breaks in your skin.
- Eat healthy and varied food, and exercise regularly to maintain strength, stamina and the normal ‘balance’ of your body.
- Keep your hair short and wash it regularly.
- Wash your skin daily with soap and water.
- Protect yourself against insects and animals that may spread disease.
- Cover yourself and use repellent against mosquitoes after sunset.
- Avoid touching birds’ nests and animal droppings.
- Inspect for bite marks. Keep bite marks clean and covered.
- Brush your teeth regularly to avoid oral infections.
- Clean your hands before eating, after toilet use, etc.
- Wash your feet regularly, and inspect for sores, skin breaks and signs of infection. Keep your feet bare (without socks and shoes) for some time every day.
- Air and dry your boots regularly to prevent them becoming breeding grounds for bacteria.
- Change your underwear and socks regularly and wash them properly.
- If possible, iron all clothes regularly to kill bugs, insects and bacteria.
- Be prudent in the use of alcohol and refrain from using recreational drugs.
- Abstain from unprotected sex to avoid STIs, including HIV and AIDS.
- Drink water only if bottled, or out of containers marked for drinking water. If none is available, boil water for at least 10 minutes, or use water purification tablets, allowing enough time for the tablets to work.
- Never keep opened bottles of drink for more than six hours.
- Meat must be cooked or fried through (sorry, no medium or rare!).
- Eggs must be fully coagulated before eating.

Exercise 6.3

Outline the ways in which HIV is spread.

How can you protect yourself from HIV infection?

What are the symptoms of malaria?

Explain how you can protect yourself from malaria.

Outline five ways of maintaining your personal hygiene.
SECTION 4
Basic life support

EQUIPMENT
■ First-aid kit or box
■ Bandages
■ Standard manual on basic life support

EVALUATE SECURITY SITUATION
■ Check the physical security of the environment
■ Minimise and ascertain any form of mishap
■ Do not subject yourself to any dangerous situation
■ Vigilance is important when moving around
■ Always move around with a friend

AIRWAYS
UNPOL officers normally arrive first at the scene of a crime or incident. On arrival, render first aid to victims.

■ Open airways by emptying the mouth of liquids and all things that are not normal parts of the anatomy
■ Apply mouth-to-mouth resuscitation
■ Place casualty facing upwards
■ Periodically press down hard on the chest until the casualty is able to breathe on his/her own

Practice Exercise
Participants should form groups of two or three, and practise the following techniques:
■ Applying mouth-to-mouth resuscitation
■ Placing the casualty in the recovery position

Duration
4 hours

Section aim
To equip peacekeepers with working knowledge of basic life-support systems

Section objectives
At the end of this section, participants should be able to:
■ State the basic life-support systems to be known by UNPOL officers in the mission area
■ Explain the equipment to be used for basic life support
■ Demonstrate essential first-aid techniques
BLEEDING

Bleeding is the oozing or loss of blood as a result of injury. To prevent bleeding:

- Apply direct pressure to the injured or wounded area
- Also apply indirect pressure to prevent loss of blood from the casualty
- Apply bandages and pads to the wounded area to prevent further loss of blood

Practice Exercise
Participants should form groups of two or three, and practise the use of bandages and proper application to bleeding or wounded areas

CIRCULATION

- Adequate circulation: Support the circulation through positioning the patient. By lying him/her down, the resistance of gravity against pumping blood to the head is decreased, facilitating circulation
- Inadequate circulation (weak or no peripheral pulse): Support as above. Raising the legs allows gravity to help blood flow from the mass of muscle and skin in the legs, which can maintain functioning longer without oxygen, to the important and vulnerable organs more central in the body
- No circulation (no central pulses): Apply cardio pulmonary resuscitation to produce pumping action

NERVOUS SYSTEM

The nervous system enables the body to function properly. It is responsible for the coordination of the other parts of the body. Exercise helps the body to function normally. Breathing fresh air allows the body to function well. Drinking clean water promotes normal circulation of the blood.

SUMMARY

- Security
  - A: Airways: Open airways and facilitate the functional exchange of air
  - B: Bleeding: Check that there is no significant bleeding which will reduce the circulating volume
  - C: Circulation: Pumping action from heart
- Mechanism of injury
  - Head: Be aware of signs of head injury
  - Spinal cord: Avoid movement of the neck and the spinal column
  - Fracture: Fractures or suspected fractures should be immobilised
- When in doubt, immobilise
USE OF PEACEKEEPING VEHICLES

- When driving peacekeeping vehicles, the traffic laws must be complied with.
- Only authorised peacekeeping personnel may drive peacekeeping vehicles:
  - UN/AU unit or staff member
  - Persons other than UN/AU members in connection with UN/AU business
  - Official guests of UN/AU officials
- Vehicles may not be driven without a valid driver’s permit
- Vehicles are allocated by the chief military transport officer (CMTO)
- Defects in vehicles are to be reported immediately
- No unauthorised signals, emblems or flags may appear on peacekeeping vehicles
- Unauthorised use of UN/AU vehicles is strictly prohibited
- UN/AU vehicles are to be used for mission operational use only
- UN/AU security is authorised to stop and detain UN/AU vehicles
- UN/AU personnel may not drive under the influence of alcohol
- UN/AU personnel must wear seatbelts
- UN/AU personnel must satisfy parking or driving claims before end of mission
- The UN/AU is authorised to withhold Mission Subsistence Allowance (MSA) for negligence.

REQUIREMENTS

- Vehicle document
- UN/AU driver’s permit, UN/AU ID card, vehicle white, blue or green card, traffic accident report form, daily trip tickets, and fuel coupons
- Vehicle equipment: spare tyre, jack with a handle, wheel spanner, first-aid kit, tool bag, fire extinguisher, and a reflective triangle.
- Vehicle maintenance
- The daily vehicle maintenance report should include the fuel level, oil level, water level, and tyre condition
**DRIVING**

**Before taking off**
- Assess security by checking for security alerts or updates
- Plan the trip using maps, communication, and registration
- Inform all concerned about your route, estimated time of departure (ETD), estimated time of arrival (ETA), and stopovers
- Avoid travelling alone

**Dangers**
- Unfamiliar terrain conditions
- Unfamiliar road surfaces
- Unfamiliar weather conditions
- Unfamiliar traffic rules and behaviour
- Unnecessary speeding

**On the road**
- Adjust your speed according to the conditions
- Keep your distance from other vehicles
- Avoid driving in the dark
- Communicate with parties concerned
- Know the accident and breakdown procedures
- Never carry unauthorised passengers
- Take a guide or escort if in doubt about your route
- Take alternative routes where possible
- Wear your safety belt and other protection equipment
- Be ready for evasive action
- Use your rear-view mirror and be aware of your surroundings at all times.

**TRAFFIC ACCIDENT**

If you are involved in an accident:
- Stop your vehicle immediately
- Give first aid to any injured parties
- Notify UNPOL/AUPOL or local police if necessary
- Identify yourself
- Do not sign any written report or give a statement to the local police
- Notify the nearest UN/AU office by radio or phone
- Secure your vehicle
- Do not move the vehicle until the local police and investigating UN/AU security officer arrive
- Fill out accident reports in duplicate
- Report all damage to the CMTO (even the smallest damage)
IMPORTANT POINTS TO NOTE

It is stressed that a driver transporting an unauthorised person in a UN/AU vehicle does so at his/her own financial risk, and may have to bear, in addition to disciplinary action, financial responsibility in the case of an accident involving injury or death of his/her passengers.

If a UN/AU member uses a UN/AU vehicle for purposes other than official UN/AU duty, he or she must accept full responsibility for any damages to the vehicle.

VEHICLE SAFETY AND OFF-ROAD DRIVING

Vehicle safety control

Factors to consider and maintain:

- Headlights and tail lights
- Tyre pressure
- Tyre condition
- Spare tyre
- Engine oil
- Coolant level
- Brake fluid level
- Jack and tools
- Towing rope

Two-wheel drive vs four-wheel drive

As a driver of UN/AU vehicles, the peacekeeper should know about the following factors, which may differ between 2- and 4-wheel drive:

- Engine
- Low-range
- Central differential lock
- Axle differential lock
- Permanent 4 wd
- Selectable 2 wd/4 wd

Advanced observation

- Look around
- General view of the territory
- Decide on possible routes
- Make a plan

Off-road driving

When driving off road, you may come across any one of a variety of situations. You should deal with them in the following ways:
**Climbing uphill**

Plan the approach and go straight upwards. You should select the highest gear that takes you up. Remember to engage the central lock. Look for the right track and drive straight upwards.

**Driving downhill**

Plan the descent by looking for the right track down. Select the correct gear and engage the central lock. Keep both feet on the floor and direct the front wheels straight down. Drive straight downwards and keep your feet away from the brakes.

**Driving in water**

Check the approach and the riverbank. Get out of the vehicle and check the water depth. The water can be a maximum of half a metre deep for you to be able to drive in it. Select the right gear and engage central lock. Keep the engine running at 3 000–4 000 rpm. Get a bow wave. Once you are through the water, remember to dry the brakes.

**Crossing a ditch**

Make sure that you have traction on at least three wheels. Select the right gear and engage central lock. Keep the front wheels straight when crossing:

- A V-shaped gully
- A steep and muddy descent
- The side of a hill.

Check the terrain you are going to cross. Remember to keep clear of rocks with the wheels on the high side of the hill and clear of holes with the wheels on the lower side of the hill. If you do not, the increasing angle can cause the car to roll. On selectable 4 wd, do not engage differential lock, as this can cause the car to slide sideways.

**Rocky parts**

Plan the approach. Select the right gear and engage central lock. Approach obstacles slowly and drive over the rocks. Be careful not to destroy the tyres.

---

**Exercise 6.4**

List the documents that a UN/AU vehicle driver should have in her/his possession and in the vehicle.

Outline the procedures to be followed if a peacekeeping vehicle is involved in an accident.

Who can be driven in a peacekeeping vehicle?
SECTION 6

Terrorism

HISTORICAL BACKGROUND

- The Reign Of Terror (1793–1794)
- During World War II
- After World War II
- Present
  - September 11 in the USA
  - Osama Bin Laden threats
  - Weapons of mass destruction in Iraq
  - Biological weapons (anthrax)

Earlier in history, during the first century in Judea, the *sicarii* (or dagger men), as part of the Zealots, better known as a Jewish movement who sought to overthrow the Roman Empire, used a short dagger to slit the throats of Romans and their collaborators. This group also targeted wealthy Jews by kidnapping their servants for ransom. During the seventh century in India, members of the Thuggee cult strangled their victims as a sacrifice to the Hindu goddess, Kali. The word ‘thug’ is derived from *thuggee*, which referred to highwaymen who made their living through robberies.

There are many definitions of terrorism. However, what are common to all forms of terrorism are the use of force or the threat of it, victims and targets. All forms of terrorism are illegal. The word ‘terrorism’ derives from the Reign of Terror (1793–1794), which happened during the French revolution. Since then, terrorism has evolved into something unrelated to its historical origins.

Because of the advances of science and communications and the massive social and economic upheavals caused by the two world wars, the most notorious and savage terrorist acts have been committed during the twentieth century. After World War II, terrorism was occasionally practised by members of the small groups of guerrillas engaged in struggles on several continents for independence, during and towards the close of the colonial period. There were many well-known examples, such as the Mau-Mau movement in Kenya, and Eoka B guerrillas in Cyprus.

Terrorism also characterised some of the activities of politically left- and right-wing groups. These groups fought for various political causes in South and Central
America from the 1960s to 1990s. Until the present, however, the most famous acts of terrorism have often been carried out in the Middle East conflict, which was started mainly by Palestinian unrest and revolts in 1921, and between 1933 and 1939, against continued Jewish immigration. Non-Jewish and Jewish Palestinians against each other carried out terrorism acts. Through the decades since, charges of terrorism have been levelled and counter-levelled at each other, by the two main protagonists of the dispute: Israelis and Palestinians. The Middle East conflict is extraordinarily protracted, complicated and difficult to resolve.

**TERMINOLOGY**

International terrorism comprises acts – instigated by a third party – that have clear international consequences. These acts include incidents when terrorists cross national borders to strike at foreign targets, or select victims or targets because of their connections to a foreign country (for example, diplomats or local executives). International terrorism is broadly associated with the cold war, when acts of terrorism were carried out by individuals or groups controlled by a sovereign state.

Transnational terrorism can be described as the use, or threat of use, of anxiety, including violence, for political purposes by any individual or group, whether acting for or in opposition to established governmental authority, when such action is intended to influence the attitudes and behaviour of a target group wider than the immediate victims and when, through the nationality or foreign ties of its perpetrators, through its location, through the nature of its institutional or human
victims, or through the mechanics of its resolution, its ramifications transcend national boundaries.

Some examples include:

- The World Trade Centre (USA, 2001)
- Threats from Osama Bin Laden and Al-Qaeda
- Terrorism weapons, including biologically manufactured or hatched (e.g., anthrax)
- None of the international texts applicable to the subject offer any definition on terrorism
- Criminal terrorism and political terrorism
- State terrorism and sub-state terrorism
- Terrorism is prohibited in armed conflicts under international humanitarian law
- Terrorism is prohibited under the domestic states law
- International armed conflicts: Article 51 of Add Protocol I
- Non-international conflicts: Article 13 of Add Protocol II
- Aspects of violence are designed to instil fear in victims, potential victims and a wider audience. Terrorism involves the indiscriminate and deliberate infliction of death and injury.

DOMESTIC TERRORISM

Domestic terrorism is generally viewed as part of the internal sovereign affairs of a state, and refers to nationals or permanent residents of a given country committing or planning terrorist acts within the borders of that country, without external involvement.

VICTIMS OF TERRORISM

Most victims of terrorism throughout the world continue to be innocent individuals. Others are military, police, security and intelligence service personnel who engage in counter-terrorism operations. Governmental, international and NGO civil servants are also periodically the victims of terrorism. Terrorists kill religious and political leaders because they consider them dangerous to their interests. Commercial enterprises are sometimes the victims of terrorism because of terrorist demands for a hostage or a monetary demand. Media representatives are also victims of terrorism. In many countries, especially developing countries, media that portray terrorists unfavourably are often subject to reprisal terrorist action, such as murder and injury of their employees, arson, bombing and threats.

TARGETS OF TERRORISM

The targets of terrorism often differ from the victims of terrorism. Evaluation of the target and subsequent selection depends on the terrorist objective. The objective might be to change political policy, in which case the target would be the
government. In other cases, the objective might be the punitive assassination of an individual. The target in this case would also be the victim. The targets of terrorism are often government institutions, international and non-government organisations, military targets, commercial enterprises, ethnic, political and religious groups and rival criminal groups.

**MILITARY AND POLICE TARGETS**

- Command centres and HQ
- Key logistics centre and warehouses
- Senior military personnel
- Electric plants
- Ammunition dumps

**THE UN AND TERRORISM**

The UN and its specialised agencies – such as the International Civil Aviation Organisation (ICAO), the International Maritime Organisation (IMO) and the International Atomic Energy Agency (IAEA) – have developed a network of international agreements that constitute the basic legal instruments against terrorism. The UN has identified 16 international instruments (conventions and protocols) that are directed to the fight against terrorism (the first 13 of which are currently in force). These are:

- The Convention on Offences and Certain other Acts Committed on Board Aircraft 1963 (‘the Tokyo Convention’)
- International Convention against the taking of Hostages, 1979 (‘the Hostages Convention’)
- Convention on the Physical Protection of Nuclear Material, 1979 (‘the Nuclear Convention’)

A military installation
International Convention for the Suppression of the Financing of Terrorism, 1999 (‘the Financing of Terrorism Convention’)

International Convention for the Suppression of Acts of Nuclear Terrorism, 2005 (‘the Nuclear Terrorism Convention’)


2005 Amendment to the Convention on the Physical Protection of Nuclear Material (‘2005 Amendment to the Nuclear Convention’)

In the aftermath of the events of 11 September 2001, the UN Security Council passed a number of resolutions under Chapter VII of the UN Charter, addressing, among others, law-enforcement measures. Best known is UN Security Council Resolution (UNSCR) 1373 (2001) that was passed on 28 September 2001 after the Security Council declared that international terrorism posed a threat to international peace and security. UNSCR 1373 (2001) imposes legally binding obligations on all states to undertake wide-ranging legal reforms and introduced several new counterterrorism measures, focusing heavily on prevention through the targeting of persons and organisations that support and finance terrorism. UNSCR 1373 (2001) also recognises in its preamble the ‘inherent right of individual or collective self defence’ as a legitimate response to terrorism. The resolution requires every state to freeze the financial assets of terrorists and their supporters, deny them travel or safe haven, prevent terrorist recruitment and weapons supply, and cooperate with other states in information sharing and criminal prosecution. Member states are also called upon to sign and ratify the international UN conventions and protocols against terrorism. In addition, they are to afford one another ‘the greatest measure of assistance’ in investigating terrorist acts.

THE AU AND TERRORISM

The key OAU/AU conventions are as follows:

- OAU Convention on the Prevention and Combating of Terrorism July 1999. The Convention provides that terrorism should be combated in all its forms and manifestations, including those in which States are involved directly or indirectly, without regard to its origin, causes and objectives. The Convention define an act of terrorism as ‘any act which is a violation of the criminal laws of a State Party and which may endanger the life, physical integrity or freedom of, or cause serious injury or death to, any person, any number or group of persons or causes or may cause damage to public or private property, natural resources, environmental or cultural heritage’. Consequently, and according to this definition, one can say that a terrorist is any person guilty of an act of terrorism.

- Intimidation: Put fear into, force, coerce or induce a government, body, institution, the general public or a segment of the population to perform or
abstain from performing any act, or adapt or abandon a particular point of
view, or act according to or against certain principles

- Disruption of any public service, or the delivery of an essential service, or
  the creation of a public emergency
- Creation of general insurrection in a state to cause feelings of insecurity among
  the public (or a segment of the public), or to induce, cause or spread feelings
  of terror, fear or panic

Article 3 of the Convention however stipulate that ‘Notwithstanding the provi-
sions of Article 1, the struggle waged by peoples in accordance with the prin-
ciples of international law for their liberation or self-determination, including
armed struggle against colonialism, occupation, aggression and domination by
foreign forces shall not be considered as terrorist acts.’

- While ‘political, philosophical, ideological, racial, ethnic, religious or other
  motives shall not be a justifiable defence against a terrorist act.’

The Protocol to the OAU Convention on the Prevention and Combating of
Terrorism, adopted in July 2004. It seeks to enhance the effective implementation
of the Convention and give effect to the article relating to the need to coordinate
and harmonise continental efforts in the prevention and combating of terrorism
in all its aspects, as well as the implementation of other international instruments.

**TERRORISM AND PEACEKEEPING**

As is the case with a commonly accepted definition of terrorism, there is also con-
troversy on the incidence of terrorism in peacekeeping missions. Peacekeepers are
often classified as ‘invaders’ or occupiers, not welcomed by groups involved in the
conflict. This tendency leads to a situation in which peacekeepers find themselves
in violent armed conflict situations that require the use of force in self defence or,
in the case of robust peacekeeping, for mission accomplishment.

Attacks against the UN include the attack against the UN headquarters in Iraq in
2003. There have also been terrorist attacks against other international peace opera-
tions, such as those carried out by al-Qa’eda and the Taliban and other groups against
coalition forces in Iraq and Afghanistan. In addition, al-Qa’eda also threatened to attack
‘any peacekeeping troops deployed [in Darfur] from outside Africa’ after the Sudanese
government rejected a proposed UN force to protect civilians in the Darfur region.

As regards AU peace operations, warring factions, both state and non-state, have
allegedly used tactics that may be deemed as terrorist in nature, against peacekeep-
ing missions. Such examples include the al Shabaab47 attacks against members of
the AU Mission in Somalia (AMISOM). In addition to roadside bombs targeting
AMISOM, peacekeepers were also the target of the following suicide attacks:

- 8 April 2008, a suicide bomber targeted Burundian troops as part of AMISOM
  (African Union Mission in Somalia) that resulted in the death of four civilians and
  the injury of eleven others. Two Burundian soldiers were injured in the attack.
- 29 October 2008, five suicide car bombs targeted Somaliland and Puntland. In
  Hargeysa (Somaliland), the presidential palace, Ethiopia’s embassy build-
ing and the offices of the United Nations Development Programme (UNDP)
  were attacked that resulted in 18 deaths. While six members of the Puntland
  Intelligence Service were wounded in two bombings in Bosasso.
24 January 2009, a suicide car bomb targeted the African Union peacekeepers’ base in Mogadishu that killed 14 people.

22 February 2009, a suicide bomber targeted the African Union peacekeepers’ base in Mogadishu that killed 11 Burundian soldiers and wounding 15 others.

In Sudan’s Darfur region, for example, members of the AU Mission in Sudan (AMIS) and the AU-UN Hybrid Operation in Darfur (UNAMID) also suffered indiscriminate attacks from the Government of Sudan forces, including the Janjaweed, and the Justice and Equality Movement (JEM) and the Sudan Liberation Army/Movement (SLA/M). However, these attacks were not terrorist in nature and sometimes were because of the misconception of the mission being foreign invaders and/or not up to the task of preventing violations of the relevant agreements, and failing to protect civilians.

As and when a threat exists or a direct threat materializes, the mandating authority, UN/AU, will provide appropriate instructions and guidelines to ensure the safety and security of peacekeepers.

**THE GLOBAL FIGHT AGAINST TERRORISM**

In September 2006, all UN member states agreed to a common operational approach to fight terrorism: the Global Counter Terrorism Strategy. The strategy spells out measures that member states individually and collectively should take to address conditions for the spread of terrorism, and to prevent and combat terrorism while upholding the rule of law and protection of human rights.

UN departments, funds and agencies are taking action in some areas individually, and also through the joint framework of the Counter Terrorism Implementation Task Force (CTITF)

**REVITALISATION OF DISARMAMENT AND NON-PROLIFERATION**

In response to global concerns and anxieties over weapons of mass destruction (WMD), the UN has renewed the call for disarmament. This approach aims to avoid and address the risks posed by nuclear weapons and other weapons of mass destruction, as well as conventional weapons, falling into the hands of terrorist groups. The Secretary-General has established the Office of Disarmament Affairs (ODA) at the secretariat to provide the necessary leadership on issues of disarmament.

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**Exercise 6.5**

Can you cite one historical example of terrorism in your region?

Give one international agreement on terrorism.

What is the role of the UN/AU in dealing with international terrorism?

Discuss the incidence and impact of terrorist attacks in peacekeeping missions.

How can peacekeepers protect themselves against terrorist attacks?
MODULE 7

Human Rights and Law Enforcement
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SECTION 1

Introduction to human rights

BACKGROUND

No free man shall be taken, imprisoned, Outlawed, exiled or in any way destroyed, Nor will we proceed against or prosecute Him, except by the lawful judgement of his Equals and by the law of the land (Magna Carta 1215).

The first victims of conflict are usually the civilian population. Preventing human rights violations is thus important, not only to protect the rights of individuals, but also to prevent conflicts.

Most UN/AU peacekeeping missions deal with issues relating to human rights as well as the rule of law and international humanitarian law. Therefore, to perform their tasks effectively, all peacekeepers should have a general knowledge and understanding of the concepts of human rights, their sources and mechanisms, and their implications in overall human dignity.

There are many theories about the origin and subsequent evolution of international law. Theories relating to concepts of ‘natural law’, ‘moral postulates’ and the ‘doctrine of international law’ have all influenced the development of what is international law today. Since World War II, the international community has engaged in an extensive exercise of setting human rights standards, developing multilateral treaties, and adopting numerous ‘soft law’ instruments through the UN/AU.

INTERNATIONAL HUMANITARIAN LAW

International humanitarian law (IHL) forms part of (public) international law and consists of rules which limit the right of parties to a conflict to use the methods or means of warfare of their choice, or which protect states not party to the conflict or persons and objects that are, or may be, affected by the conflict. Another term that is used is ‘law of armed conflict’ (LOAC). The debate on terminology is more in the form than in the substance. Both terminologies may be used interchangeably, even though the term humanitarian law is a little narrower in meaning and application.
HUMAN RIGHTS

Definition of human rights

‘Human rights’ is an international term that is used to describe a wide range of freedoms and liberties that an individual enjoys in his/her relations with other individuals or with the state.

Human rights are universal legal guarantees protecting individuals and groups against actions by governments that interfere with fundamental freedoms and human dignity. Human rights law obliges governments to safeguard and enhance the protection of these fundamental rights.

Characteristics

- Universal
- Internationally guaranteed
- Those who enforce them are legally protected
- Protect the individual and groups against actions by the state
- Cannot be waived
- Obligatory on states and state actors
- Intended to safeguard human dignity
- Ensure that administration of the law is not arbitrary, but is available and applicable to all
- Balance between the rights of the individual in society, and the right of the society to govern the individual

Freedoms and liberties

- International Covenant on Economic, Social and Cultural Rights (CESCR)
- International Covenant on Civil and Political Rights (ICCPR)
- Universal Declaration of Human Rights (UDHR)

Civilian rights

- The right to life (ICCPR article 6 and UDHR article 3)
- Freedom from torture and cruel, inhuman or degrading treatment or punishment (ICCPR article 7)
- Freedom of association, expression, assembly and movement (ICCPR article 12, 19 and 21)
- Freedom from arbitrary arrest or detention (ICCPR article 9 and UDHR article 9)
- The right to a fair trial (ICCPR article 14)
- Freedom from discrimination (ICCPR article 2)
- The right to equal protection of the law (ICCPR article 6 and UDHR article 7)
- The freedom of thought, conscience and religion (ICCPR article 18)

Political rights

- The right to vote and take part in government (ICCPR article 25)
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Section 1
Introduction to human rights

Economic rights
- The right to work (CESCR article 6)
- The right to a minimum standard of living (CESCR article 7)
- The right to take part in unions and strike (CESCR article 8)

Social rights
- The right to social security (CESCR article 9)
- The right to health (CESCR article 10, 11 and 12)

Cultural rights
- The right to education (CESCR article 13)
- The right to participate in cultural life (CESCR article 15)
- The right to benefits of science (CESCR article 15)

The fundamental rights can never be restricted or renounced, either in times of peace or conflict. They apply equally to the civilian population and to members of the armed forces of a state. The inviolable fundamental rights are:

- The right to life
- The right to nationality
- Freedom from slavery
- Freedom of religious view
- The right to equality
- The right to physical and mental health
- Freedom from cruel or degrading treatment

Human rights violations

What is the difference between a crime and a violation of human rights?

When rights that are guaranteed by national, regional or international law are violated, this is considered a human rights violation. Human rights may be violated by, or on behalf of a government. If it is reasonable to expect a government to put an end to or to investigate abuses, and it does not do so, this omission constitutes a human rights violation.

Gross violations of human rights

During a conflict, gross violation of human rights is usually observed. Most of the recent conflicts have indicated certain gross violations of human rights:

Genocide

The crime is committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group. Genocide includes:

- Killing members of the group
Section 1  Introduction to human rights

- Causing serious bodily or mental harm to members of the group
- Deliberately inflicting conditions of life on the group, calculated to bring about its physical destruction in whole or in part
- Imposing measures intended to prevent births within the group
- Forcibly transferring children of the group to another group

**Crimes against humanity**

Crimes against humanity include various forms of deliberate attack on the life, liberty and wellbeing of an individual or group. These include murder, extermination, enslavement, deportation or forcible transfer of population, arbitrary arrest and detention, torture, (systematic) rape, sexual slavery, forced pregnancy, extra-judicial, arbitrary or summary executions, and massacres.

- Enforced sterilisation, or other forms of sexual violence
- Persecution on a political, racial, national, ethnic, cultural, religious, or gender basis
- Enforced disappearance
- Apartheid
- Other inhumane acts

Owing to the absence of mechanisms to implement proper rule of law, and because law enforcement agencies are involved with one side of the fighting force, instances of gross abuse of human rights have become a common phenomenon.

**INTERNATIONAL LAW**

Human rights are expressed in many UN/AU conventions and declarations – principally the UN Charter, the Universal Declaration of Human Rights and the AU Constitutive Act – and in many regional declarations. These expressions are fundamentally guaranteed by the constitution of the member states and other regional organisations and internal domestic law.

Besides these, there are regional human rights instruments and arrangements in Europe, America and Africa. No such arrangements exist yet for the Asian region.

**Sources of international law**

- International Court of Justice (ICJ) article 38
- International conventions (treaty law)
- International custom (customary law)
- General principles of law recognised by nations
Additional sources

- General principles of law accepted by nations
- Judicial decisions of international courts and tribunals
- Statutes of International Court of Justice, article 59
- Resolutions of the General Assembly of the UN

The court whose function is to decide such disputes in accordance with international law, as are submitted to it, shall apply:

- International conventions, whether general or particular, establishing rules expressly recognised by the contesting states
- International custom, as evidence of a general practice accepted as law
- The general principles of law recognised by civilised nations
- Provisions of article 59 of the Charter of the UN, judicial decisions and the teaching of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

INTERNATIONAL CRIMINAL COURT AND INTERNATIONAL CRIMINAL TRIBUNALS

The International Criminal Court (ICC) is the world’s first permanent international criminal tribunal. The general rule in international law is that states are able to exercise their domestic criminal law jurisdiction over criminal offences that affect their domestic concerns. Such criminal jurisdiction is usually exercised over crimes that are committed within a state’s territory, such as murder, theft, and rape. Sometimes this jurisdiction may be exercised over crimes that are plotted abroad, such as high treason, because they threaten the domestic order. However, some offences affect not only the domestic legal order, but also the international legal order.

Aspirations to establish a permanent international criminal court can be traced back to shortly after World War II and the adoption by the newly created United Nations, on 9 December 1948, of a resolution mandating the International Law Commission (ILC) to begin work on the draft statute of an international criminal court. In the climate of the Cold War, little was done to take the project forward, and the idea of an international criminal court was revived only in the 1980s with a proposal by Latin American states, led by Trinidad and Tobago, that envisaged such a court as their last resort to prosecute international drug-traffickers. The ILC was then directed by the General Assembly of the United Nations to consider drafting a statute for an international criminal court. The early 1990s saw the commission prepare a draft statute for such a court. By 1994 the formal Draft Statute for an International Criminal Tribunal was adopted by the ILC and forwarded to the General Assembly for consideration. While the commission was preparing the Draft Statute, events compelled the creation of a court on an ad hoc basis to respond to the atrocities that were being committed in the former Yugoslavia. That tribunal, the International Criminal Tribunal for the Former Yugoslavia (ICTY), was established by the Security Council in 1993, and mandated to prosecute persons responsible for serious violations of international
humanitarian law committed in the territory of the former Yugoslavia since 1991.\textsuperscript{51} Then, in November 1994, and acting on a request from Rwanda, the Security Council voted to create a second ad hoc tribunal, charged with the prosecution of genocide and other serious violations of international humanitarian law committed in Rwanda and in neighbouring countries in 1994.\textsuperscript{52}

The Rwanda and Yugoslav tribunals were milestones in international criminal law. Not only were these tribunals necessary responses to the atrocities that had been committed in those countries, they fuelled the widespread belief that a permanent international criminal court was desirable and practical. The ICTY Statute, for example, influenced the draft statute that the ILC was drawing up in the early 1990s. By the time delegates convened in Rome to draft a statute for a permanent international criminal court, the tribunals could provide a reassuring model of what such a court might look like. These two tribunals – the first international criminal tribunals since Nuremberg – are close relatives, sharing virtually identical statutes, as well as the same prosecutor and appeals chamber. One of the most important features of the ad hoc tribunals has been the independence of the prosecutors. Indeed, the integrity, neutrality and good judgment of the tribunals’ prosecutors – Richard Goldstone and his successors, Louise Arbour and Carla del Ponte – answered the critics who warned of a reckless, rogue and irresponsible prosecutor. Most significantly, for our purposes, the tribunals stand together as a working model of international criminal justice. This model has certain defining characteristics that draw their inspiration from the rule of law: an international criminal forum applying rules of international law, staffed by independent prosecutors and judges, holding persons individually responsible for crimes against humanity and war crimes, after allowing them a fair trial. That same model has formed the inspiration for a range of other ad hoc tribunals that have sprung up around the world, such as the Special Court for Sierra Leone.

The International Criminal Court displays all the features of this model, but unlike the ad hoc tribunals in The Hague or the Special Court for Sierra Leone, is a permanent tribunal.

The Statute for the International Criminal Court was drafted in Rome in 1998 and adopted with the vote of 120 countries in favour of the treaty. Only seven countries voted against it, including China, Israel, Iraq, and the USA, while 21 others abstained. The treaty entered into force on 1 July 2002, upon 60 ratifications by April 2002. To date (as of June 2008), the Rome Statute has been signed by 139 states, while 106 states have ratified it.\textsuperscript{53} The court is situated in The Hague, Netherlands, and has jurisdiction over genocide, war crimes and crimes against humanity. The first case to be heard by the court was an African issue, involving the prosecution of DR Congo’s militia leader, Thomas Lubanga, for recruiting thousands of children as soldiers.\textsuperscript{54} Other cases before the ICC involve former Liberian president Charles Taylor, and Pierre Bemba, former vice president of DR Congo. Impending arrests also involve the Sudanese minister Ahmad Muhammad Harun and four commanders of the Lord’s Resistance Army, all accused of genocide, war crimes and crimes against humanity.

\textbf{CUSTOMARY LAW}

Customary international law is international law that develops through a general and consistent practice of states, followed because of a sense of legal obligation. A
‘customary norm’ is binding for all states, including those that have not accepted
the norm. Certain human rights and freedoms are part of customary law:

- Prohibition of genocide, slavery and slave trade
- Torture and racial discrimination
- Arbitrary deprivation of life

**TREATY LAW**

Treaty law includes the law of human rights as set out in many international
agreements collectively developed, signed and ratified by the states. Some of these
treaties cover whole sets of rights. These instruments are legally binding on the
states that are parties to them. For example:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (CESCR)

**UN CHARTER**

One of the purposes of the United Nations is to achieve international cooperation
in promoting and encouraging respect for human rights and for fundamental free-
doms for all without distinction as to race, sex, language or religion (UN Charter,
article 1).

The basic source of human rights is the Charter of the United Nations.

The Charter of the United Nations was signed on 26 June 1945, in San
Francisco, at the conclusion of the United Nations Conference on International
Organisation, and came into force on 24 October 1945. The charter is the legally
binding treaty to which all member states are parties. This binds member states to
ensure that the principles underlined in the charter are outlined in their domestic
law and their application is fully ensured. These provisions had the legal effects of
permanently putting to rest all arguments as to whether human rights and their
enjoyment by individuals were subjects for international law, or merely matters of
state sovereignty.

The charter charges member states to establish the primary human rights ob-
ligations for all UN member states: higher standards of living, full employment,
conditions of economic and social progress and development; solutions of interna-
tional economic, social, health and related problems; and international cultural
and educational cooperation; universal respect for and observance of human rights
and fundamental freedoms for all without distinction as to race, sex, language or
religion (UN Charter, article 55/56).

**UNIVERSAL DECLARATION OF HUMAN RIGHTS**

The Universal Declaration of Human Rights (UDHR) is the primary international
articulation of the fundamental and inalienable rights of all members of the human
family. Adopted by the United Nations General Assembly on 10 December 1948,
the UDHR represents the first comprehensive agreement among nations as to the specific rights and freedoms of all human beings. These include civil and political rights such as the right not to be subjected to torture, to equality before the law, to a fair trial, to freedom of movement, to asylum, and to freedom of thought, conscience, religion, opinion and expression. The rights outlined in the UDHR include economic, social and cultural rights, such as the right to food, clothing, housing and medical care, to social security, to work, to equal pay for equal work, to form trade unions and to education.

Originally intended as a ‘common standard of achievement for all peoples and all nations’, over the past fifty years the UDHR has become a cornerstone of customary international law, and all governments are now bound to apply its principles. Because the UDHR successfully encompasses legal, moral and philosophical beliefs held true by all peoples, it has become a living document that asserts its own evaluating force on the events of our world.

**SELECTED TREATIES**

Signing a treaty is a declaration by a state that it intends to be bound by the treaty. That obligation, however, becomes effective only after the treaty has been ratified or acceded to according to the constitutional procedures of that country.

The contents of the ICCPR detail the right to life, the prohibition of torture, arbitrary arrest or detention, prohibition of imprisonment for failure to fulfil a contractual obligation, right to fair trial and prohibition of retroactive criminal measures.

The contents of the CESCR protect a broad range of rights, including the rights to work, to reasonable conditions of employment, to organise trade
unions, to social security and social insurance, to protection of families and children, to an adequate standard of living, to health, education and to take part in cultural life.

The third group reflects guarantees for collective or group rights

OTHER MAJOR HUMAN RIGHTS TREATIES

- Convention on the Prevention and Punishment of the Crime of Genocide
- Convention relating to the Status of Refugees and Additional Protocol
- International Convention on the Elimination of all Forms of Racial Discrimination
- International Convention on the Elimination of all Forms of Discrimination Against Women
- Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child

PRINCIPLES, MINIMUM RULES AND DECLARATIONS

These principles, minimum rules and declarations are now the set of international standards with which we normally comply in the performance of our duties. These are very important for peacekeepers, especially when they are observing the local police, in order to ensure that the local police act in accordance with these standards. Similarly, military observers and military personnel must understand these fundamental standards, in order to oversee the activities of the warring factions in the treatment of their prisoners and the publics. They provide a valuable legal complement for states seeking to implement international standards at a national level. Examples include:

- Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- Basic Principles for Use of Force and Firearms
- Code of Conduct for Law Enforcement Officials
- Basic Principles of Justice for Victims of Crime and Abuse of Power
- Standard Minimum Rules for Treatment of Prisoners
- Standard Minimum Rules for the Administration of Juvenile Justice

RESPONSIBILITIES OF UNHCHR

The Office of the High Commissioner for Human Rights (OHCHR) channels its work on the promotion and protection of human rights through three branches, which are responsible for:

- Research and strategy development
- Technical assistance to countries
- Support to the UN human rights bodies
Through the Technical Cooperation Program, OHCHR assists states to build and strengthen national structures for the overall observance of human rights and maintenance of the rule of law. This is done through various approaches. On request, states may be given assistance in training armed forces, police forces and the legal profession, as well as an advisory service for the incorporation of international human rights norms and standards into the national legislation.

The UN strives not only to protect human rights, but to promote them as well. The UN offers technical assistance to countries, publishes human rights information, and makes human rights counsellors and educators available at the request of governments. Of course, many of the UN’s specialised agencies are actively engaged in human rights issues as a component of their work, including UNICEF, UNESCO, the ILO, and UNHCR. Election monitoring in post-conflict situations is an example of how the international community helps promote civil and political rights. Emergency relief operations promote rights such as the right to food and shelter.

**HANDLING HUMAN RIGHTS COMPLAINTS AND PETITIONS**

The UN has established a complex network of mechanisms for the promulgation of human rights standards, and for their implementation and monitoring. A variety of mechanisms have been established by the organisation to handle human rights complaints in a global context, which may be divided into treaty-based procedures and charter-based extra conventional mechanisms (such as special rapporteurs and working groups of the Commission on Human Rights).

**TREATY-BASED PROCEDURES**

These include bodies set up under the terms of international human rights treaties to monitor the compliance of states parties with the provisions of those instruments. Treaty provisions are often general in character, but must be implemented by specific, detailed provisions in domestic law. Six such bodies are:

- International Covenant on Economic, Social and Cultural Rights (Committee on Economic, Social and Cultural Rights)
- International Covenant on Civil and Political Rights (Human Rights Commission)
- International Convention on Elimination of All forms of Racial Discrimination (Committee on the Elimination of Racial Discrimination)
- Convention on the Elimination of All Forms of Discrimination against Women (Committee on the Elimination of Discrimination against Women)
- Convention on Torture and Other Cruel and Degrading Treatment or Punishment (Committee against Torture)
- Convention on Rights of Child (Committee on the Rights of the Child)

**EXTRA-CONVENTIONAL MECHANISMS (CHARTER BASED)**

A number of procedures have been established, under the authority granted by the Charter of the United Nations to the Economic and Social Council (ECOSOC) and,
through it, to its subsidiary Commission on Human Rights and Sub-Commission on Prevention of Discrimination and Protection of Minorities. These procedures may be confidential or public.

**The 1503 procedure**

This is a confidential procedure, although governments under consideration are offered an opportunity to make comments. The procedure becomes public once a situation has been referred to ECOSOC. Thus, if the pattern of abuse is not resolved in the early stages, it will be brought to the attention of the world community through ECOSOC.

**Selected special rapporteur and working groups**

These are thematic provisions and operate publicly. They are used in cases such as torture, extra judicial killings, summary or arbitrary executions, for example the Working Group on Enforced or Involuntary Disappearance and the Working Group on Arbitrary Detention.

The police component in the mission must be aware of the international standards on policing. As part of their functions in monitoring the local police, and advising and training, the understanding of human rights is very important. All the international instruments that cover important police operational issues must be known to the police officers in the mission.

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**Case study 1**

Two drivers were stopped by a traffic police officer in a roadblock. Both drivers were charged for speeding at 180 km/h, in a 140 km/h zone. One was fined $140.00, while the other was officially warned against ever committing the offence again.

**Question**

Does this seem right?

If not, what is wrong with the officer’s actions?

Discuss the issue in relation to human rights issues.
SECTION 2

Code of Conduct for Law Enforcement Officials

UN CODE OF CONDUCT FOR LAW ENFORCEMENT OFFICIALS

(Annexed to General Assembly resolution 34/169 of 17 December 1979)

Law enforcement officials

This term includes all officers of the law – whether appointed or elected – who exercise police powers, especially the powers of arrest and detention.

Examples of law enforcement officials, depending on the terminology used in different countries, include, but are not limited to:

- Police
- Border police
- Correction officers
- State agencies
- Drug enforcement officers
- Customs officers
- Immigration officers
- Para-military

The code of conduct discussed under this section outlines the international minimum standards and best practices for law enforcement officials, and forms the basis of the national police acts of the UN member states.

Article 1

Law enforcement officials shall at all times fulfil the duty imposed upon them by law, by serving community and by protecting all persons against illegal acts, consistent with the high degree of responsibility required by their profession.

Article 2

In the performance of their duty, law enforcement officials shall respect and protect human dignity and maintain and uphold the human rights of all persons.
Article 3
Law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.

Article 4
Matters of confidential nature in the possession of law enforcement officials shall be kept confidential, unless the performance of the duty or the needs of justice requires otherwise.

Case study 2
A UN peacekeeper was brutally beaten by a group of gangsters while on a drinking spree. The report reached the UN office when he was lying unconscious in the hospital. Investigations into the matter revealed that the peacekeeper’s ordeal was punishment for indulging in sexual activities with a sixteen-year-old schoolgirl.

Question
What will be the implications of this peacekeeper’s conduct to the:

UN?

Himself?

Home country?

Article 5
No law enforcement officials may inflict, instigate or tolerate any act of torture or other cruel, inhumane or degrading treatment or punishment, nor any law enforcement officials invoke superior orders or exceptional circumstances such as state of war or threat of war, a threat to internal security, internal political instability or any other public emergency as a justification of torture or other cruel, inhumane or degrading treatment or punishment.

Article 6
Law enforcement officials shall ensure full protection of the health of persons in their custody and in particular, shall take immediate action to secure medical attention whenever required.

Article 7
Law enforcement officials shall not commit any act of corruption. They shall also rigorously oppose and combat all such acts.

Article 8
Law enforcement officials shall respect the law and the present code. They shall also, to the best of their capability, prevent and rigorously oppose any violations of them.

Law enforcement officials who have reasons to believe that a violation of the present Code has occurred, or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial power.
SECTION 3

Arrest, detention and imprisonment

LEGAL FRAMEWORK

- International Covenant on Civil and Political Rights (ICCPR)
- Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment (PDI)
- Standard Minimum Rules for the Treatment of Prisoners (SMR)
- Declaration on the Protection of All Persons from Enforced Disappearance (DED)
- Basic Principles on the Role of Lawyers

Article 9.1 of ICCPR reflects one of the oldest basic rights of all persons. At the same time, deprivation of personal liberty has long represented the most common means used by a state to fight crime and to maintain internal security. With the gradual displacement of other forms of punishment, such as the death penalty and corporal punishment, imprisonment has gained significance over the last centuries. It is likely that in the future too, the deprivation of personal liberty will remain one of the legitimate means for exercising sovereign state authority.

Article 9.1 does not seek to bring about a situation in which the deprivation of liberty is absolutely prohibited, as is the case for torture and slavery. Rather it represents a procedural guarantee. It obliged a state to define precisely, in law, the cases in which deprivation of liberty is permissible and the procedures to be applied, and to make it possible for the independent judiciary to take quick action in the event of arbitrary or unlawful deprivation of liberty by administrative authorities or executive officials.

FUNDAMENTAL STANDARDS

- Right to life, liberty and security
- Prohibition on arbitrary arrest/detention
- Proportionality in use of force
- Rules on arrest and following arrest must be observed
- Special provisions for women and juveniles
- Unlawful arrest or detention gives right to compensation

Duration

2 hours

Section aim

To enhance participants’ working knowledge of the principles and procedures for arrest, detention and imprisonment

Section objectives

At the end of this section, participants should be able to:

- Define the concepts of arrest, detention and imprisonment
- State the legal framework of arrest, detention and imprisonment
- Describe the procedure to be allowed in conducting arrest, detention and imprisonment
- Outline how detainees should be treated
TERMINOLOGY

- **Arrest**: Act of apprehending a person for the alleged commission of an offence or by action of an authority
- **Detention**: Depriving a person of his or her liberty without a result of conviction
- **Imprisonment**: Depriving a person of his/her liberty as a result of a conviction by a court

ARBITRARY ARREST AND DETENTION

Arbitrary arrest and detention can be defined as deprivation of liberty, without legal reason or process, by an act of government or with its complicity, tolerance or acquiescence.

The prohibition of arbitrariness in article 9 represents an additional restriction to the deprivation of liberty. This injunction is directed at the national legislature and at enforcement agencies. It is not enough for deprivation of liberty to be provided for by the law. The law itself must not be arbitrary, and the enforcement of the law in a given case must not take place arbitrarily. The word ‘arbitrary’ in this sense is understood to contain elements of injustice, unpredictability, unreasonableness, capriciousness and disproportionality.

The prohibition of arbitrariness is to be interpreted broadly. Cases of deprivation of liberty provided for by law must not be manifestly disproportionate, unjust or unpredictable. The specific manner in which an arrest is made must not be discriminatory, and must be justified as appropriate and proportionate in view of the circumstances of the case.

WHAT IS ‘ARBITRARY’

- Not based on legal grounds
- Does not respect legal procedures
- Not reasonable or appropriate
- Not proportional to the legal objectives
- Discriminatory
- Not predictable

PROCEDURE

Competent officials shall only carry out arrest, detention and imprisonment strictly in accordance with the law and or persons authorised for that purpose. The need for ‘competent’ officials to effect an arrest has led the law enforcement agencies of many countries to maintain specialised units or teams for dangerous or difficult arrest situations. Those units or teams consist of law enforcement officials who are selected and trained to perform a task for which not every law enforcement official can be considered competent.

- Anyone arrested shall be informed about the time of and the reason for the
arrest and shall promptly be informed about the charges against him/her. He/she shall promptly be informed about his/her legal rights.

An example of good law enforcement practice is the production and dissemination of leaflets setting out the rights of arrested persons. In many countries, law enforcement agencies produce such leaflets in multiple languages in order to ensure their accessibility. On being taken into police custody, the person concerned is presented with a leaflet in a language he/she can understand, explaining his/her legal rights and how to avail him/herself of those rights.

- To have judged the lawfulness of the arrest or detention by a judge or judicial authority with similar powers (ICCPR article 9.4 and PDI, principle 32)
- To be tried without undue delay or to be released (ICCPR article 9.3 and PDI, principle 38)
- Right to legal counsel and to un-interfered opportunity to communicate with counsel (ICCPR article 14, PDI, principles 17 and 18, SMR rule 93)
- Detention pending trial (pre-trial detention) shall be the exception rather than the rule. (ICCPR article 9.3 and PDI, principle 37)
- Notify the family or chosen person of the arrest or detention (PDI, principle 16.1, SMR rule 44.3; Declaration on Enforced Disappearance, article 10.2 and Principles of Summary Execution, principle 6.)
- The parents or guardian of an arrested juvenile must be informed of the arrest immediately (Beijing Rules, article 10.1)
- The arrest record must contain the following information:
  - The reason for arrest
  - The time of the arrest
  - The place of custody
  - Time of first appearance before a judicial authority
  - The identity of law enforcement officials involved
  - The above to be communicated to the arrested person and his/her legal counsel

(PDI, principle 12, SMR rule no 7, Declaration on Enforced Disappearance, articles 10.2 and 10.3 and Principles of Summary Execution, principle 6)

THE ‘48-HOUR RULE’

Every person arrested and detained should be brought before a court as soon as reasonably possible, but no later than 48 hours after arrest in order to be charged and to be considered for bail or release.

The purpose of the 48-hour rule is to involve court supervision in all matters of detention to ensure the rule of law and the protection of human rights. If the 48 hours expire on a day that is not a court day (weekend or holiday), then the accused must be brought on the first court day after 48 hours have expired. The 48-hour rule does not mean:

- Automatic bail for the accused (he/she may be remanded to prison)
- That the investigation must be completed within 48 hours (if the 48-hour rule
is not observed, then the accused shall be released. Treatment of detainees)

- Respect for religious and moral beliefs (Basic Principles for the Treatment of Prisoners, principles 3 and SMR 6, 41 and 42)
- Respect for special status and rights of women and juveniles (ICCPR article 10.2, CRC article 37 – 40, PDI principle 5.2, SMR rule no 8,21.2, 23,53,71.5, 77 and 85.2 and Beijing Rules)
- Methods of interrogation must be ethical and lawful (ICCPR 14.3 and PDI 21.1)
- Discipline and punishment of detainees are bound to strict rules (ICCPR 10.1, PDI 30 and SMR 27.29.30 and 31)

**PROHIBITION OF**

- Torture
- Cruel treatment
- Inhuman treatment
- Degrading treatment
- Violence
- Threats

(ICCPR article 7; Torture Convention article 2; SMR rule no 31; PDI principles 6)

**TORTURE**

*Table 6.1 Overview of the definition of torture*

<table>
<thead>
<tr>
<th>What</th>
<th>For what purpose</th>
<th>By whom</th>
</tr>
</thead>
<tbody>
<tr>
<td>An act inflicting:</td>
<td>For such purposes as:</td>
<td>By a public official or any person acting in an official capacity either:</td>
</tr>
<tr>
<td>■ Severe pain or suffering</td>
<td>■ Obtaining information</td>
<td>■ Inflicted directly by the official, or</td>
</tr>
<tr>
<td>■ Either physical or mental pain</td>
<td>■ Obtaining confession</td>
<td>■ At the instigation of the official, or</td>
</tr>
<tr>
<td>■ Which is done intentionally</td>
<td>■ Punishment for an act committed</td>
<td>■ With the acquiescence of the official</td>
</tr>
<tr>
<td>■ For any reason of discrimination</td>
<td>■ Intimidating or coercing someone</td>
<td></td>
</tr>
</tbody>
</table>

**DETENTION FACILITIES**

Detention facilities must be:

- At an officially recognised place
- Humane
- Healthy
- Have adequate food, water, shelter and clothing
- Have adequate medical service
- Have adequate exercise facilities and opportunities

(Standard Minimum Rules for Treatment of Prisoners\(^7\))
COMMUNICATION AND VISITS

Communication and visits must be allowed with the following parties:

- Legal representative
- Family
- Diplomatic missions
- Medical personnel
- Religious authorities

Case study 3

In September 2004, during a two-day strike by the National Association of Teachers (NAT), David Nbodo, the secretary-general, was arrested and detained by the police. He was allegedly subjected to suffocation torture at the local police station. One month later, David was released without any charges being preferred against him.

Question

To what extent have David’s rights been violated?

Discuss this in line with the international and regional standards for arrest, detention and imprisonment.

Discuss how this case would be treated in your home country.

What accounts for the variation between the international (UN) and national approaches?
SECTION 4

Vulnerable groups

WOMEN

Women in society

- The majority of the world’s poor are women
- The majority of the world’s illiterate people are women
- Worldwide, women earn 30–40% less than men for equal work
- Worldwide, women hold 10–20% of all managerial positions
- Fewer than 5% of heads of state are women

**Women at a glance**

Few causes promoted by the United Nations have generated more intense and widespread support than the campaign to promote and protect the equal rights of women. The Charter of the United Nations was the first international agreement to proclaim gender equality as a fundamental human right. Over the years, the Organisation has helped create an historic legacy of internationally agreed strategies, standards, programmes and goals to advance the status of women worldwide. While progress has been achieved, as the following statistics indicate, much work remains to be done.

**Status of Women**

- Women have not achieved equality with men in any country.
- Of the world’s 1.3 billion poor people, it is estimated that nearly 70 per cent are women.
- Between 75 and 80 per cent of the world’s 27 million refugees are women and children.
- Women’s life expectancy, educational attainment and income are highest in Sweden, Canada, Norway, USA and Finland.
- The Fourth World Conference on Women, held in Beijing, China from 4-15 September 1995, resulted in agreement by 189 delegations on a five-year plan to enhance the social, economic and political empowerment of women, improve their health, advance their education and promote their reproductive rights.
- Over 100 countries have announced new initiatives to further the advancement of women as a result of the Beijing Women’s Conference.
- The 1979 UN Convention on the Elimination of All Forms of Discrimination against Women, often described as a Bill of Rights for Women, has now been ratified by 160 countries.

**Political Participation**

- The first country to grant women the right to vote was New Zealand in 1893.
- Only 26 women have been elected heads of state or government in this century.
- Women hold 11.7 per cent of the seats in the world’s parliaments.

**Duration**

1 hour

**Section aim**

To introduce and enhance participants’ knowledge of vulnerable groups

**Section objectives**

At the end of this section, participants should be able to:

- Give examples of vulnerable groups
- Explain why vulnerable groups need protection
- Outline the legal framework for vulnerable groups
- Discuss international humanitarian law (IHL) and the Law of Armed Conflict (LOAC) reasonably
In early 1995, Sweden formed the world’s first cabinet to have equal numbers of men and women.

Of the 185 highest-ranking diplomats to the United Nations, seven are women.
The percentage of female cabinet ministers worldwide has risen from 3.4 in 1987 to 6.8 per cent in 1996.

**Women and Education**

Of the world’s nearly one billion illiterate adults, two-thirds are women.

Two-thirds of the 130 million children worldwide who are not in school are girls.

The percentage of female cabinet ministers worldwide has risen from 3.4 in 1987 to 6.8 per cent in 1996.

**Women and Labour**

The majority of women earn on average about three-fourths of the pay of males for the same work, outside of the agricultural sector, in both developed and developing countries.

In most countries, women work approximately twice the unpaid time men do.

Women make up 31 per cent of the official labour force in developing countries and 46.7 per cent worldwide.

Rural women produce more than 55 per cent of all food grown in developing countries.

The value of women’s unpaid housework and community work is estimated at between 10-35 per cent of GDP worldwide, amounting to $11 trillion in 1993.

Women hold 35.5 per cent of professional posts in the United Nations Secretariat including 18.5 per cent in senior management.

By the year 2000, there will be as many women employees as men in many industrialised nations.

**Women and Population**

Women outlive men in almost every country.

There are slightly fewer women than men in the world – 98.6 women for every 100 men.

Out-of-marriage births have increased more than 50 per cent in the last 20 years in developed countries.

One in every four households in the world is now headed by a woman.

The life expectancy of women has gone up. In 1992, the average woman lived to be 62.9 years in developing countries compared to 53.7 years in 1970. In industrialised countries, women’s average life expectancy in 1992 was 79.4 years, up from 74.2 in 1970.

By 2025, the proportion of women aged 60 or older will almost double in East and South-East Asia, Latin America and the Caribbean, and North Africa.

**Women and Health**

Women are becoming increasingly affected by HIV. Today about 42 per cent of estimated cases are women, and the number of infected women is expected to reach 15 million by the year 2000.

An estimated 20 million unsafe abortions are performed worldwide every year, resulting in the deaths of 70,000 women.

Approximately 585,000 women die every year, over 1,600 every day, from causes related to pregnancy and childbirth. In sub-Saharan Africa, 1 in 13 women will die from pregnancy or childbirth related causes, compared to 1 in 3,300 women in the United States.

Globally, 43 per cent of all women and 51 per cent of pregnant women suffer from iron-deficiency anemia.

**Women and Violence**

Each year an estimated two million girls suffer the practice of female genital mutilation.

Worldwide, 20 to 50 per cent of women experience some degree of domestic violence during marriage.

The primary victims of today’s wars are civilian women and their children, not soldiers.

The use of rape as a weapon of war has become more evident. In Rwanda from April 1994 to April 1995, estimates of the number of women and girls raped range from 15,700 to over 250,000.

Rapes in the former Yugoslavia and Rwanda are being investigated with a view to prosecution by International Tribunals established by the United Nations.
Violence against women and children

Violence against women can be defined as any act of gender-based violence that results in (or is likely to result in) physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion and arbitrary deprivation of liberty.

- Family-related violence includes:
  - Battering
  - Sexual abuse of boys and girls in the household
  - Dowry-based violence
  - Marital rape (depending on national laws)
  - Female genital mutilation
  - Non-spousal violence
  - Violence related to exploitation
- Community-related violence includes:
  - Rape
  - Sexual abuse
  - Sexual harassment and intimidation at work, educational institutions or elsewhere
  - Trafficking of women
  - Forced prostitution

Legal framework

- International Covenant on Civil and Political Rights (ICCPR, articles 2, 3 and 26)
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)
- Declaration on the Elimination of Violence Against Women (International Human Rights Standard for Law Enforcement)
- Convention on the Political Rights of Women
- Standard Minimum Rules on the Treatment of Prisoners (rules 23 and 53)
- Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment (principle 5)

WOMEN AND LAW ENFORCEMENT

Female police officers

- Human rights standards:
  - Non-discrimination
  - Protection from sexual harassment

- Require:
  - Open channels for communication for complaints or recommendations of female officers on issues of gender
  - Discouragement of gender-insensitive conversations
  - Review of recruitment, hiring, training and promotions policies to remove gender bias
Section 4 Vulnerable groups

Female offenders

- Human rights standards:
  - Protection from violence, including sexual harassment
  - Special protection for pregnant women and mothers
- Require:
  - A female officer to be present during all contact with women offenders
  - Female detainees to be separated from male detainees
  - Female officers to supervise and search female detainees
  - Special facilities for pregnant women and nursing mothers who are detained

Female victims

- Human rights standards:
  - Equality under the law
  - Protection from violence and other gender-based crime
- Require:
  - Consideration of complaints as serious crime
  - Respond promptly, especially to complaints of violence
  - Inform victims of available medical, social, material and psychological support
  - Investigate, report on and follow-up thoroughly and professionally

WOMEN AND ARMED CONFLICT

Humanitarian law

- Geneva Convention 1, article 12
- Geneva Convention 2, article 12
- Geneva Convention 3, article 14, article 16
- Geneva Convention 4, article 27
- Additional Protocol 1, articles 17, 75, and 76
- Additional Protocol 2, article 4

JUVENILES AND CHILDREN

Fundamental standards

The aim of the juvenile justice system is to enhance the wellbeing of the juvenile. Any reaction to juvenile offenders must be proportionate to the circumstances of the juvenile and the offence (Tokyo Rules).

Children need special care and protection, and are dependent on the aid and assistance of adults, especially in the early years of their existence. It is not enough that children are granted the same human rights and freedoms as adult persons. In many parts of the world the situation of children is critical as a result of inadequate social conditions, natural disasters, armed conflicts, exploitation, illiteracy, hunger
and disability. Children on their own are not capable of fighting such conditions effectively, or changing them for the better. The international community therefore urged governments to adopt legislation that recognises the special position and needs of children and that creates a framework of additional protection conducive to their wellbeing.

Juveniles are entitled to all the rights of adult persons. In addition, there are measures offering extra protection to juveniles. Law enforcement officials dealing with juveniles require special training and education.

**Legal framework**

At international level, on 20 November 1989, the United Nations General Assembly adopted:

- The Convention on the Rights of the Child (CRC) recognises the need for special safeguards and care, including appropriate legal protection for children both before and after birth.
- The Beijing Rules develop and extend those articles of the CRC that cover topics such as arrest, detention, investigation and prosecution, adjudication and disposition, and the institutional and non-institutional treatment of juvenile offenders. These are the standard minimum rules for the administration of juvenile justice.
- The Riyadh Guidelines focus on the prevention of juvenile delinquency through the involvement of all parts of society and through the adoption of a child-oriented approach. This instrument defines the roles of family, education and community. It also deals with crime prevention.
- The United Nations Rules for the Protection of Juveniles Deprived of their Liberty (UNRPJ) are designed to ensure that juveniles are deprived of their liberty and kept in an institution only when there is an absolute necessity to do so.
- The Tokyo Rules are concerned with juvenile offenders in general and at all stages of the proceedings – irrespective of whether they are suspected, accused or sentenced. The instrument formulates basic principles to promote the use of non-custodial measures, as well as minimum safeguards for persons subject to measures other than imprisonment. The Tokyo Rules set out precisely which custodial measures are allowed.

**Administration of juvenile justice**

- Children require special protection (CRC Preamble)
- International instruments focus on the best interests of the child (CRC Preamble)
- Children require protection against abuse, neglect and exploitation (CRC, articles 32 to 36)
- Juvenile offenders should be diverted away from the criminal justice system
- Non-custodial measures are preferable in the disposition of cases against juveniles (Tokyo Rules)
- Arrest, detention and imprisonment should be measures of last resort. (CRC article 37, Beijing Rules)
Section 4 Vulnerable groups

Alternative dispositions

■ Non-intervention: let the family, church, mosque, and social support structure deal with children in less serious and younger cases.
■ Diversion: remove cases from formal criminal justice system, and redirect to community support service.
■ Care, guidance and supervisions
■ Counselling
■ Probation
■ Foster care
■ Educational training programmes
■ Community service programmes

Child soldiers

■ Respect IHL regarding children and armed conflicts
■ Persons under age 15 may not take part in hostilities
■ Recruiting to armed forces
■ Protection and care for children affected by armed conflicts CRC article 38

Humanitarian law

■ The Fourth Geneva Convention, article 3, article 24
■ Additional Protocol 1, article 77, article 78

REFUGEES AND INTERNALLY DISPLACED PERSONS

The process of decolonisation, and the political tensions that followed, led to unprecedented numbers of refugees in the developing world. The reasons that refugees had been forced to leave their countries were judged to be outside the scope of application of the 1951 Geneva Convention, yet the need for international protection of these new types of refugees was undeniable.

To address this phenomenon, the OAU elaborated two new conventions that focus on the nature of refugee problems in Africa. The 1969 OAU Convention defines a refugee as a person who is compelled to leave his or her country because of external aggression or foreign domination, or events seriously disturbing public order in part or the whole of that country.

The 1984 Cartagena Declaration by the Central American countries refers to generalised violence, foreign aggression and internal conflicts. This approach is much more objective because it is based on an assessment of the situation in the country of origin, rather than on the individual circumstances of the asylum-seeker.

These definitions are applied on the basis of group determination rather than an individual interview.

Refugee: definition

A refugee is a person who, owing to a well-founded fear of persecution on the grounds of race, religion, nationality, membership of a particular social group, or
political opinion, is outside the country of his/her nationality and is unable or, owing to such fear, is unwilling to return to his or her country.\textsuperscript{50}

- **Organisation of African Unity (OAU)**
  ... the term refugee shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of his/her country

- **Cartagena Declaration**
  ... the term refugee is defined as including persons who have fled their countries because their lives, safety or freedom have been threatened by generalised violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order

**Internally displaced persons: definition**

Internally displaced persons (IDPs) or groups of persons are those who have been forced to flee their homes or places of habitual residence suddenly or unexpectedly, as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters, and who have not crossed an internationally recognised state border.

**Applicable law**

- Refugee status
- Refugee law
- Refugees as victims of armed conflicts
- Geneva Convention
- Internally displaced persons
- No specific international law

As a result of armed conflicts and mass violations of human rights, as well as floods, earthquakes, and other natural disasters, the number of people fleeing their homes has increased dramatically over recent years. Deeper-seated factors also underlie this phenomenon of mass displacement. Underdevelopment, poverty, unequal distribution of wealth, unemployment, ethnic tension, absence of democratic procedures and many more have been cited as causes. Where such people, in fear of persecution, seek refuge in other countries, refugee law protects their interests.

If those persons are victims of armed conflict situations, they are entitled to protection under the Geneva Convention. In general, human rights law offers protection to all persons without any distinction. However, where such people are displaced within their own country, specific problems arise as to rights and protection. At present no specific international legislation is devoted to that issue.

**Protection**

- Everyone has the right to seek, and to enjoy, in another country, asylum from persecution (CRSR article 32)
- Refugees shall be granted treatment which is at least as favourable as that granted to nationals in the exercise of basic rights, such as free association;
Section 4 Vulnerable groups

religion; elementary education; public relief; access to court; property and housing (CRSR articles 4, 15, 16, 21, 22 and 23)

■ No one shall be returned to a country where his/her life or freedom would be threatened, or where he/she would be persecuted, or to a third country likely to return the refugee to such a country (CRSR article 33)

■ Refugees unlawfully within the territory of a state, who have come directly from a country of persecution, and who present themselves without delay to the authorities, shall not be penalised (CRSR article 31)

■ Refugees lawfully in the territory of a state have the right to freedom of movement and residence (CRSR article 26)

■ Refugees lawfully within the territory shall be granted travel documents and identity papers (CRSR article 27 and 28)

■ No refugee shall be expelled except on grounds of national security or public order, and only on the basis of a decision reached in accordance with due process of law (CRSR article 32.1)

■ Before expulsion, a refugee shall be given an opportunity to offer evidence, to be represented, and to appeal to a higher authority (Declaration on Non-Nationals, article 7)

■ Refugees are entitled to all basic human rights, with the exception of certain political rights, but, if unlawfully within the territory, certain limitations on movement may be applied in the interest of public order and health (Declaration on Non-Nationals, articles 5 and 6)

No protection

■ He/she has committed a crime against peace, a war crime or a crime against humanity

■ He/she has committed a serious non-political crime outside the country of refuge prior to admission

■ He/she has been guilty of acts contrary to the purposes and principles of the UN/AU

STATELESS PERSONS: WHO ARE THEY?

A stateless person is someone who, under national laws, does not enjoy citizenship – the legal bond between a government and an individual – of any country. The legal definition states that a person who is not a national of any state under relevant laws is stateless. This is a legal bond between a state and that country’s laws and an individual. It encompasses political, economic, social and other rights, as well as the responsibilities of both government and citizen. Stateless people are people who do not have the right to own a passport of any particular state, who do not have a country to call their own, and who often have minimal, if any, access to the kind of basic political and social rights that most civilians take for granted. Parents cannot officially register the birth of a newborn baby. As the child grows, he or she may not be able to attend school or university, obtain a job, travel or even get married. And when these children grow old and die, they may suffer an anonymous burial without any official trappings or recognition.
How do people become stateless?

People may become stateless through a series of sovereign, political, legal, technical or administrative directives or oversights, which include:

- The transfer of territory or sovereignty which alters the nationality status of some citizens of the former state(s), leaving them without citizenship
- Arbitary deprivation of nationality of individuals or groups by a government, such as former detainees of Guantanamo who have been refused entry by their original countries
- Administrative oversights, misunderstandings or conflicts of law – for instance when a child is born in a country other than the state of which the parents are nationals, and where that state (where the parents are nationals) grants citizenship by birth only on its territory
- Administrative or procedural problems such as excessive fees, unrealistic deadlines, lack of appeal or review procedures and failure to notify individuals of registration or other obligations
- Individual renunciation of one nationality without first acquiring another citizenship
- Nationality may be automatically altered in the case of marriage or dissolution of a marriage between couples from different countries
- Failure to register children at birth so there is no proof of where or to whom they were born
- Birth to a stateless person

In its global appeal 2009 update in May 2009, UNHCR estimates that there are approximately 12 million people worldwide who remain stateless. While the plight of refugees and IDPs is well documented, the stateless receive far less attention and are less generally understood. There are international instruments on statelessness. The Universal Declaration of Human Rights underlines that ‘Everyone has the right to a nationality.’ A Statelessness Protocol attached to the draft 1951 Geneva Refugee Convention was made a convention in its own right in 1954. Seven years later, the 1961 Convention on the Reduction of Statelessness was introduced. Regional treaties such as the 1969 American Convention on Human Rights, the 1990 African Charter on the Rights and Welfare of the Child and the 1997 European Convention on Nationality also emphasise that everyone should have a nationality.

Key timelines of statelessness since 1961

1961: UN proposed to exercise substantive mandate over stateless persons.
1974: UN General Assembly (UNGASS) requested UNHCR to undertake the functions foreseen under the Reduction Convention.
1975: 1961 Convention entered into force, however, only 35 states ratified or acceded to it in the period to February 2007.
1995: UNHCR Executive Committee (ExCom) and the UNGASS requested UNHCR to broaden its activities concerning statelessness to include all states; gather and share information on the problem of statelessness globally; train staff and government officials; and regularly report back to the ExCom.
1996: UNHCR was asked by the UNGASS to actively promote accession to the 1954 and 1961 Conventions, as well as to provide relevant technical and advisory services pertaining to the preparation and implementation of nationality legislation to interested states.
2001: Internal evaluation suggested that UNHCR had done little to exercise its mandate on statelessness.
2004: ExCom invited UNHCR to pay particular attention to situations of protracted statelessness and explore with states measures that would ameliorate the situations and bring them to an end.
2006: UNHCR claimed to have ‘on its books’ 2.4 million stateless persons, and made an estimate of 11 million as the size of the stateless population worldwide.

Regional instruments, such as the 1997 European Convention on Nationality, have also contributed to protecting the rights of stateless persons. That document underlines the need of every person to have a nationality, and seeks to clarify the rights and responsibilities of states in ensuring individual access to a nationality.

UNHCR has achieved some success in campaigns to prevent and reduce statelessness among formerly deported peoples in Crimea, Ukraine (Armenians, Crimean Tatars, Germans, and Greeks who were deported en masse at the close of World War II). Another success has been the naturalisation of Tajik refugees in Kyrgyzstan, as well as the participation in citizenship campaigns enabling 300 000 estate Tamils to acquire citizenship of Sri Lanka. The UNHCR also assisted the Czech republic to overcome the large number of stateless persons created when it separated from Slovakia.

The greatest populations (over 100 000) of stateless persons are seen in the Dominican Republic, Côte d’Ivoire, Democratic Republic of the Congo, Syria, Iraq, Latvia, Estonia, Nepal, Bangladesh, Myanmar, Thailand and Cambodia.

Significant stateless populations are also reported in other countries in Africa, Asia, Europe and South America. Palestinians comprise the largest stateless population in the world. Abbas Shiblak Shiblak estimates that over half of the Palestinian people in the world are stateless.

Because refugee-statelessness problems often overlap, the UN General Assembly designated UNHCR as the natural interlocutor in the absence of any other specific statelessness organisation, to provide legal assistance to the disenfranchised and to help promote the avoidance and elimination of statelessness globally.

Situations of statelessness for large groups have persisted for decades in a number of countries. Though its early work was mainly in eastern and central Europe – helping such groups as descendants of the Tatars who were forcibly deported from the Crimea by the Soviet dictator Stalin in the 1940s – UNHCR expanded its activities to Asia, Africa, the Middle East and the Americas, where problems may not be visible, but are often more deeply entrenched. For example, tens of thousands of Asians were arbitrarily expelled from Uganda in the 1970s and had to seek a new future, mainly in the UK. Other examples include the Palestinian people and the Kurds.

Although the population of these groups overall is ageing, their problems, particularly as regards residence rights, travel documents and beneficial access to essential social services, have not diminished and have necessitated regular interventions by UNHCR. The problem of statelessness is more than a legacy of past history and is very much of actual concern. Recent conflicts – as well as political changes of some magnitude, which, inter alia, have resulted in or may entail the emergency of new states and nationalities – have created new problems and brought the prospect of further statelessness situations to the fore. Incidents arousing international concern have included expulsion of large groups of stateless people from their countries of habitual residence, non-re-admission by the countries of habitual residence of such groups, and intensified marginalisation of resident stateless persons through further restrictions on economic, social and civil rights.

The problems resulting from statelessness do not stem from the absence of an international legal framework. Rather, problems arise because there is not sufficiently widespread adherence to, or implementation of these instruments. Stateless individuals or groups should have access to legal assistance and benefit from concerted international support to overcome their problems and acquire and effective nationality. There is a close similarity between the problems of refugees and of stateless persons, with lack of national protection the common denominator, and deprivation of nationality a major causal factor in new refugee problems. Partly in recognition of this, the provisions of the 1951 Refugee Convention and the 1954 Stateless Persons Convention are broadly parallel.

Case study 4

A bar owner was beaten by the local police after they found her bar open after legal closing time. They asked her to lie on her stomach so that they could beat her with a baton. She refused because she was pregnant, so they started beating her all over her body. After they had beaten her, they took her to a car and made her lie partially under the car seat and sat on her. They then left her in a distant place. The following day she went to a local police station to the report the matter. She was told that the police were only doing their duty.

Question

What human rights violations have been committed and by whom?
SECTION 5
Use of force and firearms

LEGAL FRAMEWORK

Every human being has the inherent right to life. The law shall protect this right. No one shall be arbitrarily deprived of his/her life (ICCPR article 6.1).

Law enforcement officials have conflicting powers with regard to human rights. While their principal role is to promote and protect human rights and freedom, they are potential violators of the rights they are called upon to maintain and uphold. This paradoxical situation is brought about by the array of legal powers and authorities vested in law enforcement officials to enable them to carry out their tasks and duties. From the outset it must be clear that the legislating authorities of the state did clearly not intend unlawful and/or arbitrary use of those powers and authorities. Nevertheless, abuse or misuse of these powers and authorities occurs frequently in all parts of the world. unlawful and arbitrary arrest and detention, fabrication of evidence, excessive use of force, and ill treatment of detainees and torture are but a few of the known contemporary examples of illegal and unacceptable law enforcement practices.

- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment (ICCPR article 7)
- African Charter on Human and People's Rights (ACHPR article 4)
- American Convention on Human Rights (ACHR article 4)
- European Convention on Human Rights (ECHR article 2)

TORTURE

See table 6.1 in section 3

Excessive use of force

Disappearance

The disappeared are people who have been taken into custody by agents of the state, yet whose whereabouts and fate have been concealed, and whose custody is denied.

Duration
1 hour

Section aim
To supplement participants’ working knowledge of the use of force and firearms

Section objectives
At the end of this section, participants should be able to:
- Outline the legal framework for the use of force and firearms
- State instances when law enforcement officials may use force and firearms
- Explain the procedure before and after the use of firearms
Extrajudicial execution

Extrajudicial executions are unlawful and deliberate killings, carried out by order of a government or with its complicity or acquiescence.

To prevent extra-legal, arbitrary and summary executions, government must ensure strict control, including a clear chain of command, over all officials responsible for apprehension, arrest, detention, custody or imprisonment, as well as those officials authorised by law to use force and firearms.

In the event of a suspected arbitrary deprivation of life, there must be a prompt, thorough and impartial investigation. Governments are expected to maintain investigative offices and procedures to undertake such inquiries. The purpose of the investigation must be to determine the cause, manner and time of death, the person responsible, and any pattern of behaviour or practice that may have brought about that death. Persons implicated in, or responsible for, an arbitrary deprivation of life have to be brought to justice.

The families and dependents of victims of extra-legal, arbitrary or summary executions are entitled to fair and adequate compensation within a reasonable period of time.

When reports are heard of the arbitrary deprivation of life, it is often state authorities that are accused of being responsible for such acts. The devastating effects of such practices are not difficult to imagine. Whenever and wherever a state fails to guarantee its citizens the free and continued enjoyment of their right to life, liberty and security of person, it has indeed failed to maintain and uphold the basis of all human rights.

Likewise, where a law enforcement organisation resorts to violations of the law in order to enforce the law or to maintain public order, it loses its credibility and its authority. Nothing will be left but the uniform they are wearing to distinguish law enforcement officers from the criminals they are pursuing.

Use of force and firearms

- United Nations Code of Conduct for Law Enforcement Officials
- United Nations Principles of Use of Force and Firearms by Law Enforcement Officials

Use of force

- Force is to be used only when strictly necessary (Force and Firearms, principles 4 and 5)
- Use of force must always be proportional to lawful objectives (Force and Firearms, principles 2 and 5a)
- Non-violent means must be attempted first (Force and Firearms, principle 4)
- Force is to be used only for lawful law enforcement purposes (Force and Firearms, principles 5 and 7)
- There are no exceptions or excuses for unlawful use of force (Force and Firearms, principle 8)
- Restraint is to be exercised in the use of force (Force and Firearms, principles 2, 5a and 9)
- Damage and injury are to be minimised (Force and Firearms principles, 5b)
There is a range of means for differentiated use of force to be made available (Force and Firearms, principles 2)

All officers to be trained in use of non-violent means (Force and Firearms, principles 4, 19 and 20)

**Use of firearms**

- Permissible circumstances
  - Self-defence or defence of others against imminent threat of death or serious injury
  - To prevent a particularly serious crime that involves a grave threat to life
  - To arrest or prevent the escape of a person posing such a threat and who is resisting efforts to stop the threat
  - Only when less extreme means are insufficient to achieve the objective
  - (Use of Force and Firearms, principle 9)

- Procedures
  - Officer to identify him/herself as police official
  - Officer to give a clear warning
  - Officer to allow adequate time for warning to be obeyed
  - This shall not be required if the delay would result in death or serious injury to the police officer or others. It is clearly pointless or inappropriate in the circumstances to do so (Use of Force and Firearms, principle 10)

- Unlawful assemblies (Force and Firearms, principles 12, 13 and 14)

- Persons in custody or detention (Force and Firearms, principles 15, 16 and 17)

- After the use of firearms
  - Provide medical aid (Force and Firearms, principle 5c)
  - Notify relatives (Force and Firearms, principle 5d)
  - Allow for investigation (Force and Firearms, principles 6, 11, 22 and 23)
  - Write a report (Force and Firearms, principle 22)

**Accountability**

- Effective report and review procedures must be established (Force and Firearms, principle 22)
Superiors shall be held responsible if they have not prevented, suppressed or reported unlawful use that they were aware of (Force and Firearms, principle 24)

No sanctions should be imposed on officers who refuse to obey unlawful orders – immunity (Force and Firearms, principle 25)

Following superior orders is no excuse if the officer knew these were unlawful (Force and Firearms principle 26)

Case study 5
Peter Maunde, a 26-year-old man, was fatally shot at a local police station by the Murder and Armed Robbery Unit. Several hours earlier, he had handed himself over, unarmed, to the police in connection with an investigation into the killing of two police officers. Forensic medical evidence indicated that he had multiple gunshot injuries and had been shot several times at close range in the chest. An inquest docket was opened and it was concluded that Peter had died ‘in police custody’.

Question
Discuss the behaviours and actions of the police in relation to international and regional standards for the use of force and firearms.
SECTION 6

Criminal investigation and victims’ rights

PART I: CRIMINAL INVESTIGATION

Legal framework

- Universal Declaration of Human Rights
  - International Covenant on Civil and Political Rights
  - Code of Conduct for Law Enforcement
  - Declaration on Enforced Disappearance
  - Principles of Summary Execution
  - Principles of Detention and Imprisonment
  - Torture Convention
  - Victims Declaration

Criminal investigation

The purposes of investigation are:

- Detection of crime
- Identification of witnesses
- Recovery and preservation of evidence
- Discovery of cause, manner, location and time of crime
- Identification and apprehension of perpetrators

The investigation of crime is the first essential step in the administration of justice. The effective detection of crime hinges completely on the successful recovery of evidence in relation to a particular crime.

Technical evidence is recovered at the crime scene. Tactical evidence includes statements from witnesses, complainants or suspects. Law enforcement is charged with fact-finding. The judiciary is charged with truth finding (to analyse the fact-finding in order to determine the guilt or innocence of the accused persons).

All police activities relating to the collection of evidence and criminal investigations shall be conducted only according to the law, with due cause,
and with respect for human rights and fundamental freedoms, and shall be
neither arbitrary nor unduly intrusive.

Crime investigation

- Shall not be unlawful, arbitrary, unduly, intrusive or biased
- Shall be competent, thorough, prompt, impartial and lawful
- Shall include careful processing of crime scenes
- Shall seek to collect and preserve evidence

Presumption of innocence

Everyone charged with a criminal offence shall have the right to be presumed
innocent until proved guilty according to the law (ICCPR article 14.2).

The presumption of innocence constitutes an essential principle of a fair trial. The
right to be presumed innocent applies equally to persons charged with a criminal
offence and to persons accused prior to the filing of a criminal charge. This right
exists right up to the moment a conviction becomes binding, following a final
appeal. The real significance of the presumption of innocence is demonstrated in
a criminal trial itself. A judge or a jury may convict a person for an offence only
when there is no reasonable doubt about his or her guilt. The judge conducting
the trial must do so without previously having formed an opinion on the guilt or
innocence of the accused.

A primary task in law enforcement is to bring offenders to justice. However,
it is not up to law enforcement to decide on the guilt or innocence of a person
arrested for an offence. Their responsibility is to record, in an objective and correct
manner, all the facts related to a particular crime committed.

Right to a fair trial

Everyone shall be entitled to a fair and public hearing by a competent, inde-
pendent and impartial tribunal established by the law (ICCPR, article 14.1).

Reasons for not having public hearings:

- Morale
- Public order and security
- National security
- In the interest of the private lives of parties involved
- In the interest of the case:
- If the interest of juveniles so requires
- Proceedings concerning matrimonial matters
- Disputes concerning guardianship of children

Minimum guarantees

- Promptly informed about the nature and cause of any charge
- Right to legal counsel and adequate preparation of defence
Right to be tried without delay
Right to bring witnesses on his/her behalf
Right to cross-examine witnesses
Right not to be compelled to testify or confess guilt’ (ICCPR, article 14.3)

Right to privacy

No one shall be subjected to arbitrary or unlawful interference with his/her privacy, family home or correspondence, nor to unlawful attacks on his/her honour and reputation (ICCPR, article 17.1).

Almost every investigation conducted by law enforcement officials for the prevention or detection of crimes leads to situations in which the actions that are taken result in an invasion of the private sphere of individual. While it is clear that in every country a code of penal procedure will stipulate the investigative powers and competencies of law enforcement officials, the existence of adequate laws is not sufficient in itself to ensure adequate respect for the privacy of the individual. To monitor telephone conversations, permission must be obtained from a judge in most countries.

Confidentiality of information

Matters of confidential nature in the possession of law enforcement officials shall be kept confidential, unless the performance of duty or the needs of justice strictly require otherwise (Code of Conduct, article 4).

Victims and witnesses are to be treated with compassion and consideration (Victims’ Declaration, paragraph 4; Summary Executions, principle 14)

No pressure, physical or mental, shall be exerted on suspects, witnesses or victims in attempting to obtain information (Enforced Disappearance, article 13; Summary Execution, principle 15; Code of Conduct, article 2; Torture Convention, article 13; Victims Declaration, paragraphs 4, 5 and 6; Detention and Imprisonment, principles 1, 17, 18, 21, 23 and 36)

Absolute prohibition

The following acts are absolutely prohibited:

- Torture
- Cruel treatment
- Inhuman treatment
- Degrading treatment

(UDHR article 5; ICCPR article 7; Torture Convention, article 2; Code of Conduct, article 5)

Juvenile justice

- Convention on the Rights of the Child
- Beijing Rules
The aim of the administration of juvenile justice is to enhance the wellbeing of the juvenile, and to ensure that any reaction to juvenile offenders is proportionate to the circumstances of the juvenile and the offence that he/she has committed. Juvenile offenders should be diverted from the criminal justice system and redirected to community support services, wherever possible.

The instruments are designed to:

- Protect the human rights of juveniles
- Protect the wellbeing of juveniles who come into contact with the law
- Protect juveniles against abuse, neglect and exploitation
- Introduce special measures to prevent juvenile delinquency

**PART II: VICTIMS’ RIGHTS**

**Legal framework**

- Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power
- Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions

**Definitions**

- **Victims of crime**: Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within the state, including laws proscribing criminal abuse of power.
- **Victims of human rights violations**: Persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of international recognised human rights norm.

**Victims’ rights**

- Victims of crime, abuse of power or human rights violations shall be treated with compassion and respect (Victims Declaration, principle 4; Summary Execution, principle 15).
- Victims shall have access to mechanisms of justice and prompt redress (Victims Declaration, principles 4 and 8).
- Redress procedures shall be expeditious, fair, inexpensive and accessible.
- Victims shall be informed of their rights in seeking redress and protection (Victims Declaration, principle 5).
- Victims shall be informed of their role in the proceedings.
- Victims shall receive all necessary assistance.
Inconvenience shall be minimised
Privacy and safety shall be protected
Avoid unnecessary delay in the case (Victims Declaration, principle 6).
Offenders or government should make restitution (Victims Declaration, principles 8 and 11).
Financial compensation should be made available from either the offender or the state (Victims Declaration, principle 12)
Police should be trained in the needs of victims, and should be provided with guidelines to ensure proper and prompt aid (Victims Declaration, principle 16)

Case study 6

A local police constable, Roman Naidoo, was shot while on duty at a local police station. His family was told that he had committed suicide with his service rifle. The report of the post-mortem examination, performed by the police pathologist without prior notice to the family, was withheld from the family, and the inquest required by the law was not opened. After a few months of the authorities’ failure to initiate investigations or produce the report, several years of litigation and application to the High Court, the report was released and the state reached an out-of-court settlement with the family.

Question
What human rights violations have been committed and by whom?

Discuss in line with international and regional standards on the investigations and victims’ rights.
MODULE 8

Police Peacekeeping Operating Techniques
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SECTION 1
Radio communication

STANDARD ETIQUETTE FOR THE USE OF RADIO

Personnel operating UN/AU communications systems must have a good command of spoken English and radio voice procedures.

There is a standard procedure for communicating over radio. Before you begin transmitting, listen to the channel that you are going to use and ensure that no voice or data communication is taking place. You may need to wait until the channel is clear.

When you first establish communication with another station, it is customary to state their call sign and then your own using the phonetic alphabet (see table 7.1).

For example: ‘Alpha 1 Base, this is Alpha 2 Base, do you read me? Over.’

In this example, your call sign is Alpha 2 Base and you are calling a station with call sign Alpha 1 Base.

A call sign is a group of letters and numbers issued by a government (regulating) authority to identify a station. The phonetic alphabet is used to ensure that your call sign is understood.

The word ‘over’ is used to signify the end of your transmission. The transceiver may be set up to transmit a short beep when you release the PTT button on the handset. When your conversation with the other party is finished, the party that speaks last should say ‘out’.

Swearing or foul language may not be used, and heavy penalties can apply. Keep communication as short as possible.

PROCEDURE WORDS (PROWORDS)

Over and out

The use of the word ‘over’ implies ‘This is the end of my transmission to you and a response is necessary; go ahead; transmit.’

The word ‘out’ implies ‘This is the end of my transmission to you and no answer is required or expected.’

No other station may call, unless on a matter of extreme urgency, until the word ‘out’ has been given on a transmission.
Section 1 Radio communication

Report of reception

A station wishing to inform another of its signal strength and readability will do so by means of a short and concise report of actual reception, such as ‘weak but readable’, ‘strong but distorted’ or ‘loud and clear’.

A station that wishes to know how its transmission is being received will say ‘How do you read me?’

A station is understood to have good signal strength and readability unless otherwise notified. Strength of signals and readability will not be exchanged unless one station cannot hear another clearly.

Spelling

The unavoidable presence of noise owing to static interference impairs the voice channel.

When passing radio messages, the phonetic alphabet must be used to spell out the essentials of a message, such as proper names. This alphabet must be learnt by heart by all UNPOLs and users of radio equipment (see table 7.1).

When, for the sake of clarity, a word has to be spelled out, the convention ‘I spell’ is used, for example, in a message, ‘Whereabouts Phiri Godwin, I spell Papa Hotel India Romeo India is not.’

While verbosity is to be avoided in the interest of efficiency, ensure that messages are not abbreviated to such an extent as to cause confusion or need clarification. If a name has an unusual spelling, or a phrase or word requires emphasis, the telegraph convention ‘Repeat’ will be used. For example, ‘Whereabouts of Phiri Godwin repeat Phiri not repeat not sought.’

Acknowledge

Certain messages may include such information, orders or statements that call for an acknowledgement. The proword ‘Wilco’ is authorised for this method for acknowledgement.

Figures

The use of figures in the body of a message will be avoided and numeral quantities will be written in words. For example, ‘one four two zero hours’ or ‘Demonstration involves two five zero zero men,’ and not ‘1420 hours’ or ‘2500 men’.

Table 8.1 Phonetic alphabets and Arabic numerals

<table>
<thead>
<tr>
<th>Letter</th>
<th>Word</th>
<th>Number</th>
<th>Pronounced</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Alpha</td>
<td>Ø</td>
<td>Zero</td>
</tr>
<tr>
<td>B</td>
<td>Bravo</td>
<td>1</td>
<td>Wun</td>
</tr>
<tr>
<td>C</td>
<td>Charlie</td>
<td>2</td>
<td>Too</td>
</tr>
<tr>
<td>D</td>
<td>Delta</td>
<td>3</td>
<td>Thu-ree</td>
</tr>
</tbody>
</table>
RADIO DISCIPLINE

The highest standard of discipline will be maintained at all times by all operators and officers using radio equipment on the network. The correct procedure for both voice (speech) and fax or data will invariably be used. Radio transmission will be brief and to the point. (Operators are strictly forbidden to indulge in ‘chit-chat’ when working.)

Any person who wishes to use radio equipment will be guided by the operator on duty. The control station on each network will be set in charge of the group, and all instructions from control will be complied with immediately by out-stations. Radio networks will be monitored from time to time, and any case of lack of security or procedure that comes to notice will render the offender liable to disciplinary action.
NETWORK SECURITY

It is possible to intercept conversation over the radio network with ordinary broadcast transceivers and due care must be observed regarding security.

CARE AND MAINTENANCE

Radio equipment is expensive, delicate and difficult to replace, therefore the utmost care will be taken of all equipment in use. In the case of mobile VHF, no goods or obstructions will be carried in radio-equipped vehicles, which will impede the free movement of apparatus on its anti-vibration mountings. Care will be taken to ensure that all wiring is protected from chafing and wear. Car batteries are subjected to a much higher rate of working and need more regular inspection of the electrolyte and battery terminals.

VHF portable sets are designed to withstand an unusual amount of hard wear, but there is no justification whatsoever for damage caused deliberately by rough usage during exercise and training. When sets are returned to store, the microphone headset (if in use) assembly will be unplugged to prevent accidental discharge of the battery by leaving the microphone switch in the ‘on’ position. No set will be stored with the aerial plugged in. VHF mobile and portable sets will be tested regularly at a distance from main stations.

Any defect or failure of apparatus will be reported to the logistics officer without delay and, if possible, information will be given as to the nature of the fault. For example, when another mobile calls, the receiver indicator (LED) shows, but the speaker does not produce any sound.

USE OF TELEPHONES (ADDITIONAL)

Answering a telephone: UNPOLs answering official telephones will state the name of their formation, for example ‘Lusaka police station’. Other officers will give their designation, for example ‘officer in charge’ or ‘traffic officer’. The use of the word ‘hello’ in answering telephones calls will be avoided.
SECTION 2

Report writing

TYPES OF REPORTS

The number of reports depends to a great extent on the type of mandate of the mission. Because of the varied backgrounds, nationalities and staff systems of contributing nations, UN/AU PKOs have introduced UNPOL/AUPOL standardised macros for use in the mission area. These documents use simple language and can be constructed easily.

The more commonly used reports include incident, patrol, daily shift log, statements, investigation, detention information, daily situation and occurrence reports. In addition, UNPOL are required to be familiar with general inter-office correspondence documents such as official letters, memos, and minutes of meeting (see appendix 7.1 for samples).

REPORT WRITING STYLE GUIDE

This guide is intended to assist UNPOLs in writing and editing reports. All UNPOLs and AUPOLs must be able to speak fluently, and read and write the official language of the particular mission easily. This criterion is necessary because they compile and type their own reports. When in doubt, refer to the UN correspondence manual and UN editorial manual in consultation with the Oxford English Dictionary.

Abbreviations

Unusual abbreviations should be spelled out fully the first time they are used in a document. For example, use USA, not US in describing the United States, to avoid confusing the preposition ‘us’ with the proper noun ‘US’.

Abbreviations for reports should be in upper case. For example, SITREP, NOTICAS. Always check unknown abbreviations with the originator.

Capitalisation

Capitalisation of English words is never easy. Proper nouns are almost always capitalised, along with titles when they are attached to names.

For example: President C...
The titles of organisations are also capitalised. For example, the Zambia Police Service.

When a title is used to signify a specific individual, it should be capitalised. For example, President Obama will speak on 26 April.

**Dates and time**

The format of day, month, year should be followed. For example, 26 April 2004.

Time should always be written in four figures in a row, followed by the abbreviation ‘hrs’ (hours). For example: 2030 hrs. When the exact time cannot be ascertained, the abbreviation ‘approx’ (approximately) should be used. For example, approx 2030 hrs.

**Names and places**

Always use the person’s title, Mr, Mrs or Dr. Ensure that correct titles are used for individuals, for example CMO, and FC. These are usually placed after the name.

Names of UN/AU personnel should be referred to by their ranks, followed by the surname in capital letters and their UN/AU identity number.

For example, C/Insp PHIRI (CP01278), Supt NELS (CP00123).

Civilian names should have their surnames highlighted in capital letters. It is also advisable to state their date of birth (DOB) in brackets in the text after the name.

For example, Mr Harrison PHIRI (DOB 25 March 1976).

Places should be written in capital letters. For example, in the region of MITROVICA.

If a place is not internationally recognised, put the name in quotation marks when describing it. For example, ‘KASAMA’. Use grid references, if available. For example, KASAMA (GR: EN 157 501)

**When/Who/Where/What**

These questions are commonly used in interviewing techniques and, when properly applied, will provide a simple generic guide to all UNPOLs and will assist in compiling clear and readable reports.

The report must be clear, thorough, easy to read, and must answer key questions about the incident. Use the right terminology for the nature of the incident and avoid unofficial abbreviations.

**When** did the incident happen (date and time); the local police arrive; UNPOL arrive; were the local police notified?

**Who** is involved (suspect, witness, complainant, etc): gender, ethnicity, last name (block letters) first name, date of birth or age, address and telephone number. Are the local police involved? Are UNPOLs involved?

**Where** did the incident or event occur? Location must contain name of the membership/city/village/area with grid references consisting of two letters and six digits (ie EN 786 543)

**What** did the witness see, caused the incident, did the local police do, happened to the victim? What actions were taken by UNPOL and which units were involved? Have the military or other UN/AU and international units taken action or being involved?
SECTION 3

Map reading

MAPS AND SYMBOLS

Maps are drawings that show information about a place as if you were looking straight down on it from above. A photograph taken from an aircraft or satellite can show everything there is to see, but there is often so much in the picture that it can be confusing. In a map we can select the information we want to show, leaving out the information we do not need.

A map shows us the information by using ‘symbols’. These symbols can be:

- Colours
- Lines
- Shapes and drawings
- Words, letters and numbers

A map has a ‘key’ or ‘legend’. A key explains what each symbol on the map represents or means. Different things are represented by different symbols on the map. Different map colours can also be used to represent different types of land-use or elevation. Map symbols may also represent lakes, rivers, streams, swamps, different types of vegetation, and roads and railways. To be able to read and understand a map, you must know what the symbols represent. These are the symbols that map-makers (cartographers) use to represent information they wish to show.

HOW TO USE A COMPASS

The sun rises in the east and sets in the west every day. Spread your arms wide apart, while facing the sun from the direction it rises. The sun rises in the east (E). Your right arm will point to the south (S), and your left to the north (N). Your back is towards the west (W). When you face the rising sun with your arms spread apart, everything to your right is south of you, and everything to your left is north of you, and everything behind you is west of you. This is an easy way of remembering the four main compass directions: north (N), south (S), east (E) and west (W).

But we don’t always have to face the rising sun to know where north, south, east and west are. Instead, we use a special instrument called a compass. On the face
of the compass you can see the four main directions or ‘the points of the compass’. The compass needle always points north. On the compass there are also halfway directions. For example, the direction between north and east is called northeast or NE; and the direction between south and east is called SE, etc. There are eight main points or directions on the compass: north, south, west, east, northwest, southwest, northeast, and southeast.

We know that the compass needle always points north, no matter which way we turn the compass. We should always turn the compass so that the arrow pointing north coincides with the needle.

Not all compass directions are shown on maps; usually the only direction shown is north.

**SCALE**

Measure the top of your table or desk with a ruler. Write down how long and how wide it is in centimetres (cm). The page of your book is much smaller than the real table. Make a plan on your page with every 10 cm of the real table equal to 1 cm on your plan. Underneath your plan, draw a line 4 cm long. Divide the line into 4 parts and label the line as shown:

*Figure 8.1 A scale*

![A scale](image)

This is called a scale. Your plan is drawn ‘to scale’. Every 1 cm on your plan represents 10 cm on the table.

*Figure 8.2 A linear (line) scale*

![A linear (line) scale](image)

The ratio means that 1 cm on the map represents 1 500 000 cm on the ground.

The line scale is used to measure distance from one place to another.

**LATITUDE AND LONGITUDE**

Suppose we want to find the position of a place on the map. We can say it is near another place, or between two places we know, or on a certain river. But this may not be exact, and it may not always be possible. The following diagram shows a picture of the earth. The North Pole is at the top and South Pole is at the bottom.

Around the middle is the equator. The equator is a circle and, like any circle, it has 360 degrees. Imagine a set of lines drawn from the North Pole to the South
Pole, passing through each of these degrees. We would have 360 lines. These lines are called ‘lines of longitude’. We call the line of longitude that passes through Greenwich, London, UK, the Greenwich Meridian. Everything east of this line is called east of Greenwich, and everything west of this line is called west of Greenwich. There are 180 degrees east of Greenwich and 180 degrees west of Greenwich.

Now look at any line of longitude. It is a half-circle. This means it has 180 degrees. Imagine a line drawn through each of these degrees and drawn round the globe, parallel with the equator. We call these ‘lines of latitude’. There will be 90 degrees of latitude north of the equator, and 90 degrees of latitude south of the equator.

Look at the globe with these lines drawn. You will see it is a grid. We can find any place on this grid by giving the intersection of the nearest lines of latitude and longitude. Lines of latitude and longitude are therefore used to state the position of a place.

In addition, each degree is divided into 60 minutes, so that we can give positions in terms of degrees and minutes. For example, Lusaka, the capital city of Zambia, has the coordinates: 15 28S 28 16E.

This means it is 15 degrees 28 minutes south of the equator and 28 degrees 16 minutes east of the Greenwich Meridian. These coordinates represent what are commonly referred to as the grid references of a particular place on a map.

**UNIVERSAL TRANSVERSE MERCATOR**

The Universal Transverse Mercator (UTM) is a map system that is used by all NATO countries. The same principles for reading and navigating apply, whatever the system that is used.
GLOBAL POSITIONING SYSTEM (GPS)

This is an electronic survey instrument used to pick, set, etc, coordinates of any position on earth through satellite. Whenever it is used, the GPS must be configured to some settings corresponding to the continent, country and an arc (map datum), which is a reference line or a benchmark. In Zambia, for example, we use arc 50 as a code, and this is even shown on the topographical maps for Zambia.
SECTION 4
Practical exercises

Exercise 8.1 Classroom voice controlled exercise
The instructor will issue both the contents of messages and its reply.

*A 1 Base this is A 1 one – Radio check – Over*
THIS IS A 1 BASE – YOU ARE LOUD AND CLEAR – OVER
This is A 1 one – You are loud and clear as well – Over

Exercise 8.2 Classroom message exercise
The instructor will issue messages on a pre-filled operational report form. You are expected to provide the correct reply.

*Alpha – This is Charlie – Message – Over*
This is Charlie – Watch for fallen rocks on road BIRKET- I spell- Bravo India Romeo Kilo Echo Tango – BIRKET – Over

Exercise 8.3 Field radio traffic exercise
All mobiles will book with control and report their movements from time to time. The object should be for control to know its dispositions at any time, and avoid having its mobiles working in close proximity to each other, thereby leaving large areas uncovered. Cars moving through areas, will book out of one area before booking into the next. Control stations will remain alert at all times.
The procedure to be used will be along the following lines:

- **Control station**
  ‘Pristina control to Alpha two one. An accident has been reported at the corner of Addis Ababa Avenue and the Great East Road. Will you deal and let me know what assistance you need.’

- **Alpha Two One**
  ‘Alpha two one to Pristina control. We are on our way now’

- **On arrival at the scene**
  ‘Alpha two one to Pristina Control, have arrived at scene of accident and will be leaving the car for a few minutes’

- **Pristina Control**
  ‘Thank you, one, standing by’

Duration
4 hours

Section aim
To provide the participant and the instructor with a ‘post-mortem’ of the entire module and help to evaluate whether the participant is ready for mission deployment

Section objectives
To practice participants in the application of peacekeeping operating techniques evaluate whether the participant is ready for mission deployment
## APPENDIX 8.1
### Report formats

**PATROL REPORT**

<table>
<thead>
<tr>
<th>Date:</th>
<th>UNPOL Station:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Names of observers / monitors:</td>
<td>I.D.:</td>
</tr>
<tr>
<td>Interpreter:</td>
<td>I.D.:</td>
</tr>
<tr>
<td>Type of patrol:</td>
<td>I.D.:</td>
</tr>
<tr>
<td>Destination:</td>
<td></td>
</tr>
<tr>
<td>Is area clear of mines:</td>
<td></td>
</tr>
<tr>
<td>Time patrol began:</td>
<td></td>
</tr>
<tr>
<td>Time patrol ended:</td>
<td></td>
</tr>
<tr>
<td>Report:</td>
<td>Incident reference</td>
</tr>
<tr>
<td>Observer / Monitor:</td>
<td>Station commander:</td>
</tr>
<tr>
<td>Signature:</td>
<td>Signature:</td>
</tr>
</tbody>
</table>
DAILY OCCURRENCE REPORT (DOR)

<table>
<thead>
<tr>
<th>CI/POL</th>
<th>DOR No.</th>
<th>From date</th>
<th>Time</th>
<th>To date</th>
<th>time</th>
</tr>
</thead>
</table>

Nat.  
No.  
Nat.  
No.  

<table>
<thead>
<tr>
<th>CTO</th>
<th>Leave</th>
<th>AWL</th>
<th>Sick</th>
<th>Total</th>
<th>Equipment</th>
<th>U/S</th>
<th>Operational</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

Interpreters:  

1. General situation:

2. Villages and areas patrolled:

3. Meetings held:

4. Cooperation with local authorities and other agencies:

5. Separation zone-patrols / incidents:

6. Humanitarian aid:

7. Restriction of movement:

8. Information of interest:

9. Status of crossing points:

10. Request for joint patrols within the next twenty-four (24) hours:
## Module 8 Police Peacekeeping Operating Techniques

### UN RESTRICTED (when filled in)

## INCIDENT REPORT

<table>
<thead>
<tr>
<th>Sector</th>
<th>Date &amp; time</th>
<th>Incident No.</th>
<th>Incident date &amp; time</th>
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</thead>
<tbody>
<tr>
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<table>
<thead>
<tr>
<th>CIVPOL I.D.</th>
<th>CIVPOL Name</th>
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<tbody>
<tr>
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</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>AMR</th>
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</table>

<table>
<thead>
<tr>
<th>Nature of incident</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Victim / Complainant / Witness / Suspect

<table>
<thead>
<tr>
<th>Last name</th>
<th>First name</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Date of Birth</th>
<th>Sex</th>
<th>Ethnic Group</th>
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<td></td>
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<table>
<thead>
<tr>
<th>Address</th>
<th>City</th>
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<table>
<thead>
<tr>
<th>Remarks</th>
</tr>
</thead>
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<td></td>
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</table>

### Brief summary

<table>
<thead>
<tr>
<th>Incident no.</th>
</tr>
</thead>
<tbody>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Victim / Witness explanation – Local Police / CIVPOL action details</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

### Observer / Monitor I.D. # signature

<table>
<thead>
<tr>
<th>Station Commander signature</th>
</tr>
</thead>
<tbody>
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<td></td>
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</table>

### UN Restricted Report – Supplementary

<table>
<thead>
<tr>
<th>Sector</th>
<th>Date &amp; Time</th>
<th>Incident No.</th>
<th>Incident date</th>
</tr>
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<tbody>
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<table>
<thead>
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<th>CIVPOL Name</th>
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</thead>
<tbody>
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</table>

<table>
<thead>
<tr>
<th>Nature of incident</th>
<th>Category</th>
</tr>
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<tbody>
<tr>
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<td></td>
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</table>

<table>
<thead>
<tr>
<th>Distribution</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MODULE 9

Field Exercise: Furugo Kali
## Contents

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</tr>
</thead>
<tbody>
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<tr>
<td>Generic AMIF deployment and concept of operations</td>
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<td>Transfer to a UN mandate</td>
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<td>Exercise tasks</td>
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<tr>
<td>Exercise organisation and administration</td>
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<tr>
<td>Exercise area</td>
<td>317</td>
</tr>
<tr>
<td>Exercise command and signals</td>
<td>317</td>
</tr>
</tbody>
</table>
EXERCISE FURUGO KALI

The AU–UN Operation in Fulaland (UNAMIF)

BACKGROUND

Tsanaland is a large country in East Africa. Since the country’s independence from Italy in 1956, it has been affected by conflict as a result of religious, political and socio-economic inequalities among the various ethnic groups. Even so, the question of religious belief seems to exacerbate these differences.

After several military takeovers, violent armed conflict started in the south-west of the country, an area inhabited predominantly by the minority group. In 2005, a low-intensity war erupted between the Fula Liberation Army/Movement (FLA/M), the Justice for Fulaland (JFF) and several other factions on the one hand and the Government of Tsuanaland (GoT) on the other.

The conflict has since claimed about 350,000 lives, in addition to the internal displacement of over two million Fula people, while another 300,000 fled across the western border into Chaduka, the neighbouring country.

Concerned with the worsening humanitarian situation in Tsuanaland and the potential spill-over of the conflict into Chaduka, the Peace and Security Council (PSC) of the AU met in an extraordinary session in May 2004, following the establishment of the Humanitarian Ceasefire Agreement (HCFA) in April 2004, to mandate the deployment of an AU mission in Fulaland (AMIF).

Figure 9.1 The Tsuanaland State

Duration
6–8 hours

Aim
Through a variety of scenarios, to give participants an opportunity to put into practice the peacekeeping knowledge and skills acquired on the course.

Objectives
The exercise will serve to:
- Assess the ability of participants to demonstrate an effective application of the theory learnt, with emphasis on personal security awareness, human rights, use of force and special considerations for vulnerable groups in line with the mission mandate.
- Examine participants’ skills in negotiation and mediation, radio communication, driving, navigation and reporting.
AU MANDATE

AMIF’s mandate was to assist the parties to the conflict, namely GoT, FLA/M, and the JFF, in the implementation of the HCFA (2006), in order to create conditions for the safe return of IDPs and of the refugees from Chaduka.

To achieve this, AMIF was further mandated to:

- Monitor the protection of the human rights of the civilian population
- Monitor and mentor the GoT police in the IDP camps and safe villages
- Liaise with the GoT, FLA/M and the JFF in the investigation of HCFA violations
- Assist the UN and the international community in the mission area

GENERIC AMIF DEPLOYMENT AND CONCEPT OF OPERATIONS

AMIF was a multidisciplinary integrated mission, deployed in eight sectors, each with two integrated group sites (IGS) and four teams per site. AMIF police, numbering about 1,340 officers, were deployed at 20 static village posts and 45 IDP camps.

TRANSFER TO A UN MANDATE

Eventually, ‘determining that the situation in Fulaland constitutes a threat to international peace and security, the UNSC passed Resolution 1796 (2007). It decides in support of the effective implementation of the DPA to authorise and mandate the establishment, for an initial period of 12 months, of an AU-UN hybrid operation in Fulaland (UNAMIF), incorporating 360 military observers (milobs)/LOs; a civilian component; and up to 3,772 police.

Acting under chapter VII of the UN Charter, the UNSC decides that UNAMIF is authorised to take the necessary action, in the areas of deployment of its forces … as it deems within its capabilities in order to:

- Protect its personnel, facilities, installations and equipment, and to ensure the security and FOM of its own personnel and humanitarian workers
- Support early and effective implementation of the DPA, prevent the disruption of its implementation and armed attacks, and protect civilians, without prejudice to the responsibility of the GoT recent operational situation

RECENT OPERATIONAL SITUATION

In spite of the deployment of UNAMIF, the situation in the area of responsibility (AOR) remains precarious, characterised by rampant serious crimes, crimes against humanity, and attacks on UNAMIF and humanitarian agencies.

It is now 08:30 hrs, 24 June 2008.
EXERCISE TASKS

You are members of the AMIT police deployed at the Lamlam IDP camp. As team leader, you are to carry out daily foot and mobile patrols from your post, and on order.

EXERCISE ORGANISATION AND ADMINISTRATION

- Course participants will wear police fatigues
- They will be regrouped into patrol teams
- Patrol teams will be assigned radio call signs
- Patrols will be vehicular or foot, as ordered, along designated routes
- All incidents will be reported by radio only

EXERCISE AREA

To be explained.

EXERCISE COMMAND AND SIGNALS

- Participant trainer patrol teams will conduct radio checks on the designated nets at the beginning of the exercise. Teams will not communicate with other teams, but only with other members of their own team and the control station.
- Teams are to inform Sector HQ of their ETDs and ETAs within the assigned scenarios. Sector commander will control all movements of teams at start post.
- Sector commander will instruct all teams by radio to move from one scenario to the next scenario. Team leaders must inform sector commander when they are through with each scenario. This is to avoid congestion of teams at one scenario locality while they wait for other teams to go through scenarios.
- Exercise control will devolve on the sector commander at HQ. Course facilitators will man sector HQ. They will also work out the exercise rotational/movement plan through scenarios.
- The exercise rotations will be based on selected scenarios developed by the course facilitators. Each scenario will be based on one critical activity that will form the basis for exercise debrief. Exercise debrief will be by a combination of on-the-spot critiques and centralised course critiques to benefit all participants.
Notes and References
Notes

MODULE 1

1 Republic of Angola, Republic of Botswana, Kingdom of Lesotho, Republic of Malawi, Republic of Mauritius, Republic of Mozambique, Republic of Namibia, Republic of South Africa, Kingdom of Swaziland, United Republic of Tanzania, Republic of Zambia, and Republic of Zimbabwe.

2 Adapted from the IMLASS website, accessed August 2009.

3 Adapted from the INTERPOL website (accessed August 2009).

MODULE 2

4 UNMOVIC was created through Security Council resolution 1284 (1999), to replace the former UN Special Commission (UNSCOM), to verify Iraq’s compliance with its obligation to rid its weapons of mass destruction (chemical, biological weapons and missiles with a range of more than 150 km), and to operate a system of ongoing monitoring and verification to ascertain that Iraq did not reacquire the same weapons prohibited to it by the Security Council.


12 Note: At this stage, a draft Secretary-General’s report is prepared, incorporating the products of the integrated mission planning process and products from external sources. The draft mission plan also serves as evidence to the Security Council that the proposed mandate is viable and achievable.

13 The structure is based on the Report of the 3rd Ordinary Session of the Executive Council on the Proposed Structure, Human Resource Requirements and Conditions of Service for the Staff of the Commission of the African Union and their Financial Implications. Doc. EX/CCL/39 (III), of 4-8 July 2003, Maputo. Unspecified amendments (as shown on the African Union website) have been made since the report was released.

14 Festus B Aboagye, The Ghana Army, a concise centennial regimental history, 1897–1999, Accra: Sedco, 1999, 269 and 273–74. In 1960, African troop contributions and logistical supplies to the UN Operations in the Congo (ONUC) were air-lifted by the major Cold War actors, namely USA, UK and USSR, as well as Canada and Switzerland. Similarly, after the April 2004 ceasefire agreement in Chad on the Darfur crisis, the deployment of AMS was supported by the international community through logistical and funding assistance.

15 This paradigm shift in part explains the relatively limited contributions of ECOWAS member states to ECOMIC (1 430) and ECOMIL (3 560).

16 Some of the ad hoc interventions were the Ad Hoc Commission (1963–67) on the Algero-Moroccan conflict (1968–69); the OAU Ad Hoc Committee on Inter-African Disputes (1977) dealing with the Uganda-Tanzania Conflict; the Good Offices Committee (1973) for the Somalia-Ethiopia dispute; the Fact-Finding Committee to deal with the Rwanda-Burundi Conflict (1962–72), the Ad Hoc Committee of Wise Men and its Fact-Finding Sub-Committee of Heads of State (1978), dealing with the Western Sahara dispute in the aftermath of Spain’s withdrawal and Morocco’s occupation of the territory; the Ad Hoc Committee on Congo Leopoldville (1964); the Ad Hoc Committee (1967–68) dealing with the issue of mercenaries in Congo Leopoldville; the Ad Hoc Standing Committee on the Chad Civil War (1979–82); and the Consultative Mission on the Nigerian Civil War (1967–70).

17 During its 26th Session (Addis Ababa, July 1990), the Assembly of Heads of State and Government underscored the need to act quickly and determinedly to forestall devastating African conflicts; it adopted the Declaration of the Assembly of Heads of State and Government of the Organization of African Unity on the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World. On the basis of this declaration, the OAU Secretary-General submitted the Report of...
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the Secretary-General on Conflicts in Africa. Proposals for an OAU Mechanism for Conflict Prevention, Management and Resolution to the 56th Ordinary Session of the Council of Ministers and the 28th Ordinary Session of the Assembly of Heads of State and Government (Dakar, Senegal, June/July 1992).


19 NEPAD was originally envisaged as a vehicular forum for dialogue between NEPAD (member states) and the G8 industrialised countries.

20 The 14 original member states of SADC are: Angola, Botswana, DRC, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. It is to be noted that nine SADC member states are also members of the 20-member Common Market for Eastern and Southern Africa (COMESA). These are: Angola, DRC, Malawi, Mauritius, Namibia, Seychelles, Swaziland and Zambia.

21 The SADC Organ was first established in 1996, superseding the defunct Front Line States (FLS), which had been instrumental in the coordination of FLS’s military response to the destabilization operations of apartheid South Africa. The new Protocol entered into force in March 2004, 30 days after its ratification by Zimbabwe on 2 February 2004, to provide for nine signatures or two-thirds of the Membership. Angola, the DRC, Seychelles, Swaziland and Zambia are yet to ratify the Protocol.

22 The SIPO (third draft), which is divided into four sections, cover: 1) political; 2) defence; 3) state security; and 4) public sectors; and provides implementation guidance for the next five years.

23 See also Article 11(3c and d), and 11(4e) of the Protocol.

24 See Article 6 of the MDP relating to Collective Self-Defence and Collective Action.

25 These exercises are: BLUE CRANE (1998) and BLUE HU/WUNGWE (1999), no joint multinational exercises have been conducted since 2000.

26 General Assembly Resolution 22 A (1).

MODULE 3

27 Security Council 3801 Meeting on Role of CIVPOL (Brahimi Report).


MODULE 4


MODULE 5

34 J Albert, Negotiation skills: A handbook, Centre for Intergroup Studies, University of Cape Town, 1986.


36 Centre for Conflict Resolution, University of Cape Town, 1996.

37 Ibid.


39 Centre for Conflict Resolution, University of Cape Town, 1996.

40 Centre for Conflict Resolution, University of Cape Town, 1996.


45 Ibid.

MODULE 6


47 The al Shabaab is a hardline Islamist insurgent group in Somalia that took up arms against Ethiopian troops in 2006. According to the US, al Shabaab is a terrorist group with links to al-Qaeda. Since the start of 2007, fighting has killed at least 17 700 civilians and driven more than one million from their homes. About three million Somalis survive on emergency food aid. Incidentally, in 2009, Sheikh Sharif Ahmed, a former head of the Islamist Courts Union (ICU), which was also labeled as a terrorist group with links to al Qaeda, was invited to become the president of the country in 2009.

MODULE 7


51 See UN Security Council Resolution 808 of 22 February 1993 and Resolution 827 of 25 May 1993. For detailed accounts of the creation of the ICTY, see M C Bassiouni and P Manikas, The law of


53 These statistics are as of 1 June 2008. For latest ratification status, see Coalition for the International Criminal Court, www.iccnow.org (accessed April 2009).

54 Update on the case was originally available at the following website, which now appears to have moved: http://www.icc-cpi.int/press/pressreleases/379.html.


58 According to the source (UN ECOSOC), the statistics are culled from a variety of sources and are valid as of May 1997.


61 For further information, see UNHCR, http://www.unhchr.ch.
References


CIVPOL HANDBOOK Annex D. p D22.


International Human Rights Standards for Law Enforcement pp 21–22 (see ‘Blue Book’).


ADDITIONAL WEBSITES


ECOWAS Commission. www.ecowas.int

European Commission. www.ec.europa.eu


Peacekeeping Resource Hub. Police, lessons learned and training for the peacekeeping community.


Stability Pact for South Eastern Europe. www.stabilitypact.org


www.africa-union.org


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