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UK National Strategy on the Protection of Civilians in Armed Conflict

2012 Annual Report

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In March 2010 the United Kingdom launched a national strategy on the Protection of Civilians in Armed Conflict (PoC). The strategy, a collaboration between the Foreign and Commonwealth Office, the Department for International Development and the Ministry of Defence, sets out what the Government is doing to keep the Protection of Civilians at the forefront of our work on political, security and humanitarian fronts. The strategy covers the period 2010-2013, and provides for annual progress reports.

This 2012 report summarises the UK's work in four policy areas:

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

Strengthening international political action on protection

The Building Stability Overseas Strategy (BSOS) launched by the FCO, DFID and MOD in 2011 made clear that protecting civilians is at the core of the UK's policies to prevent, manage and resolve conflict.

At the **United Nations**, the UK remains the Security Council lead nation on the Protection of Civilians agenda. We use the biannual UN Security Council Protection of Civilians debate and Informal Expert Group to highlight key, current protection issues. The UN Security Council Open Debate held on 25th June 2012 helped to highlight key protection issues including humanitarian access. During the debate the UK made clear that the international community must play its part in helping states to fulfil their primary responsibilities under international law and underlined UK concern that we continue to see humanitarian access to areas of need blocked or constrained.

The informal UNSC Protection of Civilians expert group, chaired by the United Kingdom, has so far met eight times in 2012, instituting thematic and ad hoc briefings has on country specific situations. New members have now engaged, and on 7 February 2012 the group developed a new practice by inviting the Office for the Coordination of Humanitarian Affairs (OCHA) to give its first thematic briefing.

The UK is committed to preventing conflict and thereby avoiding the negative impact of conflict on civilians. As the lead department for preventive diplomacy and

peacemaking, the UN Department of Political Affairs is a key partner within the UN system. The UK has now committed £7 million to DPA's Multi-Year Appeal for 2012-15 making the UK one of the key donors to DPA. This funding will allow DPA to build essential capacity and respond quickly to emerging conflict flashpoints.

Nationally, the UK National Action Plan (NAP) for the implementation of UN Security Council Resolution 1325 (UNSCR 1325) on Women, Peace and Security strengthens our ability to reduce the impact of conflict on women and girls, and to promote their inclusion in conflict resolution. The second annual review published in October 2012 highlighted key strands of new work including the launch by the Foreign Secretary of a major new Government initiative to prevent sexual violence in conflict, and development of a Middle East and North Africa (MENA) Regional Action Plan.

This year DFID has also invested significantly in scaling up its programme work tackling Violence Against Women and Girls (VAWG) as well as building the global evidence base on what works to prevent VAWG. In November, DFID launched a new research and innovation fund to build this evidence base. The fund is a £25m investment over five years - a major and potentially ground-breaking new investment internationally. It will build rigorous evidence through operational research, impact evaluations and innovative pilot projects. By determining what works to successfully prevent VAWG, programmes can be taken to scale with strong assurance of value for money and impact. The fund's results will also be an important public good, helping to transform programmes around the globe to prevent and respond to violence against women.

The UK Government believes there is more that can - and must - be done to combat sexual violence in conflict and particularly to address the culture of impunity for these crimes that has been allowed to develop. For this reason, on 29 May the Foreign Secretary launched his Preventing Sexual Violence in Conflict Initiative in London. The Foreign Secretary's initiative aims to address the culture of impunity by increasing the number of perpetrators brought to justice both internationally and nationally; strengthening international efforts and co-ordination; and supporting states to build their national capacity.

The UK will use its 2013 presidency of the G8 to rally sustained and co-ordinated international action and to ensure this issue is a global priority over the coming year. We will use the G8 Foreign Ministers' meeting in April 2013 to secure a clear political statement from the G8 of its determination to make real, tangible progress on combating the use of sexual violence in conflict. In addition, we will seek a wider set of practical commitments to overcome the barriers that impede the implementation of the existing international legal framework and prevent successful investigations and prosecutions. We are clear that our approach through the G8 should build on, rather than duplicate, existing work.

In addition we have established a specialist team of UK experts to deploy to conflict areas to support the UN and civil society to investigate allegations of sexual violence, gather evidence and help build national capacity to do so. There are currently 70 members on the UK Team of Experts, 32 of whom are women. The

team includes police, lawyers, psychologists, doctors, forensic experts, gender-based violence experts and experts in the care and protection of survivors and witnesses. These experts will be deployed to support on-going international and national efforts in priority countries. Each team will be formed in response to specific needs and will provide targeted and specialised support.

The UK has also increased its support to the UN Secretary-General's Special Representative on Sexual Violence in Conflict to bolster their efforts to strengthen national capacity to investigate, prosecute perpetrators of sexual violence and to protect survivors and witnesses. On 25 September the Foreign Secretary announced a further £1 million of core funding to the SRSG's office. We now call on other countries to do likewise.

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

We have actively encouraged greater coherence between the UN's human rights machinery and the UN Security Council. We have supported the numerous appearances of Ms Navi Pillay, the High Commissioner for Human Rights, and officials from her office, in Security Council meetings and consultations. This has helped ensure that information and the monitoring work of the UN human rights mechanisms reaches the appropriate decision making body. We will continue to look at ways to improve this information flow even further.

Also, we have supported or stimulated Human Rights Council attention to human rights violations around the world – establishing new monitoring mechanisms on the human rights situations in Belarus and Eritrea, for example. With such increased scrutiny, we hope to contribute to efforts to combat impunity for human rights violations.

The UK is a robust supporter of the Office of the High Commissioner for Human Rights (OHCHR) and its work. We encourage its efforts to embed the mainstreaming of human rights across the wider work of the UN, including the humanitarian coordination mechanisms, and welcome its adoption of a strategy on engagement in humanitarian action. We continue to promote the provision of technical assistance and capacity building on human rights where required, and were pleased to see the recent signing of an MoU to establish an OHCHR presence in Yemen.

The UK is a strong supporter of the UN Declaration on Human Rights Defenders (HRDs) and of the EU Guidelines on HRDs, both of which inform our own policy. The purpose of these Guidelines is to provide practical suggestions for enhancing EU action in relation to this issue. The Guidelines also provide for interventions by the EU for human rights defenders at risk and suggest practical means of supporting and assisting human rights defenders. An important element of the Guidelines is support for the Special Procedures of the UN Human Rights Council, including the UN Special Rapporteur on Human Rights Defenders and appropriate regional mechanisms to protect human rights defenders. Work includes close co-operation

with HRDs and maintaining contact, which provides opportunity to encourage collaboration with others, including international NGOs. Many are part of the wider network of NGOs – the International Federation (FIDH), based in Brussels, which is very proactive in this area.

Supporting international, national and community efforts for transitional justice

The UK has continued to take action to tackle impunity through the UN's human rights mechanisms and in the wider UN. We have been at the forefront of activity in the Human Rights Council on Syria – ensuring the Commission of Inquiry has the required mandate to carry out its important work in investigating and mapping human rights violations and abuses.

The UN High Level Meeting on Rule of Law Outcome Document agreed at the 67th session of the General Assembly stressed the importance of a comprehensive approach to transitional justice incorporating the full range of judicial and non-judicial measure to ensure accountability. The UK was actively engaged in the run up to the High Level Meeting including in the development of the Outcome Document adopted by all UN member states.

Strengthening international justice mechanisms

The Foreign Secretary's speech on 9 July 2012 made clear that Justice and international law are central to foreign policy. We actively support a rules-based international system. We are engaged in all six existing international criminal Courts and Tribunals. We are one of only two Permanent Members of the United Nations Security Council to have ratified the Rome Statute. We are the only Permanent Member to accept the compulsory jurisdiction of the International Court of Justice (ICJ), and we exercise universal jurisdiction over the offence of torture.

We are a robust supporter of the International Criminal Court (ICC) in its investigations. The United Kingdom is the third largest contributor to the budget of the ICC and has signed agreements with the Court on sentence enforcement, witness protection and information sharing. We have also been active in promoting the importance of experienced and competent candidates standing for judicial elections. Howard Morrison QC was elected as a judge at the ICC in 2012, following in the footsteps of Sir Adrian Fulford. In 2011 we donated £500,000 to the ICC's groundbreaking mechanism to help victims rebuild their lives, the Trust Fund for Victims, and have donated £500,000 again in 2012.

The UK believes the ICC should be a universal court. We will continue to encourage all countries to become State Parties to the Rome Statute, particularly those that have signed but not ratified it. The UK made a commitment at the 31st International Conference of the Red Cross and Red Crescent (Geneva, 28 November - 1 December 2011) and again at the UN High Level Meeting on Rule of Law to promote the greatest possible participation in and implementation of the Rome Statute of the International Criminal Court, the development and maintenance of an effective court and the realization of the principle of complementarity. The UK together with the EU

Member States will facilitate technical assistance to interested states by supporting legislative work for the accession to the Statute, supporting their participation in the ICC and their access to the instruments of the ICC.

Protection by peace support operations

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

The UK continues to take a robust position on the inclusion of Protection of Civilians language in UN Peacekeeping mandates. Protection of Civilians language is currently contained in nine mandates, including the UN Mission in South Sudan (UNMISS) and African Union/UN Assistance Mission in Darfur (UNAMID) where it has been given a renewed focus. The Protection of Civilians language in the UN Support Mission in Haiti (MINUSTAH) has been preserved following strong UK efforts despite attempts by others to weaken the text. The nine mandates which contain Protection of Civilians are

- UNSCR 2057 (2012) on South Sudan (UNMISS)
- UNSCR 2047 (2012) on Sudan's Abyei region (UNISFA)
- UNSCR 2063 (2012) on Darfur (UNAMID)
- UNSCR 2053 (2012) on Democratic Republic of the Congo (MONUSCO)
- UNSCR 2062 (2012) on Côte d'Ivoire (UNOCI)
- UNSCR 2066 (2012) on Liberia (UNMIL)
- UNSCR2070 (2012) on Haiti (MINUSTAH)
- UNSCR 2041 (2012) on Afghanistan (UNAMA)
- UNSCR 2010 (2011) on Somalia (AMISOM)

Better reporting on protection issues by peace support operations

We have supported efforts (i) to deploy Human Rights components in peacekeeping operations; (ii) to increase the frequency with which the High Commissioner for Human Rights briefs the UN Security Council on human rights concerns; and (iii) to support initiatives such as that hosted by Portugal in February 2012 which brought Security Council members together with human rights components to discuss good practices from the field, and to take steps to overcome common obstacles preventing more effective human rights reporting in peacekeeping operations. UNSMIS is a good example of a recently deployed mission benefitting from strong HR element.

The UK has supported AMISOM's efforts to better fulfil its protection of civilians mandate through the funding of an organisation called Centre for Civilians in Conflict (CIVIC). CIVIC have designed a framework for AMISOM to create a Civilian Casualty Tracking, Analysis and Reporting Cell (CCTARC) work on the casualty tracking and response cell. They are currently undertaking a further study to provide some practical recommendations on how best to set up and run the cell.

Better execution of protection tasks within a peace support operation

The UK remains extremely concerned about the situation in the Democratic Republic of Congo where civilians continue to suffer the effects of the ongoing conflict and insecurity. We will continue to work to ensure that the UN peacekeeping and stabilisation mission to DRC (MONUSCO) supports the government's efforts and responds to the changing situation on the ground, ensuring that protection of civilians remains its first priority while increasing its emphasis on stabilisation activity.

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

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

The AU's 2010 peacekeeping exercise Amani was scheduled to be the final exercise in the two-year AMANI Africa cycle, designed to test and validate the operational readiness of the African Standby Force and the ability of the AU to deploy and manage multidimensional peace support operations. MOD supported both with manpower and funding. The lessons learned from the exercise will now assist the AU to develop further doctrine and procedures. The second AMANI AFRICA cycle is one of the action points to contribute to the full operationalisation of the African Peace and Security Architecture (APSA) and on 1 April 2011 the EU took responsibility for support to the AU AMANI AFRICA II cycle through the EU AAPT. The British Support Team South Africa has maintained links with the AU on this subject and is scoping potential support to SADC, who are likely to be the lead region for AFRICAN AMANI II.

Enhancing protection capabilities of troop and police contributing nations

We have promoted the UN Secretariat's development of scenario-based training on Protection of Civilians and promoted political buy-in from Troop Contributing

Countries to use this new training resource. We have also defended the development of this training within the UN Special Committee on Peacekeeping (C34). We are also providing the Department for Peacekeeping Operations with a significant amount of extra-budgetary support to cover two General Temporary Assistance (GTA) slots, one slot focussing on the development of training materials for mission staff on conflict related sexual violence, the other providing a Protection of Civilians coordination role.

The MOD's Development, Concepts and Doctrine Centre is taking a leading role in the development of NATO's doctrine on peace support operations. The doctrine highlights the importance of protecting civilians during periods of conflict and post conflict situations and is due to be published in 2013. Last year's joint doctrine note on peacekeeping, which incorporated the issue of protecting civilians, will continue to inform other nascent UK doctrine publications, such as the emerging keystone doctrine on building stability overseas that is due to be published in 2013.

Humanitarian action

Improving humanitarian access

The Building Stability Overseas Strategy made clear that the UK will ensure that its humanitarian aid is delivered on the basis of need alone and on the basis of humanity, neutrality, impartiality and independence in accordance with its key international commitments. We will maintain a principled non-politicised approach to humanitarian aid. Following the March 2011 Humanitarian Emergency Response Review (HERR) in which Humanitarian Space was one of the seven main themes, the UK issued a revised Humanitarian Policy document: 'Saving lives, preventing suffering and building resilience'. This policy guides all UK humanitarian action.

The new Policy contains seven goals including policy goal 6: 'Protect civilians and humanitarian space'. This policy goal states that the UK is committed to the protection of civilians as well as responding to violence against women and girls and we will work with our mandated partners to achieve this end. It also states that we will advocate for the protection of civilians through: diplomatic dialogue; our position as a permanent member of the UN Security Council; as a provider of international military forces; as a supporter of international peace operations and as a contributor to building capable security and justice institutions in fragile states.

The policy goes on to emphasise UK recognition of the importance of humanitarian principles and preserving the civilian nature of humanitarian assistance. The UK believes this approach encourages access for humanitarian agencies –referred to as the 'humanitarian space'. Maintaining this space is important when military and civil defence assets are deployed in support of humanitarian assistance efforts.

Additionally, language on humanitarian access and humanitarian principles has continued to be included in UK statements in relevant UN fora, such as UN Security Council debates on the Protection of Civilians, the UN Economic and Social Council (ECOSOC) and on governing boards of humanitarian agencies.

The UK has committed within our Humanitarian Policy to:

- Implement the appropriate political, humanitarian and development actions necessary to uphold respect for international law, protect civilians and to secure humanitarian access.
- Ensure that UK Humanitarian action contributes to preventing and responding to violence against women and girls
- Allocate proportionate funds in the most volatile situations to security management costs and ensure those we fund undertake quality risk assessments and put in place security risk mitigation measures.

Strengthening the work of humanitarian agencies with an international protection mandate

The UK continues to fund those UN agencies, including UNHCR and UNICEF, with a protection mandate and has done so in many humanitarian situations in the last two years, including the Horn of Africa, the Sahel, Syria and Libya. We continue to monitor agencies progress closely according to the reforms identified in the Multilateral Aid Review (MAR) of 2011. All core funding agreements with these agencies have been renewed until 2014/15, subject to progress against the MAR, measured annually through agency specific indicators. We are also supporting the efforts of these agencies to strengthen protection through improved humanitarian leadership, coordination and accountability as part of the Inter Agency Standing Committee (IASC) 'Transformative Agenda' for humanitarian system reform.

DFID funding for World Vision's "Minimum Agency Standards for Incorporating Protection in Humanitarian Response for non-mandated agencies" project has now concluded. The standards have been published and we expect them to have good uptake amongst NGO agencies. Similarly DFID funding for the Brookings-Bern project 'To strengthen the capacity of the United Nations Secretary General's representative on (the human rights of) internally displaced persons' has also concluded. The Special Representative recently reported on the mandate at 67th session of the UN General Assembly, noting the considerable progress achieved in the last year, including in supporting states to meeting their responsibilities on protection.

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

DFID routinely assesses protection needs as part of every humanitarian response. Where relevant and appropriate, non-mandated humanitarian partners are encouraged to mainstream protection issues. To this end DFID contributed to the development of the ICRC's 'Professional standards for protection work' manual in 2009 and again in the upcoming revision.

The UK continues to work with the Inter-Agency Standing Committee (IASC) - a unique inter-agency forum for coordination, policy development and decision-making involving the key UN and non-UN humanitarian partners - on their performance indicators including those for protection, with the intention that we may adopt these indicators for our own humanitarian programming in due course.

State capacity

Strengthening security and justice services

The UK's objective in strengthening security and justice services is to support partner countries to build effective, accountable and accessible security and justice which meet the needs of citizens. This includes funding innovative approaches, on issues such as legal empowerment and use of technology. DFID has committed to new Security and Justice Programmes in 12 fragile and conflict-affected states and is improving programming and policy through a vibrant community of practice and support on measuring and demonstrating impact at the country level. The tri-departmental Conflict Pool, which draws on the expertise of DFID, FCO, MOD and includes both ODA and non-ODA funds, is well-placed to carry out work focusing on security sector reform.

Examples of where the UK focuses its work include:

- In **Afghanistan**, developing the Afghan National Security Forces (ANSF) is a key part of the NATO remit. They have an essential role in providing security and supporting governance in the country. The UK's contribution to ANSF development is delivered through three principal means; by embedding staff officers in the NATO Training Mission Afghanistan (NTM-A) headquarters; by providing trainers and support to NTM-A training institutions; and through the partnering, mentoring and advising of ANSF in Helmand province. Across Afghanistan as a whole, excellent progress continues to be made. The ANSF are on track to meet their fully fielded strength of 352,000, which will comprise 187,000 Afghan Army, 157,000 Afghan Police and 8,000 Air Force. NTM-A have now turned their main focus of effort to the improvement of leadership and the development of ANSF capability in shortfall areas;
- In **Nepal**, DFID supports a network of paralegal committees at the village level to protect women and children from exploitation, violence and abuse, and to

improve access to justice and local mediation when violations occur. A recent survey found that 73% of respondents stated there is less violence against women since the committees were established.

- In **Malawi**, DFID has supported improvements in informal justice systems to strengthen fair and effective access to justice for women. The inclusion of women on village tribunals has helped to challenge the dominance of men in the membership of the traditional courts and women report that it has given them greater confidence in presenting their cases.
- In **Sierra Leone**, the Conflict Pool funds the International Military Training Team, a team of British military experts who offer training and advice to the Ministry of Defence and the Armed Forces, to support the development of a democratically accountable and self-sustaining defence capability. In 2012/13, this has focused on support to the army and police for the national elections, and training for the armed forces' contribution to AMISOM, the regional peacekeeping force in Somalia.
- Through contributing UK secondees to the European Rule of Law Mission in **Kosovo**, the UK has been able to play an important role in assisting the Kosovan authorities to develop capacity. UK secondees play a central role in all parts of the mission, focusing on policing, the judiciary and the customs service.

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

A key outcome of the UN Review of Civilian Capacity in the Aftermath of Conflict (CivCap Review) has been the development of a UN Global Focal Point on Rule of Law. The UK was a key supporter of the CivCap review process and has actively pressed the UN to address issues relating to roles and responsibilities for security and justice. The Global Focal Point was established in June 2012 to improve the coherence of UN rule of law support on police, justice and corrections. It will include joint working by the UN Department of Peacekeeping Operations (DPKO) and the UN Development Programme (UNDP) in the field and at UNHQ. The UK continues to press the UN, EU and World Bank to improve coordination on security and justice activities both within and across the organisations.

The UK is active across the globe in providing security and justice assistance to international partners. We have considerable experience and expertise to offer other countries in strengthening institutions such as the police and judiciary. To ensure that our overseas security and justice assistance work meets our human rights obligations and our values the Overseas Security and Justice Assistance (OSJA) Guidance was launched in November 2011. This guidance is part of a package of improvements that responds to the lessons of 2011 and the Government's wider commitment to strengthen and uphold the record of the UK as a defender and promoter of human rights and democracy.

Strengthening national capacities for human rights monitoring

The Human Rights and Democracy Programme is the FCO's dedicated fund supporting human rights and democracy work overseas. The Programme aims to make a difference to people's lives, helping to build the capacity of governments and civil society to promote and protect human rights. We have roughly £5m available per year for project funding. In 2012/13, and we are supporting over 70 projects worldwide.

Glossary of acronyms

AMISOM	African Union Mission in Somalia
ANSF	Afghanistan National Security Forces
APSA	African Peace and Security Architecture
AU	African Union
C34	UN Special Committee on Peacekeeping Operations
DFID	Department for International Development (UK)
DPA	Department of Political Affairs (UN)
DPKO	Department of Peacekeeping Operations (UN)
ECOSOC	Economic and Social Council (UN)
EU AAPT	EU AMANI Africa II Planning Team
FCO	Foreign & Commonwealth Office (UK)
GTA	General Temporary Assistance
HMG	Her Majesty's Government
HRC	Human Rights Council
HRD	Human Rights Defender
ICC	International Criminal Court
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
IHL	International Humanitarian Law
IHRL	International Human Rights Law
MAR	Multilateral Aid Review
MOD	Ministry of Defence (UK)
NAP	National Action Plan
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
NTM-A	NATO Training Mission Afghanistan
OCHA	Office for the Co-ordination of Humanitarian Affairs (UN)
OGD	Other Government Department
OHCHR	Office of the High Commissioner for Human Rights (UN)
PoC	Protection of Civilians
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
UPR	Universal Periodic Review

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Violence Against Women and Girls
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