

EPON 

Effectiveness of Peace Operations Network

UN Peace Operations & Human Rights

A Thematic Study

.....
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EPON Report

UN Peace Operations and Human Rights: A Thematic Study

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Election in the DRC, Kinshasa, the country would vote on 20 December 2023, for the presidential, legislative and local elections. Photo: MONUSCO/Radio Okapi / Myriam Asmani.

Executive summary

Today's conflicts are exacerbated and prolonged by recurring instances of exclusion, discrimination, and the infringement of human rights, all occurring alongside elevated levels of corruption and a widespread decline in the enforcement of the rule of law and accountability.¹ The UN system has acknowledged that effectively addressing underlying grievances, rights violations, and different forms of exclusion are fundamental to ending cycles of violence and transitioning to sustained peace.² These lessons highlight the strong relationship between the UN's work on human rights and its efforts to promote peace and security.

Over the past 30 years, UN peace operations have increasingly included strong human rights mandates and capacities. This reflects the growing awareness of the links between human rights and conflict management, including to the protection of civilians (POC) and deeply entrenched governance shortfalls in many fragile, conflict-affected settings. However, in the last few years, there has been rising pushback on human rights language (especially related to the Women, Peace and Security (WPS) agenda and child protection) in peace operations mandates, including instances where permanent members have explicitly stated that these elements resulted in

1 UN. (2023). "Report of the Secretary-General on the Overall performance of United Nations peacekeeping operations". S/2023/646. New York: UN. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/248/31/PDF/N2324831.pdf?OpenElement>, para 12, p. 4.

2 The UN and World Bank (2018) "Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict" report highlighted that "exclusion from access to power, opportunity, services, and security creates fertile ground for mobilizing group grievances to violence, especially in areas with weak state capacity or legitimacy or in the context of human rights abuses" (p. xviii). Furthermore, the report highlighted the link between inequality and violent conflict as one of the "oldest issues in political economy" (p. 109). The "A New Agenda for Peace" (2023) also emphasised the political economy of conflict, arguing that "inequality can lead to conflict when it overlaps with differences in access and opportunities across groups defined around specific identities" (p. 6).

abstentions on mandate renewals.³ Furthermore, the UN's prioritisation of human rights can present challenges for UN peace operations, which rely on host state consent for their operations and are often involved in delicate political processes. It is a continuing challenge for the UN system to navigate the complex political terrain of conflict settings and leverage the combined efforts of human rights and other aspects of peace operations. Indeed, the challenge may become more acute in a context of downward pressure on large peace operations, and the need to preserve core human rights capacities in periods of transition.

This study of the Effectiveness of Peace Operations Network (EPON) examines the contributions of the UN's human rights work within a wide range of UN peace operations, including peacekeeping missions, special political missions (SPMs), and regional prevention offices. The core questions of this study were: (1) How does the UN's human rights engagement contribute to the overall impact of UN peace operations, including the protection of civilians (POC)? (2) Overall, how do UN peace operations themselves contribute to human rights outcomes? and (3) What lessons can be drawn by comparing different UN peace operations in terms of building better synergies between human rights-focused activities and the other work of missions? The goal of the report is to offer a comparative, empirically backed assessment of the ways UN peace operations efforts to advance human rights contribute to mission effectiveness and broader mission objectives.

Key Findings

The violation and abuse of human rights are both a root cause and direct driver of violent conflict around the world. This study has produced and consolidated evidence demonstrating that **UN peace operations efforts to advance human rights contribute to a reduction in violence levels and to longer-term sustainable peace**. The impact is not always direct – indeed, in many cases, the contribution of human rights components is difficult to identify, let alone establish causation – but across a wide range of settings, there is a record of human rights efforts improving the early warning, POC, conflict management, and peacebuilding outcomes of peace operations.

These findings reinforce a growing body of scholarship and internal UN assessments that recognise the significance of human rights activities, norms and principles in peace operations.⁴

3 For instance, human rights language has been the subject of intense negotiations for mandate renewals of UNSMIL (SPM) (circa 2020/2021), MINUSMA (2022), and MONUSCO (2022).

4 See for example, Day, A. & Hunt, C.T. (2021). "Protecting Together: Lessons from Mali and South Sudan on coherence between human rights and military components in UN peace operations". New York: UNU. http://collections.unu.edu/eserv/UNU:8263/UNU_ProtectingTogether.pdf; OHCHR. (2013). "United Nations Peace Operations Guidance Note: Integrating Human Rights in United Nations Military Components: Good Practices and Lessons Learned". Geneva: OHCHR; Mamiya, R.H. (2020). "Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions". New York: UNDPO and OHCHR. https://www.ohchr.org/sites/default/files/Documents/Press/WebStories/Going_Further_Together_advance_unedited_version.pdf; UN. (2020). "Integrating Human Rights into Peace Operations Brings Missions Closer to People, Advances Inclusive Development, High Commissioner Tells Security Council". SC/14242. <https://www.un.org/press/en/2020/sc14242.doc.htm>.

Notably, human rights activities help peace operations achieve a wide range of objectives central to their mandates. Concurrently, peace operations are crucial vehicles for improving human rights outcomes in conflict settings. An important finding of this study is that **the positive benefits of human rights work accrue across different kinds of missions and at different moments in conflicts**. Whether a small envoy's office or a large, multidimensional peacekeeping mission, human rights-based engagement can enable more effective operations. Furthermore, whether deployed at the earliest onset of violent conflict or well after the height of hostilities, human rights efforts within UN missions have a unique and tangible value to add.

As the UN system – in particular the UN Security Council (UNSC) and General Assembly (UNGA) – takes up the New Agenda for Peace's call to reflect on the limits and future of peacekeeping, human rights will need to be kept front and centre.⁵ Indeed, if the future of UN peace operations is likely to be smaller missions with lighter footprints, then the imperative to use all available tools beyond the use of force may provide further impetus for upscaling and prioritising human rights work. Moreover, as larger missions continue or begin their transitions out of some of the most conflict-affected settings, **human rights-focused presences may be some of the most crucial bridges to prevent relapse into war**.

At the same time, this study also highlights several challenges to UN operations pursuing human rights-based approaches. In some settings, the promotion of human rights is viewed with suspicion as an outside, intrusive agenda, and/or a risk to a fragile peace process. In a distortion of the purpose of the UN Charter, some Member States characterise human rights as an imposition on state sovereignty. Within missions, there can also be a tendency to sideline human rights-focused efforts as a detriment to delicate political processes or a burden on already stretched operational needs. The findings in this study suggest that this is a “false dichotomy”. In the overwhelming majority of cases, human rights components enable better outcomes in political processes, the POC, delivery of humanitarian assistance, and improve the governance functions of conflict-affected states.

These findings come at an important juncture for the broader human rights discourse, including the 75th anniversary of the Universal Declaration of Human Rights (UDHR). At a moment of unprecedented geopolitical fracture and a “significant global retrenchment of human rights”,⁶ the downward pressure on the UN's peace and security work is stronger than ever. Indeed, the scepticism by many Member States concerning the role of human rights in peace operations may well result in a reduction of human rights capacity at precisely the moment when many mission settings are facing some of their greatest challenges.⁷ Attempts by some

5 UN. (2023). “A New Agenda for Peace: Our Common Agenda, Policy Brief 9”. <https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf>.

6 Ibid, p. 7.

7 International Crisis Group. (2023). “Ten Challenges for the UN in 2023–2024”. Special Briefing no. 11, 14 September. <https://www.crisisgroup.org/global/sb11-ten-challenges-un-2023-2024>. See also: Gowan, R. & Forti D. (2023). “What Future for UN Peacekeeping in Africa after Mali Shatters Its Mission?” *International Crisis Group*, 10 July. <https://www.crisisgroup.org/global-mali/what-future-un-peacekeeping-africa-after-mali-shatters-its-mission>.

Member States to cut funding for human rights components within budgeting processes via the Fifth Committee of the UNGA are growing stronger, while many Member States are shifting emphasis toward more militarised actions. The findings of this study point in the opposite direction: **if peace operations are to become more effective presences on the ground, capable of addressing both the immediate causes of violence and the deeper drivers of instability, they will need to be capacitated with robust human rights mandates and components and strong support from the broader UN architecture and Member States.**



Beni, North Kivu Province, DRC. MONUSCO-facilitated military mobile court in Beni hearing about 80 FARDC, PNC and civilian members for various sexual offenses perpetrated in Beni and Butembo. Photo: MONUSCO/Michael Ali.

List of acronyms

ACLED	Armed Conflict Location and Event Data
ADF	Allied Democratic Forces
AFP	Agencies/Funds/Programmes (UN)
AIHRC	Afghanistan Independent Human Rights Commission
AU	African Union
CAN	Community Alert Network
CAR	Central African Republic
CAS	Civil Affairs Section
CAD	Civil Affairs Division
CBO	Community-Based Organisation
CEPO	Community Empowerment for Progress Organization
CES	Central Equatoria
CIVIC	Center for Civilians in Conflict
CLA	Community Liaison Assistant
CNDH	National Human Rights Commission (<i>Commission Nationale des Droits de l'Homme</i>)
COB	Company Operating Base
CRA	Compensation and Reparation Authority
CRSV	Conflict-Related Sexual Violence
CSO	Civil Society Organisation
CTRH	Commission on Truth, Reconciliation, and Healing

DDR	Disarmament, Demobilization and Reintegration
DPO	Department of Peace Operations
DPPA	Department of Political and Peacebuilding Affairs
DRC	Democratic Republic of the Congo (<i>République démocratique du Congo</i>)
DSRSG	Deputy Special Representative of the Secretary-General
E-10	10 non-permanent elected Member States of the UN Security Council
EACRF	East African Community Regional Force
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EPON	Effectiveness of Peace Operations Network
FAMa	Malian Armed Forces (<i>Forces armées du Mali</i>)
FARDC	Armed Forces of the DRC (<i>Forces armées de la République démocratique du Congo</i>)
FDNB	Burundi National Defence Force (<i>Force de défense nationale du Burundi</i>)
FGD	Focus Group Discussion
FIDH	International Federation for Human Rights (<i>Fédération internationale pour les droits humains</i>)
FIOC	Field Integrated Operations Centre
GBV	Gender-Based Violence
HCSS	Hybrid Court for South Sudan
HIPPO	High-Level Independent Panel on Peace Operations
HQ	Headquarters
HR	Human Rights
HRD	Human Rights Division
HRDC	Human Rights Defenders Committee
HRDDP	Human Rights Due Diligence Policy
HRPD	Human Rights and Protection Division
HRS	Human Rights Service
HRA	Human Rights Abuse
HRV	Human Rights Violation
IASC	Inter-Agency Standing Committee
ICC	International Criminal Court
ICGLR	International Conference on the Great Lakes Region
IDP	Internally Displaced Persons
IED	Improvised Explosive Device
IGAD	Intergovernmental Authority on Development
IHRC	Independent Human Rights Commission

IHL	International Humanitarian Law
IHRL	International Human Rights Law
INGO	International Non-Governmental Organisation
INREP	Integrated Response Planning
JAM	Joint Assessment Mission
JHRO	Joint Human Rights Office
JMAC	Joint Mission Analysis Centre
JOC	Joint Operations Center
JPT	Joint Protection Team
JSS	Justice Support Section
KA IPTC	Kofi Annan International Peacekeeping Training Centre
M-23	March 23 Movement (rebel military group in DRC)
MARA	Monitoring, Analysis and Reporting Arrangements
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali
MONUC	UN Organization Mission in the DRC
MONUSCO	UN Organization Stabilization Mission in DRC
MoU	Memorandum of Understanding
MRM	Monitoring and Reporting Mechanism
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission
NHRI	National Human Rights Institution
NUPI	Norwegian Institute of International Affairs
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
ONUSAL	UN Observer Mission in El Salvador
OSE	UN Office of Special Envoys
OSESG-GL	UN Office of the Special Envoy of the Secretary-General for the Great Lakes
OSE-HOA	UN Office of the Special Envoy of the Secretary-General for the Horn of Africa
OSESGY	UN Office of the Special Envoy of the Secretary-General for Yemen
OSINT	Open-Source Intelligence
PBF	Peacebuilding Fund (UN)
PIO	Public Information Office
PMM	Principals Management Meeting
PMSS	Peace Missions Support Section

PNC	Congolese National Police (<i>Police Nationale Congolaise</i>)
POC	Protection of Civilians
PKO	Peacekeeping Operation
PPIED	Pressure-Plate Improvised Explosive Device
PSPS	Prevention and Sustaining Peace Section
PTR	Protection Transition and Reintegration Section
PWG	Protection Working Group
QIP	Quick Impact Project
R-ARCSS	Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan
RO	Regional Prevention Effort/Office
RoL	Rule of law
RoLSIS	Rule of law and Security Institutions Section
SAM	Strategic Assessment Mission
SG	Secretary-General
SGBV	Sexual and Gender-Based Violence
SIPRI	Stockholm International Peace Research Institute
SMG	Senior Management Group
SMGP	Senior Management Group on Protection
SMGPP	Senior Management Group on Protection at the Provincial level
SML	Senior Mission Leadership
SOP	Standard Operating Procedure
SPM	Special Political Mission
SRSG	Special Representative of the Secretary-General
SSNHRC	South Sudan National Human Rights Commission
SSR	Security Sector Reform
TAM	Technical Assessment Mission
TOB	Temporary Operating Base
TJ	Transitional Justice
T/PCC	Troops-and-Police Contributing Countries
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNAMA	UN Assistance Mission in Afghanistan
UNCT	UN Country Team
UNDP	UN Development Programme
UNITAMS	UN Integrated Transition Assistance Mission in Sudan
UNMISS	UN Mission in South Sudan

UNMHA	UN Mission to support the Hudaydah Agreement
UNOCA	UN Office for Central Africa
UNOWAS	UN Office for West Africa and the Sahel
UNPOL	UN Police
UNSC	UN Security Council
UNU	UN University
UNU-CPR	UN University Centre for Policy Research
UPDF	Uganda People's Defence Force
WPS	Women, Peace and Security
YPS	Youth, Peace and Security



A multidisciplinary delegation from MINUSMA holds discussions in June 2022 on the best ways and means to strengthen security in the affected areas of Gao, Mali, following attacks there.

Photo: MONUSCO/Michael Ali.

1. Introduction

Human rights occupy a central position in the UN, constituting one of the three pillars of the UN system. As part of his Call to Action for Human Rights in 2020, the UN Secretary-General (SG) stated that “human rights are the responsibility of each and every UN actor and that a culture of human rights must permeate everything we do, in the field, at the regional level and at Headquarters”.⁸ The Office of the UN High Commissioner for Human Rights (OHCHR) also noted that “UN peace operations are among the Organization’s most significant achievements, and a powerful tool to protect and promote human rights”.⁹ Indeed, peace operations are an important implementer for delivering on the UN’s human rights pillar.

Peace operations are an important implementer for delivering on the UN’s human rights pillar.

The promotion and protection of human rights have been a core aspect of UN peace operations for more than 30 years.¹⁰ Human rights have also been at the centre of peace and security efforts within peace operations working under diverse mandates. The centrality of human rights to peace operations applies to peacekeeping operations and to special political missions (SPMs), the

8 UNSG. (2020). “The Highest Aspiration: A Call to Action for Human Rights”. UN. https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/The_Highest_Asperation_A_Call_To_Action_For_Human_Right_English.pdf, p. 4.

9 This was stressed in the statement of UN High Commissioner for Human Rights, Michelle Bachelet, on 7 July 2020 to the UNSC. Available at: <https://www.ohchr.org/en/press-releases/2020/07/security-council-open-debate-peace-operations-and-human-rights>.

10 The first modern human rights component in peacekeeping was deployed in 1992 in the UN Observer Mission in El Salvador (ONUSAL).

latter of which include regional prevention offices, and UN envoys addressing different aspects and stages in a peace and conflict continuum. Even where field missions do not have an explicit human rights mandate, as UN entities, they have a fundamental role under the UN Charter to prevent and respond to violations and abuses of human rights,¹¹ and violations of international humanitarian law. As noted by OHCHR, “[a]t every step along the road from conflict prevention and conflict management, to peacemaking, peacekeeping, stabilization, peacebuilding and development, human rights issues play an important role”.¹² In this sense, UN peace operations across a spectrum of mission types are a manifestation of the mutually reinforcing nature of and intrinsic links between the UN’s peacebuilding, political and human rights apparatus.¹³ These links have been recognised in UN policy and guidance, which have likewise evolved to place human rights as a central goal of peace operations and political missions, demanding that all components and leadership share responsibility in promoting and protecting human rights, placing clear requirements for integrating human rights in mission planning, and giving the OHCHR a lead role in supporting human rights work in peace operations.¹⁴

UN Member States have also pointed to the critical role UN peace operations play in advancing universal rights and fundamental freedoms. In a July 2020 open debate, several members of the UN Security Council (UNSC) highlighted early warning, supporting good offices, improving the POC, strengthening national rule of law capacities, ensuring due diligence/compliance for UN support for military operations, leading a range of protection-related activities, and supporting efforts to protect civic and diplomatic space in fragile settings as examples of UN peace operations contributions.¹⁵ Despite this general recognition of the role of human rights, backed by a series of internal studies and reports,¹⁶ there has been relatively little independent research

11 In this report, the terms *human rights abuses* and *human rights violations* are used interchangeably. Both terms refer to actions that infringe upon the rights and freedoms of individuals as enshrined in international human rights laws and standards.

12 Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”. New York: UNDPDPO and OHCHR. https://www.ohchr.org/sites/default/files/Documents/Press/WebStories/Going_Further_Together_advance_unedited_version.pdf, p. 5.

13 Paraphrased from Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”, p. 31.

14 This includes giving human rights sections dual reporting lines within large multidimensional peace operations. See: OHCHR, UNDPDPO, DPA, and Department of Field Support. (2011). “UN Policy on Human Rights in United Nations Peace Operations and Political Missions”. See also: OHCHR, DPO, and DPA. (2008). “Policy on Public Reporting by Human Rights Components of UN Peace Operations”; UNPC. (2005). “Decisions of the Secretary-General on Human Rights in Integrated Missions”. UN, 26 October, 2005/24; OHCHR. (2013). “United Nations Peace Operations Guidance Note: Integrating Human Rights in United Nations Military Components: Good Practices and Lessons Learned”. NB: these guidelines are currently being updated.

15 UN. (2020). “Integrating Human Rights into Peace Operations Brings Missions Closer to People, Advances Inclusive Development, High Commissioner Tells Security Council”. SC/14242. <https://www.un.org/press/en/2020/sc14242.doc.htm>.

16 See for example: OHCHR. (2020). “Thematic Paper: the contribution of human rights to peacebuilding and sustaining peace”. 2020 Review of the UN Peacebuilding Architecture. https://www.un.org/peacebuilding/sites/www.un.org/peacebuilding/files/1_ohchr_thematic_paper_on_the_contribution_of_hr_to_sp_and_recommendations.pdf; OHCHR, DPA & DPKO. (2017). “Public Reporting on Human Rights by United Nations Peace Operations: Good practices, lessons learned and challenges”. [https://resourcehub01.blob.core.windows.net/\\$web/Policy%20and%20Guidance/core-peacekeepingguidance/Thematic%20Operational%20Activities/Human%20Rights/Public%20Reporting%20on%20Human%20Rights%20by%20United%20Nations%20Peace%20Operations%20Good%20Practices,%20Lessons%20Learned%20and%20Challenges.pdf](https://resourcehub01.blob.core.windows.net/$web/Policy%20and%20Guidance/core-peacekeepingguidance/Thematic%20Operational%20Activities/Human%20Rights/Public%20Reporting%20on%20Human%20Rights%20by%20United%20Nations%20Peace%20Operations%20Good%20Practices,%20Lessons%20Learned%20and%20Challenges.pdf).

into how human rights components support mandate implementation of peace operations, leaving a very limited evidence base for understanding the contribution of human rights work, whether explicitly mandated or not, to peace operations.¹⁷

This is despite the strengthening of human rights and POC mandate language over the past several years in explicit recognition of their value: monitoring activities and mechanisms to track international humanitarian law (IHL) and international human rights law (IHRL) violations, requesting missions to track, prevent, minimise, and address civilian harm resulting from the mission's operations, including those conducted in support of national security forces, use of casualty recording data as a means for armed actors to prevent, minimise and respond to harm. Mandates are also evolving with more emphasis on inclusivity as a shared priority across mission tasks, including participation in political processes and, in the UN's own planning, focusing on specific vulnerable groups such as: persons with disabilities, women, children, youth, Internally Displaced Persons (IDPs).

As some large peacekeeping operations undergo major transitions with varying timeframes and exit strategies in the coming period, the role of human rights-based approaches, including working methods informed by or incorporating human rights principles and specialised expertise, in ensuring early warning, POC, and continued monitoring beyond the life of a mission points to the need for a more in-depth understanding of these issues.¹⁸ This is even more important given UN peace operations often operate alongside a range of partners less likely to have human rights mandates, including regional, subregional, and ad hoc security forces, among others.¹⁹ Indeed, this study highlights how human rights concerns are factored into, and responsibilities transferred during, transitions between different types of UN peace operations, as well as gaps in a 'transformation' of these tasks post-drawdown.

Finally, at a time when human rights norms, as well as mandates and budgets for human rights and protection activities, are coming under increased pressure from some Member States, including some Security Council Members and countries that host peace operations, understanding when and how human rights efforts and principles support the conflict prevention, management, resolution and sustaining peace objectives of UN peace operations and the UN system is imperative to defend these contributions, while also safeguarding important normative and operational progress.

17 See Mamiya, R.H. (2020). "Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions".

18 Levine-Spound, D. & MacClimchy, W. (2022). "Prioritizing the Protection of Civilians During Peacekeeping Transitions: Lessons Learned from MONUSCO". Center for Civilians in Conflict. <https://civiliansinconflict.org/publications/policy/prioritizing-the-protection-of-civilians-during-peacekeeping-transitions>.

19 See: Center for Civilians in Conflict. (2023). "Integrated United Nations Approaches to Protection During Peacekeeping Transitions: Lessons Learned from MONUSCO". https://civiliansinconflict.org/wp-content/uploads/2023/11/CIVIC_Integrated_POC_UN_Transition_Report_EN_BAT_web.pdf; Novosseloff, A. & Sharland, L. (2019). "Partners and Competitors: Forces Operating in Parallel to UN Peace Operations". New York: International Peace Institute. <https://www.ipinst.org/wp-content/uploads/2019/11/IPI-Rpt-Partners-and-Competitors.pdf>.

1.1 Aims and objectives

The aim of this thematic Effectiveness of Peace Operations Network (EPON) study is to examine the role of human rights actors and activities across a range of UN peace operations in promoting and advancing human rights as well as contributing to overall mission mandate implementation. It is based on the perspectives of key stakeholders within and beyond the UN system (see section 1.2), and an analysis of field missions' engagement on the ground. In line with the High-Level Independent Panel on Peace Operations (HIPPO) 2015 report, the study examines human rights efforts across a spectrum of UN peace operations that incorporate peacekeeping and SPMs, including regional prevention offices and special envoys.²⁰

The study is guided by the overarching research question: what effects have various UN peace operations had on the promotion and protection of human rights, and how has human rights work contributed to overall mission effectiveness? Three related questions include: (1) How does the UN's human rights engagement contribute to the overall impact of UN peace operations, including the protection of civilians (POC)? (2) Overall, how do UN peace operations themselves contribute to human rights outcomes? and (3) What lessons can be drawn by comparing different UN peace operations in terms of building better synergies between human rights-focused activities and the other work of missions?

The study is guided by the overarching research question: what effects have various UN peace operations had on the promotion and protection of human rights, and how has human rights work contributed to overall mission effectiveness?

This necessitates looking beyond traditional human rights mandates focused on monitoring, investigating and reporting to examine the contributions of human rights-focused activities and policies to other strategic mission objectives. It also means the focus is not only on human rights components of field missions – where these exist – but must be taken from the whole of the mission and UN system perspective to factor in the broader influence of human rights principles and norms within a particular context.

The objective of the study is to complement recent and ongoing internal work at the UN (OHCHR, DPO-DPPA), inform future human rights mandate designing by the UN Secretariat, planning, and implementation by peace operations. By providing constructive and practical recommendations flowing from the analysis, the research can also contribute to wider UN policy discussions on the interlinkages among human rights, POC, conflict prevention, peacebuilding

²⁰ This includes missions directed and managed by DPO and DPPA.

and sustaining peace.²¹ In particular, the findings have heightened relevance in light of the 2023 New Agenda for Peace²² and the upcoming Summit of the Future.²³

1.2 Methodology

The study, led by Professor Charles Hunt, is a collaboration of ten researchers representing five institutions: the Center for Civilians in Conflict (CIVIC), Norwegian Institute of International Affairs (NUPI), Stockholm International Peace Research Institute (SIPRI), Kofi Annan International Peacekeeping Training Centre (KAIPTC), and the UN University Centre for Policy Research (UNU-CPR).

The shared EPON research methodology provides the foundational framework adapted and tailored to the specific requirements of this study.²⁴ The research team's assessment process was guided by what tasks the missions examined have been asked to prioritise in their mandates and strategic plans, as well as the conflict dynamics and perceptions of those most affected by the given conflict. The framework for analysis and key research questions were adapted by each sub-team to reflect and respond to the different contexts considered. Unlike most other EPON studies, the approach taken integrates empirical findings from a range of different field sites into a thematic assessment rather than compiling extensive case studies for each.²⁵ Furthermore, it is important to note that this is not a comparative study, and missions are not compared to each other.²⁶

While the focus of this study is on the contributions and effects of UN field missions, peace operations are far from the only actors working to promote human rights in any given context. In fact, it is important to recognise that peace operations enable other UN and non-UN actors to promote human rights. It is also necessary to remain cognisant of the primary responsibility of host governments to uphold and promote the human rights of people within their territories,

21 These include, among others: Lilly, D. (2022). "The UN Agenda for Protection: Policy, Strategic, and Operational Priorities". International Peace Institute. <https://www.ipinst.org/wp-content/uploads/2022/03/UN-Agenda-for-Protection-PDF.pdf>; UN. (2023). "Policy on Integrated Assessment and Planning". https://unsdg.un.org/sites/default/files/2023-03/IAP%20Policy%20-%20230210%20-%20FINAL_.pdf; UNSG. (2020). "The Highest Aspiration: A Call to Action for Human Rights". UN. https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/2020_sg_call_to_action_for_hr_the_highest_aspiration.pdf. See also the forthcoming UNU-CPR Thematic Review on Human Rights and Peacebuilding.

22 UN. (2023). "A New Agenda for Peace: Our Common Agenda, Policy Brief 9". <https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf>.

23 UN. (n.d.). "The Summit of the Future in 2024". <https://www.un.org/en/common-agenda/summit-of-the-future>.

24 EPON. (2023). "About". <https://effectivepeaceops.net/#about>.

25 In doing so, this study differs from EPON. (2022). "UN Peacekeeping Operations at a Crossroads: The Implementation of Protection Mandates in Contested and Congested Spaces". <https://effectivepeaceops.net/publication/un-peacekeeping-operations-at-crossroads>.

26 Unlike, for example: EPON. (2022). "A comparative study of older one-dimensional UN peace operations: Is the future of UN Peacekeeping its past?" <https://effectivepeaceops.net/publication/a-comparative-study-of-older-one-dimensional-un-peace-operations>.



Secretary-General Ban Ki-moon visited Yemen on the eve of the first anniversary of the country's peace and transition agreement, signed on 23 November 2011 in Riyadh, Saudi Arabia. A street scene in Sana'a, Yemen.

Photo: UN Photo/Evan Schneider.

including protecting civilians in situations of conflict. Likewise, host governments should factor in the cognate efforts of regional organisations and structures, such as military deployments with overlapping or complementary mandates or areas of responsibility, regional envoys, and liaison offices of regional bodies, to reflect the UN's supportive – rather than lead – role in many key areas addressed in this study. In this sense, and in keeping with the shared EPON methodology, claims about effectiveness relate more to contribution rather than causation.

The analysis draws primarily on qualitative research, cross-referencing information from two main sources of data. First, the team conducted an extensive literature review, drawing on scholarly papers, archival research (periodic reports of the UN SG on respective peace missions, annual thematic reports of the SG such as those on conflict-related sexual violence and children and armed conflict, Security Council resolutions providing mission mandates, mission concepts and budgets approved by the General Assembly), and grey literature from respected think tanks and civil society organisations (CSOs).

Second, the research team conducted extensive field research between May and October 2023 across multiple sites in two mission settings (South Sudan and the DRC), collecting primary source evidence via in-depth semi-structured interviews and focus group discussions (FGDs) with key informants.²⁷ However, difficulties securing travel visas and access to some missions, combined with unforeseen events such as the intensification of conflict in Sudan in April 2023 and the UNSC decision to withdraw MINUSMA from Mali at the government's request, dictated that plans for further field visits were cancelled and a considerable number of interviews were conducted remotely.

Overall, the research team conducted confidential interviews with more than 300 participants across the ten case study missions representing a cross-section of UN and non-UN entities. These were complemented by dozens more interviews with a range of officials in the UN Secretariat, including the DPO, DPPA, OHCHR (Peace Missions Support Section (PMSS), Prevention and Sustaining Peace Section (PSPS), Geneva) and many more formal and informal discussions with UN officials, UN member state representatives in New York and Geneva, as well as other experts in the fields of human rights and peace operations. Interviews were conducted with a range of senior UN mission leaders, as well as senior officials and other staff from various other UN entities, agencies, funds and programmes whose portfolios include human rights-related matters. Beyond the UN system, the research team met with various actors from central government, local authorities, traditional and customary leaders, civil society actors, as well as community-based organisations (CBOs) and representatives of conflict-affected societies, including IDPs. The aim of the interviews and FGDs was to elicit views on how effective various UN missions have been in their efforts to promote and protect human rights, focusing on where the missions/UN configurations have had an impact. Throughout the research process, team members followed established EPON/UNU-CPR/CIVIC procedures relating to confidentiality, consent, data storage and protection, and other ethical precautions for conducting interviews. Interviews with participants have been anonymised throughout this study.²⁸

Finally, the findings emerging from the data collection and analysis were cross-referenced and validated through a participatory approach, including consultations and review by various partners and stakeholders.

1.3 Situating human rights in UN peace operations

Violations and abuses of human rights can be the cause, catalyst and consequence of violent conflict, together with protection and humanitarian crises which often follow, with devastating

²⁷ For more on the rationale and criteria for case selection for this study see Section 2.

²⁸ Interviews for this study were held in confidence, given the sensitivities around some of the topics discussed. To protect the identity of interviewees, the interviews are referenced as, for example: 'Interview with former MONUSCO official, 12 July 2023, online, (Interview #1).' See Section 2 below on case selection for full details.

human tolls, the legacy of which can last for decades. The protection and promotion of human rights must, therefore, be at the heart of efforts to prevent, manage, and resolve conflict as well as initiatives to build and sustain peace.²⁹ Consequently, one of the major avenues for the UN and its Member States to advance and defend human rights is through its spectrum of peace operations.³⁰ As human rights constitute one of the three pillars of the UN, “all staff within peace operations have the responsibility to ensure the protection and promotion of human rights through their work”.³¹

While human rights concerns have been cited when mandating many of the earlier peace missions authorised by the UNSC, the first human rights component in peacekeeping was deployed in 1992 in the UN Observer Mission in El Salvador (ONUSAL). Since then, the mandates of peace operations have grown in scope, now involving a far greater number of areas requiring cooperation and coordination between human rights teams and other mission components. Today, human rights specialised capacity is an integrated function within many peace missions, and the promotion and protection of human rights is a mandated task of most UN peace missions. In practice, all multi-dimensional UN peacekeeping operations (PKOs) have an integrated human rights component, specifically tasked with implementing missions’ human rights-related mandates and mainstreaming human rights principles across all mission activities.³²

Across a range of mission types, human rights sections, officials and focal points are tasked, *inter alia*, with monitoring and investigation; analysis and reporting; capacity building for state rule of law institutions, including national human rights institutions (NHRIs) and security and defence forces; support for civil society; early warning; support for UN and state efforts to ensure the POC; and support to governments in combatting impunity.

However, the importance of human rights to peace operations is not limited to peacekeeping. SPMs, including regional prevention offices, and UN envoys (all broadly considered ‘operations’) also have roles in supporting human rights. Across a range of mission types, human rights sections, officials and focal points are tasked, *inter alia*, with monitoring and investigation;

29 OHCHR. (2020). “Thematic Paper: the contribution of human rights to peacebuilding and sustaining peace”. See also: Anasarias, E. & Berliner, P. (2009). “Human rights and peacebuilding”. *Handbook on Building Cultures of Peace*. Cham: Springer (pp. 181-195), https://doi.org/10.1007/978-0-387-09575-2_13.

30 Maus, S. (2020). *United Nations Peace Operations and Human Rights*. The Netherlands: Brill/Nijhoff. <https://doi.org/10.1163/9789004433090>. See also: Larsen, K. M. (2012). *The Human Rights Treaty Obligations of Peacekeepers*. Cambridge, UK: Cambridge University Press. <https://doi.org/10.1017/CBO9781139062022.004>.

31 UN Peacekeeping. (n.d.). “Promoting Human Rights”. <https://peacekeeping.un.org/en/promoting-human-rights>.

32 For more on the activities undertaken by human rights sections see: UN Peacekeeping. (n.d.). “Promoting Human Rights”. <https://peacekeeping.un.org/en/promoting-human-rights>.

analysis and reporting; capacity building for state rule of law institutions, including national human rights institutions (NHRIs) and security and defence forces; support for civil society; early warning; support for UN and state efforts to ensure the POC; and support to governments in combatting impunity. These efforts are aimed at enabling State and other institutions to uphold their human rights obligations and uphold the rule of law while empowering local communities to assert and claim their human rights.³³ Human rights officers serving within UN peace operations coordinate with sections across missions, including uniformed components, where present, as well as local and national authorities. Other commonly mandated areas include activities underpinned by human rights principles to help address conflict-related sexual violence and violations against children, and to support security and justice system reform, accountability and transitional justice (TJ) initiatives. Further contributions to mainstreaming human rights norms and principles are seen in efforts to integrate human rights provisions in ceasefire and peace agreements through support to inclusive mediation activities and the good offices function of special representatives and envoys.

1.3.1 Human rights *vis-à-vis* POC

Among other mandated priorities within the broad spectrum of operations, POC is particularly linked to and mutually reinforced by human rights considerations. The interlinkages between human rights and POC are obvious: protecting civilians is fundamentally about protecting human rights and vice versa. The POC mandate is “closely linked to the other protection mandates, and they are to support and reinforce each other”.³⁴ Human rights components’ core functions, such as monitoring and reporting, enable the identification of protection threats and needs that inform mission POC strategies and activities and form the basis for accountability for human rights violations. Similarly, human rights teams within missions are key advocates for the POC, though their mandates and strategies differ according to mission type. Further still, POC/Human Rights (HR) reporting helps establish and sustain mission credibility (e.g., the UN Assistance Mission in Afghanistan (UNAMA)) and reinforces perceptions of impartiality, which may enable progress on other mission objectives (e.g., the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)).

Close connections between different protection functions have led larger multidimensional missions to structurally bring certain specialised functions (e.g., child protection, women’s protection) under the umbrella of an integrated human rights component. However, this study aims to elucidate the specific contributions of human rights to POC strategies and activities within peace operations, acknowledging that this is less relevant in the context of SPMs where the HR component essentially constitutes the POC strategy. As expanded on below, interviews from

33 Ibid.

34 EPON. (2022). “UN Peacekeeping Operations at a Crossroads: The Implementation of Protection Mandates in Contested and Congested Spaces”. <https://effectivepeaceops.net/publication/un-peacekeeping-operations-at-crossroads>, p. 27. This study looks at the intersections between mandates on POC, human rights, the prevention and response to CRSV, and child protection in UN peacekeeping operations.

various mission contexts revealed the importance of considering POC as a ‘promoter’ of human rights within mission operations and a key component for understanding UN peace operations’ contribution to the promotion and protection of human rights in different contexts.

Interviews from various mission contexts revealed the importance of considering POC as a ‘promoter’ of human rights within mission operations and a key component for understanding UN peace operations’ contribution to the promotion and protection of human rights in different contexts.

1.4 Limitations and challenges

A research project of this scope comes with inevitable limitations. First, the sample of cases used for this study is lop-sided towards Africa, with seven of the ten cases coming from the continent. While this does not *per se* limit the scope of the research, similar examinations of cases from other regions, including Latin America, the Caribbean (e.g. Colombia, Haiti), and the Middle East (e.g. Iraq) would be a valuable focus for further research. However, Africa warrants disproportionate focus given that a majority of the combined DPO and DPPA managed missions are deployed to the continent, which accounts for approximately 70% of the issues discussed by the UNSC.³⁵ Second, the breadth of the study (ten cases) comes at the expense of greater depth in analysis and restricts the extent to which each of the research questions could be explored.

Third, a limitation associated with conducting remote interviews was the increased difficulty in accessing host governments, local civil society and CBOs in several of the case study countries. As a result, assessments of the effectiveness of UN efforts to promote and protect human rights are skewed toward the perceptions of the UN and major CSOs. This necessarily moderates the claims that can be made about effectiveness. Fourth, fast-moving dynamic mission contexts and a 12-month research timeline make it difficult for a study to have currency even at the point of publication, let alone in the months that follow. This report is nevertheless one of the first to directly discuss the implications of unfolding events such as the accelerated drawdown of MONUSCO in the DRC and the ejection of MINUSMA in Mali. Furthermore, the authors have sought to reflect on long-standing trends and key themes recurrent across the portfolio of missions, rather than seeking to capture all the most recent human rights concerns in all case study contexts. Finally, while cases were selected to be representative of different mission types,

35 Institute for Security Studies. (2021). “Will African Union and United Nations priorities align in 2022”, 4 November. <https://issafrica.org/pscreport/psc-insights/will-african-union-and-united-nations-priorities-align-in-2022>

UN field missions are *sui generis* and even within the categories of missions discussed below, inferences should only be taken as indicative (see more on case selection below).

1.5 Report structure

Following this introduction chapter, the report is organised around five chapters. Chapter 2 provides the rationale for case study selection.³⁶ The subsequent three chapters present analytical insights from the research organised according to three thematic aspects: Chapter 3 examines the effectiveness of direct efforts by field missions derived from the OHCHR mandate to promote and protect human rights; Chapter 4 explores the significance of human rights in support of other mission priorities and substantive sections/mission components; Chapter 5 looks at how human rights initiatives, norms and principles enable cross-cutting functions and objectives of peace operations. The final chapter provides concluding thoughts and presents a range of recommendations – for the UNSC, host governments, the UN Secretariat and UN Member States, including those active in the UNSC and Fifth Committee, and peace operations.

The recommendations are aimed at informing future human rights mandating, planning and implementation and contributing to wider UN policy discussions on the interlinkages between human rights, POC, conflict prevention, peacebuilding and sustaining peace.

³⁶ NB: An overview of each of the case contexts, including UN field presence configuration and key mandated activities, are included in Annex 1.



Simulation exercise of a team of Egyptian peacekeepers made up entirely of women in Douentza, in the Mopti region. This search and detection team is trained to identify improvised explosive devices (IEDs). Photo: MINUSMA/Harandane Dicko.

2. Case selection

While previous EPON studies focused on the UN have tended to examine individual missions, and primarily large peacekeeping/stabilisation operations,³⁷ this study draws on research conducted on a broader spectrum of UN peace operations to reflect the importance of human rights work across varied missions.³⁸ A more diverse selection of cases was also deemed necessary as the study considers what can be done in the future, reflecting the consensus that the next phase of peace operations is likely to be smaller and with lighter footprint than the large peacekeeping/stabilisation operations of the last decade. Beyond this, and regardless of the future direction of UN peace operations, examining this set of cases and the contributions of their human rights work will feed broader discussions about the scope, role and comparative advantages of a range of peace operations working alongside local, national and regional partners.

2.1 Mission types

2.1.1 Multidimensional peacekeeping/stabilisation missions

Generally mandated under Chapter VII of the UN Charter as responses to threats or breaches of international peace and security, multidimensional peacekeeping/stabilisation missions are

37 Exceptions include recent reports on ad hoc security initiatives such as the Multinational Joint Task Force (MNJT) and the G5-Sahel Joint Force. See: <https://effectivepeaceops.net/reports>.

38 For a full list of the 25 SPMs and other political presences managed by DPPA, see: https://dppa.un.org/sites/default/files/dpa_ousg_4561_r14_mar22.pdf.

the highest profile of the UN's operational presence and by far the most expensive.³⁹ These missions tend to deploy to situations beset by widespread human rights violations and major challenges to advancing human rights. As a result, these invariably have core human rights mandates, with the POC at the centre. However, all peacekeeping/stabilisation missions face significant obstacles to advancing human rights. These may be instrumentalised by host governments, particularly as relates to human rights-focused mandates, for example, through obstructions to their movement, often limiting their ability to pursue human rights activities. Despite commonalities, these missions have evolved significantly over time and differ according to the specific context. Including three multidimensional missions of differing duration and focus in this study provided the opportunity to drill down into the changing relationship between HR and POC, the role of human rights regarding the use of force by the mission and *vis-à-vis* regional forces, as well as to examine how human rights principles and approaches inform relevant peace process/peace agreement implementation, particularly regarding TJ and rule of law (RoL).

2.1.2 Special Political Missions (SPMs)

SPMs are field-based entities used by the UN to address specific political, peacebuilding, or conflict-related challenges and advance the peaceful settlement of disputes.⁴⁰ SPMs make important contributions to the maintenance of international peace and security through their mandates to prevent and resolve violent conflicts and efforts to build and sustain peace in some of the world's most complex contexts. Managed by DPPA, SPMs differ in terms of their purposes, extent, institutional structures, and strategies across a broad spectrum, from special envoys and representatives with various country and regionally focused mandates tasked with facilitating diplomatic negotiations, to monitoring teams, committees, and panels responsible for supervising Security Council sanctions programs. Additionally, SPMs include smaller on-site missions and multifaceted operations with comprehensive mandates to support political transitions and foster sustainable peace. Furthermore, three UN Regional Offices (RO) serve as front-line hubs for preventive diplomacy and dialogue, maintaining close collaboration with regional counterparts to address transnational peace and security issues in their respective regions.⁴¹ While their mandates set by different entities vary significantly depending on the context, human rights considerations are often integral to these missions' operations. These often provide support to the promotion and protection of human rights by host States, including through efforts to enhance the meaningful participation of vulnerable and marginalised segments of society in political and peace processes (i.e. women and youth).

39 NB: A number of other long-standing peacekeeping missions do not fall into this category. For a full list, see: <https://peacekeeping.un.org/en/where-we-operate>.

40 An exception to field-based SPMs includes the Counter-Terrorism Committee Executive Directorate (CTED), an SPM established by UNSC resolution 1535 (2004) to assist the work of the Counter-Terrorism Committee (CTC) and to coordinate the process of monitoring the implementation of resolution 1373 (2001).

41 Brubaker, R. & Druet, D. (2020). "Why the World Needs More UN Regional Political Offices". *UNU-CPR*, 25 June. <https://unu.edu/cpr/blog-post/why-world-needs-more-un-regional-political-offices>.

Including SPMs in the sample of cases for this study allows for an exploration of the different roles played by human rights in SPMs' peace and security engagements, from mediation/peacemaking to supporting political processes and ceasefire agreements. The inclusion of two UNSC-mandated SPMs of varying configurations in Afghanistan and Yemen enables the study to explore how human rights and protection issues are addressed (a) in country-focused SPMs with a significant field presence and a clear human rights mandate (UNAMA) and; (b) in the context of a small field presence with limited resources (including political capital), primarily focused on mediation/peacemaking, supporting the political process and facilitating humanitarian assistance such as the UN Mission to support the Hudaydah Agreement (UNMHA). Further, the three Offices of Special Envoys (OSEs) of the Secretary-General included enable a closer look at how human rights are incorporated into 'good offices' roles in both country-specific (Yemen) and regional settings (Great Lakes and the Horn of Africa). The examination of two regional prevention efforts/offices (ROs) allow for a focus on how efforts to promote and protect human rights feature in the UN's regional approach to preventive diplomacy, conflict prevention and sustaining peace, including partnerships with (sub-)regional bodies (UN Office for West Africa and the Sahel (UNOWAS) and UN Office for Central Africa (UNOCA). Both OSEs and ROs were selected to cover regional aspects given the importance of transnational conflict drivers today (e.g. organised crime, violent extremism), as well as looking towards future conflict trends.

2.2 Cases

The ten cases examined in this study were identified in consultation with key stakeholders in DPO, DPPA and OHCHR (New York and Geneva) as well as a range of interlocutors in case study countries who might be asked to support the research. The rationale for the selection of each specific case, as well as their relevant contexts, are discussed in Annex 1.

Overview of selected cases

Peace operation type	Case studies
Multidimensional peacekeeping/stabilisation missions (3 cases)	MONUSCO UNMISS MINUSMA
Special Political Missions – UNSC-mandated (2 cases)	UNAMA UNMHA
Special Political Missions – non-UNSC mandated ⁴² (5 cases)	OESG-Yemen OSE-Great Lakes OSE-Horn of Africa (HOA) UNOCA UNOWAS

42 NB: OSE-GL exception to this. See Annexure 1.

3. Core human rights activities derived from the OHCHR mandate

This chapter analyses the effectiveness of human rights work of peace operations on the preservation, protection and promotion of rights. It does so by exploring experiences in various cases across four areas of human rights work commonly mandated and associated with HR in peace operations, derived from the OHCHR mandate.⁴³ These are: monitoring and investigation of violations; analysis and reporting on violations; capacity building for state and local rule of law institutions, including national human rights institutions; and capacity building and engagement with civil society/CBOs aimed at enabling State and other institutions to uphold their human rights obligations and the rule of law while empowering local communities to assert and claim their rights.⁴⁴

3.1 Monitoring and investigation, analysis and reporting

All peace operations with an explicit human rights mandate are required by UN Secretariat policy to produce reports routinely.⁴⁵ This involves data collection, documentation of human rights

43 UN Human Rights was created by the General Assembly in 1993 through resolution 48/141. See <https://digitallibrary.un.org/record/180226?ln=en>.

44 UN. (n.d.). "Protect Human Rights". <https://www.un.org/en/our-work/protect-human-rights>.

45 OHCHR, DPKO, DPA & DFS. (2011). "Human Rights in United Nations Peace Operations and Political Missions". https://elearning.un.org/CONT/GEN/CS/UNHR_V3/Module_01/story_content/external_files/4.12%20and%2025_OHCHR-DPKO-DPA-DFS%20Policy%20on%20Human%20Rights%20in%20UN%20Peace%20Operations%20and%20Political%20Missions%202011.pdf, p. 14.

violations and abuses, investigation, and reporting to relevant UN bodies and the international community, shedding light on abuses and informing diplomatic efforts or sanctions.

Beyond identifying perpetrators, deterring future violations and potentially changing behaviour, human rights reporting can provide a basis for dialogue and engagement with local and other actors, including government and host authorities, on protection. Indeed, HR reporting is inextricably connected to missions' advocacy efforts on human rights issues. While acknowledging that host governments and other stakeholders sometimes blame public human rights reporting by UN peace operations for straining relations, and even though reporting often tackles sensitive topics, previous studies have shown that public reporting on human rights does not result in sustained negative impact on mission effectiveness.⁴⁶ Instead, findings indicate that HR reporting provides an opportunity to protect human rights in line with mission mandates, enhance the impartiality and visibility of the mission, and advance its broader political objectives.⁴⁷

Beyond identifying perpetrators, deterring future violations and potentially changing behaviour, human rights reporting can provide a basis for dialogue and engagement with local and other actors, including government and host authorities, on protection.

While frequency differs among missions, not least according to varying contexts, a former senior MONUSCO official highlighted the importance of 'regular' reporting or an established high tempo of periodic reporting that affords both a sense of consistency and avoids excessive attention on special reports covering high-profile events.⁴⁸ The timeliness of public reporting was also emphasised by researchers, journalists, and human rights defenders for whom the responsiveness of human rights components to exceptional violent events is a marker of mission effectiveness.⁴⁹ In addition, this responsiveness is also a determining factor for CSOs' confidence in the mission to promote and protect human rights. Several human rights defenders highlighted how public and regular HR reporting created a strong feeling of support and trust among civil society members and allowed them to speak publicly on events covered by the mission.⁵⁰

46 See: OHCHR, DPA & DPKO. (2017). "Public Reporting on Human Rights by United Nations Peace Operations: Good practices, lessons learned and challenges". See also: Mamiya, R.H. (2020). "Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions", p. 28.

47 OHCHR, DPA & DPKO. (2017). "Public Reporting on Human Rights by United Nations Peace Operations: Good practices, lessons learned and challenges", Foreword.

48 Interview with former MONUSCO official, 12 July 2023, online, (Interview #1).

49 Interview with researcher, 26 July 2023, online, (Interview #4); Interview with journalist, 27 July 2023, online, (Interview #7); Interview with CSO representative, 13 September 2023, Kinshasa (Interview #33); Interview with journalist, 21 September 2023, Goma, (Interview #56).

50 Interview with journalist, 27 July 2023, online, (Interview #7); Interview with CSO representative, 12 September 2023, Kinshasa, (Interview #26); Interview with CSO representative, 13 September 2023, Kinshasa, (Interview #33).

In South Sudan, UNMISS fulfils an important investigative and reporting function. For instance, its Human Rights Division's (HRD) work on civilian casualty tracking and documentation in response to human rights violations, as well as its periodic public reporting, is generally well-regarded by local populations. Indeed, a 2023 public opinion survey highlighted that 83.5% of respondents believed that UNMISS efforts in investigating and reporting on human rights, including on sexual violence and threats to freedom of expression and opinion, were improving the situation in South Sudan.⁵¹

The timeliness of public reporting was also emphasised by researchers, journalists, and human rights defenders for whom the responsiveness of human rights components to exceptional violent events is a marker of mission effectiveness.

In the DRC, reporting derived from monitoring by the MONUSCO Joint Human Rights Office (JHRO) is shared with relevant protection actors and informs engagement with state authorities and other stakeholders to prevent human rights violations.⁵² JHRO also undertakes the coordination role for the Monitoring, Analysis and Reporting Arrangements (MARA) on Conflict-Related Sexual Violence (CRSV).⁵³ Consistent with this role, the Office dispatches quarterly reports to the SG, identifying trends in violations that can inform prevention and response, and assisting coordinated responses to these violations. Furthermore, JHRO is integrated within the Secretariat of the Monitoring and Reporting Mechanism (MRM) on grave violations against children in situations of armed conflict.⁵⁴ JHRO issues and distributes monthly and semi-annual compendiums of its monitoring activities on the human rights situation as well as its proactive and timely interventions, either by MONUSCO or state authorities, to prevent and address violations.

While more often associated with the monitoring and reporting mandates of large multidimensional missions, some SPMs also provide similar services.⁵⁵ In the case of UNAMA, the Human Rights Service's (HRS)⁵⁶ on-the-ground reporting and analysis is consistently reflected in the mission's other routine reports, which have served as a crucial tool for engagement with

51 UNMISS Public Opinion Survey Report (2023) on file with authors.

52 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23).

53 The primary goal of MARA is "to ensure the systematic gathering of timely, accurate, reliable and objective information on conflict-related sexual violence". See: <https://www.un.org/sexualviolenceinconflict/tools-for-action/mara>.

54 MRM focuses on grave violations committed against children during armed conflicts. Its mission is to "provide for the systematic gathering of accurate, timely, objective and reliable information on six grave violations committed against children in situations of armed conflict". See: <https://childrenandarmedconflict.un.org/tools-for-action/monitoring-and-reporting>.

55 NB: In the case of regional offices and offices of special envoys, a separate OHCHR country or regional office usually holds responsibility for public reporting.

56 The term UNAMA Human Rights Service was first used in the mission's public reporting in its 2017 Quarterly POC Report, previously referred to as UNAMA Human Rights Unit.

US and Coalition forces, the Afghan government, and even the Taliban – on their conduct of hostilities and on potential measures to reduce civilian harm and improve accountability.⁵⁷ This is particularly evident in UNAMA’s “Protection of Civilians” reports. The HRS has published annual reports and mid-year updates on POC in armed conflict since 2007, and quarterly POC reports since 2016.⁵⁸ These influential reports, prepared jointly with OHCHR since 2012, have focused on tracking and documenting civilian casualties, as committed by all parties involved in the conflict, as well as suggesting corrective measures or civilian harm mitigation.⁵⁹ As one interviewee argued, UNAMA’s reporting and documentation has served as a “vehicle” for engagement with varying warring parties and remains “deeply intertwined” with its advocacy efforts (see section 3.2).⁶⁰ In addition, the prominence of this reporting, on an issue that was of central political importance in Afghanistan, positioned the UNAMA human rights unit as an important voice within the overall political and peace and conflict dynamics in the country – a role which became even more vital under Taliban state leadership which caused many protection partners to leave the country.

In addition to this regular reporting, UNAMA published special reports on related themes including on conditions in detention facilities, election violence, attacks on healthcare, and specific incidents such as the July 2016 Kabul attack.⁶¹ This reporting rhythm remained constant over time up until the Taliban takeover in August 2021.⁶² Yet despite overall access challenges in the current context and a drop in frequency, the HRS has continued reporting on human rights issues, with recent thematic reports published on the treatment of detainees and human rights violations against former government officials and armed force members in Afghanistan.⁶³ Further contributions of UNAMA’s human rights reporting to the mission’s goals, including the POC, are discussed below (section 4.1).

57 UN News. (2013). “Georgette Gagnon: Raising the bar on respect for human rights in Afghanistan”, 28 May. <https://news.un.org/en/story/2013/05/440702>; Interview with Afghanistan expert, 29 September 2023, online, (Interview #207). See also: Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”, p. 29.

58 For UNAMA reports on POC in armed conflict, see: <https://unama.unmissions.org/protection-of-civilians-reports>.

59 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208). See also UNAMA’s latest human rights reports and thematic reports on the treatment of detainees, violations against former government officials and former armed force members, and the impact of Improvised Explosive Devices (IEDs) on civilians, available at: <https://unama.unmissions.org/human-rights-monitoring-and-reporting-0>.

60 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208); Interview with former UNAMA official, 28 September 2023, online, (Interview #207). Further, the UN independent assessment on Afghanistan (November 2023) argued that UNAMA, “through its mandate to monitor, report and engage on a range of topics at national and subnational levels, has played an important role as a bridge between the international community and Afghans”. Available at: <https://www.passblue.com/wp-content/uploads/2023/11/231109-SG-letter-of-8-November-Afghanistan.pdf>.

61 For UNAMA special reports, see: <https://unama.unmissions.org/protection-of-civilians-reports>.

62 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208).

63 UNAMA. (2023). “The treatment of detainees in Afghanistan: Respecting human rights: a factor for trust”. <https://unama.unmissions.org/unama-urges-urgent-accelerated-action-afghanistan%E2%80%99s-de-facto-authorities-stop-torture-and-protect>; UNAMA. (2023). “A barrier to securing peace: Human rights violations against former government officials and former armed force members in Afghanistan: 15 August 2021 – 30 June 2023”. <https://unama.unmissions.org/barrier-securing-peace-hr-violations-against-former-government-officials-former-armed-force-members>.

UNAMA's legacy of regular public reporting on the POC has helped establish credibility for the mission. Over the years, the HRS established itself as an impartial, structured, and fact-based human rights component, contributing to the mission's overall reputation for impartiality and credibility.⁶⁴ Furthermore, UNAMA's meticulous individual case verification and engagement with parties over individual instances of human rights violations have bolstered the credibility of published reports over time, a process which has inspired other missions beyond Afghanistan.⁶⁵ This reporting and related engagement with parties has led to noticeable behavioural change, both through political commitments and some legislative changes, among conflict parties.⁶⁶ This was evident following the release of UNAMA's January 2013 report on treatment of conflict-related detainees, when then Afghan President Hamid Karzai issued a decree against the use of torture in Afghan detention centres consistent with the report's recommendations.⁶⁷

UNAMA's legacy of regular public reporting on the POC has helped establish credibility for the mission. Over the years, the HRS established itself as an impartial, structured, and fact-based human rights component, contributing to the mission's overall reputation for impartiality and credibility.

More broadly, several interviewees stressed the need for a rigorous methodology to ensure consistent and verifiable human rights reporting. In the context of the DRC, several interviewees insisted on the need to follow a rigorous methodology to monitor human rights violations, arguing that a methodology that was perceived to be "dubious" could create misleading analysis of a situation and have important political consequences.⁶⁸ In Afghanistan, the establishment of the human rights team's protocols for databasing, filing and counting civilian casualty incidents between 2010 and 2015 set a baseline for technical and fact-based human rights reporting, further contributing to the credibility of the mission and its human rights work. As one interviewee observed, "this 'three independent sources' method has now become the gold standard worldwide".⁶⁹

64 Mamiya, R.H. (2020). "Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions", p. 11.

65 Interview with former UNAMA official, 28 September 2023, online, (Interview #207).

66 Interview with former UNAMA official, 28 September 2023, online, (Interview #207), in which the interviewee emphasised "a measurable change in the way parties conducted their operations".

67 See: UNAMA and OHCHR. (2013). "Treatment of Conflict-Related Detainees in Afghan Custody: One Year On". https://unama.unmissions.org/sites/default/files/master_unama_detention_report_20_jan_2013_final.pdf. See also:

UNAMA and OHCHR. (2015). "Update on the Treatment of Conflict-Related Detainees in Afghan Custody: Accountability and Implementation of Presidential Decree 129". https://www.ohchr.org/sites/default/files/Documents/Countries/AF/UNAMA_OHCHR_Detention_Report_Feb2015.pdf, p. xiii.

68 Interview with researcher, 26 July 2023, online, (Interview #4); Interview with journalist, 27 July 2023, online, (Interview #7); Interview with former MONUSCO official, 29 August 2023, online, (Interview #18).

69 Interview with former UNAMA political officer, 11 October 2023, online, (Interview #209).



Ghanaian peacekeepers pictured during a patrol in the Internally Displaced Persons camp in Bentiu, South Sudan, on 30 October 2021. Photo: Gregório Cunha/UNMISS

In some settings and beyond broad mandating of human rights monitoring and reporting across missions, CSOs voiced their belief that missions were not doing enough on reporting. For instance, in South Sudan, despite positive accounts of HRD's human rights reporting, concerns emerged from communities with regards to some reports on human rights violations (HRV) which had been left unattended and had not received further investigation. Often a result of limited resources, this nevertheless has an impact on local perceptions of the human rights work, and overall credibility, of the relevant mission. Furthermore, there was a sense among some civil society actors that for political reasons, UN public reporting on human rights does not sufficiently identify perpetrators. These same actors voiced further concerns that this may make it more difficult to impose sanctions on concerned individuals.⁷⁰

⁷⁰ Interview with members of a Focus Group Discussion with CSOs, 31 May and 5 June 2023, Juba, (Interview #108-118). NB: Even where perpetrators are not identified in public reporting, this information is shared with member states in support of sanctions.

In DRC, CSO representatives observed that MONUSCO's public engagement on reporting of human rights violations has decreased in recent years.⁷¹ However, they also pointed out situations where such public engagement strained relations with the host government, potentially hindering the mission's ability to effectively execute its human rights mandate.⁷² Overall, CSO representatives emphasised the relevance of JHRO in monitoring and reporting human rights abuses against the civilian population. For example, JHRO's monitoring of detention centres has been instrumental in identifying and facilitating the release of many individuals who were arbitrarily detained.⁷³ While there remains a certain level of scepticism among some CSO representatives about the effectiveness of such monitoring,⁷⁴ from MONUSCO's viewpoint, the information gathered by JHRO is crucial in guiding the actions of the Force to the mechanisms established for the POC, including early warning systems.

Such cases highlight the practical challenges to monitoring and reporting. In the case of the DRC, JHRO's monitoring role has also been challenged by spikes in anti-MONUSCO sentiment since 2022. This sentiment, which primarily stems from perceptions regarding the mission's overall effectiveness, and related concerns with security and the UN's freedom of movement, have been an impediment to JHRO monitoring of human rights, particularly in the east of the country.

Beyond local perceptions, there are reverberations for missions associated with HR reporting and even commentary by mission personnel. Even if backlash is not sustained, public reporting that identifies aggressors or perpetrators, particularly those that name and shame individuals directly or indirectly, may create tensions between field missions and key stakeholders in the country. This is perhaps most confounding when in relation to the host government. Notwithstanding the common practice of providing government authorities with advance drafts for review and reactions, the potential remains for reporting to sour relations with important interlocutors.

Research highlighted that this can be piecemeal and part of the ebb and flow of field missions' operational consent from host governments. This has been the case in South Sudan at certain points.

71 Interview with CSO representative, 12 September 2023, Kinshasa, (Interview #26); Interview with CSO representative, 13 September 2023, Kinshasa, (Interview #33).

72 Ibid.

73 Interview with journalist, 27 July 2023, online, (Interview #7); Interview with former MONUSCO official, 23 August 2023, Goma, (Interview #57); Interview with CSO representative, 19 September 2023, Goma, (Interview #46).

74 Interview with CSO representative, August 2023, Goma, (Interview #69); Interview with CSO representative, 19 September 2023, Goma, (Interview #46).

However, the potential negative effects of reporting can also be more existential if the backlash results in the withdrawal of strategic consent for a mission itself. For example, numerous interviewees attributed the withdrawal of consent for MINUSMA from Mali in part to the mission's reporting and response to the Moura incident in March 2022, in which Malian Forces, accompanied by private military contractors, perpetrated a massacre of 500 civilians.⁷⁵ The Malian government repeatedly impeded the subsequent investigation, including by expelling the mission's HRD Director.⁷⁶ Following reporting on this incident, the government filed a complaint against MINUSMA for "espionage".⁷⁷ In fact, the transitional authorities accused MINUSMA of using satellites to collect information without the authorisation of the Government⁷⁸, but for MINUSMA, this reporting is the result of extensive work and engagement with key stakeholders, including witnesses and victims, using due diligence and information verification in accordance with procedures. National authorities were given the opportunity to respond during the process. However, like many host countries, the backlash from the Malian transition government was in part due to the 'soiled' global image of reporting on human rights abuses in the country. The harassment and intimidation of media professionals reporting on abuses were only symptomatic of the administration's abhorrence of any kind of reporting that dents its image. As the UN-Mali relationship deteriorated further, the resulting withdrawal of consent for MINUSMA in 2023, and its abrupt departure amidst rising insecurity and predatory state security forces and their proxies, is expected to be dire and deeply consequential for the region.⁷⁹

However, it is also the case that missions' freedom of movement can be curtailed and access denied by a range of other non-state actors following negative reporting. In Mali, for example, the arrival and activities of the Wagner Group created significant impediments to movement, and HRD found it basically impossible to work in the same regions as the Group. For example, HRD's work and missions in the field required prior approval, which was not forthcoming. Nevertheless, HRD learned to work differently – for example, increasingly relying on civil society monitoring as well as a greater use of Open-Source Intelligence (OSINT) – to engage with

75 Interview with MINUSMA officials, 19 October 2023, online, (Interview #211-212). See Annexure for further discussion.

76 Stimson Center. (2023). "Prioritization and sequencing of Security Council mandates: the case of MINUSMA", 15 June. <https://www.stimson.org/2023/prioritization-and-sequencing-of-security-council-mandates-the-case-of-minusma-3>.

77 North Africa Post. (2023). "Mali accuses UN of 'espionage', calls for pullout of UN peacekeepers", 22 June. <https://northafricapost.com/68827-mali-accuses-un-of-espionage-calls-for-pullout-of-un-peacekeepers.html>. See also: International Crisis Group. (2023). "Ensuring MINUSMA's Smooth Departure from Mali", 27 June. <https://www.crisis-group.org/africa/sahel/mali/minusma-negocier-un-depart-sans-accroc>.

78 BBC News. (2023). "Le Mali dépose une plainte contre la Minusma accusée d'espionnage", 21 June. <https://www.bbc.com/afrique/articles/cy977ggegvl0>.

79 Sharland, L. (2023). "MINUSMA and Protection of Civilians: Implications for Future Peacekeeping Missions". International Peace Institute, 14 July. <https://theglobalobservatory.org/2023/07/minusma-and-protection-of-civilians-implications-for-future-peacekeeping-missions/>; UN. (2023). "As United Nations Closes Mali Operation, Many Delegates in Security Council Urge Transitional Government to Guarantee Mission's Safe, Unhindered Withdrawal", 28 August. <https://press.un.org/en/2023/sc15398.doc.htm>.

victims or CSOs and to monitor and document HR-related issues. After close monitoring and fact-finding, the regions where Wagner was operating experienced violations.⁸⁰

Such cases highlight the practical challenges to monitoring and reporting. In the case of the DRC, JHRO's monitoring role has also been challenged by spikes in anti-MONUSCO sentiment since 2022. This sentiment, which primarily stems from perceptions regarding the mission's overall effectiveness, and related concerns with security and the UN's freedom of movement, have been an impediment to JHRO monitoring of human rights, particularly in the east of the country. Recognising these challenges, some UN agencies made a strategic choice at times to distinguish their operations and identity from that of MONUSCO. According to interviewees in Goma, UN black signs were removed from mission vehicles and UN agencies, and humanitarian organisations part of the protection cluster no longer use MONUSCO's escorts in field missions.⁸¹ These efforts aim to mitigate any potential backlash in their activities.

Impartial human rights reporting can have a direct deterrent effect on the commission of violations. It can also build credibility and trust that can enable other mission activities.

In South Sudan, certain critical reports were said to have had a negative impact on humanitarian access for UN Agencies/Funds/Programmes (AFP). In these cases, irrespective of its quality and accuracy, reporting has been weaponised as part of a host government or other political actors' strategy to retaliate against civilians, including by denying access to essential humanitarian goods, ultimately impinging on civilians' right to food and water.⁸² As a result of this political rather than technical element, retaining the prerogative to decide on a case-by-case basis whether a report should be released under joint (OHCHR-mission) umbrella or by the mission alone is also an important consideration.

80 See reports of the UNSG available at: https://www.securitycouncilreport.org/atf/cf/%7B65BF-CF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S_2023_402.pdf which confirm a progressive movement restriction of the MINUSMA. The latest report of the UNSG (S/2023/402) on Mali in June 2023 highlighted that: "MINUSMA continued to be subject to movement restrictions both on the ground and in the air. Between 1 April and 11 May 2023, MINUSMA requested 565 flight authorizations, of which 167 were not authorized (29.5 per cent). Among those, 47 flights were intended to support the Mission's logistical operations, and 120 intelligence, surveillance and reconnaissance flights were to enhance situational awareness and the security of peacekeepers. Restrictions remained uneven across sectors. [...] MINUSMA also recorded two restrictions on ground movements. [...] In the centre, since April, MINUSMA has had no access to Djenné and Sofara towns to conduct civilian protection patrols, owing to military operations of the Malian Armed Forces. For the same reason, in Gao, MINUSMA continued to have no access to southern areas of Ansongo and Tessit" (p. 9).

81 Interview with UN official, 14 August 2023, online, (Interview #14); Interview with UN official, 14 August 2023, online, (Interview #15); Interview with MONUSCO official, 12 September 2023, Kinshasa, (Interview #25); Interview with CSO representative, 22 September 2023, Goma, (Interview #55).

82 Interview with participants of a Focus Group Discussion with multiple UN and other humanitarian agencies, 4 June 2023, Malakal, (Interview #134-137).

Summary

Impartial human rights reporting can have a direct deterrent effect on the commission of violations. As will be further examined in later chapters, it can also build credibility and trust that can enable other mission activities. Many participants pointed out that human rights reporting is an obligation for the UN, not a choice. It is therefore important to draw on the good practices developed for managing expectations and mitigating backlash around the release of reports to ensure that this necessary function can continue to serve its purpose without undermining other aspects of the mission and its relationships with key stakeholders. It is also apparent that HR reporting should be part of a political strategy for pushing parties into constructive positions in a peace process (discussed further below).

3.2 Advocacy and promotion of human rights

In addition to the important monitoring and reporting activities conventionally associated with human rights work, UN field missions also engage in a range of activities that revolve around dialogue and engagement with host states and other key stakeholders. Advocacy efforts may be seen as part of the primacy of politics approach that missions take to centre all their work. Moreover, engagement and dialogue also serve as the first tier of the three-tier POC approach adopted in several missions. As previously mentioned, human rights components' HR reporting and advocacy efforts are often intertwined. Activities include efforts to advocate on time-sensitive (e.g. election-related) and specific issues (e.g. CRSV), as well as to promote good practices (e.g., Paris Principles to gain accreditation with the Global Alliance on National Human Rights Institutions) and encourage authorities to take responsibility for human rights concerns.

The impact of HR components' advocacy, supported by human rights reporting, is an area common to many missions examined. Since its inception, UNAMA HRS – bolstered by its HR reporting – has actively engaged in advocacy and dialogue with government, military, international and national civil society actors, communities across Afghanistan, and even non-state armed groups on its mandated human rights priority areas. Notably, there was active engagement and messaging between UNAMA HRS and the Taliban throughout the pre-2021 period when the Taliban was treated within UNAMA reporting as an Opposition Armed Group. This was related to POC, detainees' rights, prevention of torture and ill-treatment, and other issues. From 2011, UNAMA focused on significant monitoring, reporting, and advocacy activity around issues of torture and ill-treatment in detention facilities in Afghanistan.⁸³

83 UNAMA published its first reports on the treatment of conflict-related detainees in Afghan custody in 2011 and 2013 (available at: https://unama.unmissions.org/sites/default/files/october10_2011_unama_detention_full-report_eng.pdf and https://www.ohchr.org/sites/default/files/Documents/Countries/AF/UNAMA_treatment_of_conflict_detainees.pdf, respectively). For all detention reports, see: <https://unama.unmissions.org/treatment-conflict-related-detainees-afghan-custody>.

This past track record has proved useful since the Taliban takeover of Afghanistan in August 2021. Indeed, since the Taliban's return to power, HRS has been able to continue both its monitoring and reporting activities in Afghanistan as well as its engagement with the *de facto authorities*, raising awareness of human rights standards, mechanisms and instruments, and bringing reports of human rights violations to the attention of relevant *de facto* ministries and departments.⁸⁴

Interviewees credited HRS' ability to continue advocacy and engagement with *de facto authorities*, in particular on issues like detention, because of its legacy of engagement over the prior two decades.⁸⁵ For example, some Taliban members currently serving as *de facto authorities* have claimed to remember UNAMA's advocacy on detention prior to 2021, which has proved helpful in sustaining the mission's lines of engagement on this issue. More broadly, as an Afghanistan expert argued, the HRS remains essential for "keeping up that space of engagement", allowing the mission to maintain dialogue with current *de facto authorities* as well as keeping an open space for human rights for civil society and Afghan citizens.⁸⁶

Whether advocating for the rights and needs of vulnerable populations, adherence to human rights norms and accountability for violations, or the integration of international human rights standards into national legislation, human rights sections play a significant role in raising human rights concerns with relevant stakeholders. Further, these have proven key to sustaining spaces of engagement and dialogue with host governments and key stakeholders.

Human rights sections and officials in various missions also engage at national and local levels to advocate for adherence to human rights norms as well as accountability for violations. In South Sudan, community members and POC site residents reported effective intervention by UNMISS HRD when children were arrested by local authorities.⁸⁷ Advocacy around

84 Interview with former UNAMA political officer, 11 October 2023, online, (Interview #209); Interview with Afghanistan expert, 29 September 2023, online, (Interview #208). See also: UNAMA HRS. (2022). "Human Rights in Afghanistan: 15 August 2021 to 15 June 2022". https://unama.unmissions.org/sites/default/files/unama_human_rights_in_afghanistan_report_-_june_2022_english.pdf.

85 Interview with former UNAMA political officer, 11 October 2023, online, (Interview #209); Interview with Afghanistan expert, 29 September 2023, online, (Interview #208). It should be noted that while UNAMA's HRS is unable to carry out prison visits in all areas of the country, it has successfully maintained dialogue on detention issues with the *de facto authorities* both at a national and provincial level.

86 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208).

87 Interview with participants of a Focus Group Discussion with a women's group, 3 June 2023, Malakal, (Interviews #161-169).



Abdou Abarry, Special Representative of the Secretary-General and Head of the United Nations Regional Office for Central Africa, briefs the Security Council meeting on the Central African region. The Council heard a Report of the Secretary-General on the situation in Central Africa and the activities of the United Nations Regional Office for Central Africa. Photo: UN Photo/Eskinder Debebe.

HR reports was also said to reap rewards around accountability for extra-judicial killings.⁸⁸ Similarly, coordinated efforts by MONUSCO's JHRO and its Justice Support Section (JSS) have helped secure the release of many individuals who were arbitrarily detained. Indeed, both the mission and CSOs emphasised the mission's instrumental role in ensuring the release of arrested journalists and human rights defenders.⁸⁹

Furthermore, human rights components also actively advocate for integrating international human rights standards into national legislation.⁹⁰ In the DRC, this advocacy occurs in close collaboration with the parliamentary commission on human rights issues. For example, JHRO engaged in advocacy efforts to push for a law addressing reparations for victims of CRSV, promulgated in 2022. While this law has its limitations, its adoption is an advancement in promoting human rights. Furthermore, the JHRO has engaged in advocacy campaigns pushing for legislation that promotes and protects the rights of indigenous populations and one for persons with disabilities. The Office also provides an analysis of legislative proposals that may have adverse implications for human rights. One example is JHRO's critique of the law proposed and adopted in 2023 establishing an Armed Defence Reserve (*Réserve Armée de la Défense*), which could pose risks for the POC and impunity if implemented without proper safeguards. At the provincial level, JHRO also engages with local authorities to advance the promotion and protection of human rights, although the success of this engagement remains limited due to primary engagement at the national level from Kinshasa.⁹¹

Sustained advocacy for the rights and needs of vulnerable populations, including minorities, women, children, and displaced persons, is also a common focus in several of the PKOs and SPMs examined. The UN Office of the Special Envoy of the Secretary-General for Yemen (OSESGY) (and, to some extent, UNMHA) advocated for women's participation in the peace process. In Central Africa, UNOCA supports the convening of HR whistleblowers in key sub-regional countries and at the regional level to identify opportunities for collaboration. Drawing on human rights standards and conventions as a legal framework for post-conflict governance arrangements,⁹² HR officials in field missions also advocate for the systematic integration of human rights and other specific protection-related concerns, including those related to gender and children, into peace processes and peace agreements (see section 4.2).

88 See, for example: UNMISS. (2023). "Violence against civilians persists across South Sudan according to latest UNMISS human rights brief", 16 June. <https://unmiss.unmissions.org/violence-against-civilians-persists-across-south-sudan-according-to-latest-unmiss-human-rights-brief>. Interview with UNMISS officials in HRD and PID, 30 May 2023, Juba, (Interviews #87-88).

89 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23); Interview with MONUSCO official, 21 September 2023, Kinshasa, (Interview #53); Interview with former MONUSCO official, 23 August 2023, Goma, (Interview #57); Interview with journalist, 23 August 2023, Goma, (Interview #67).

90 These efforts may prove key for building sustainable peace, particularly in the context of and support for mission transitions (see sections 3.4 and 4.3).

91 Interview with JHRO official, 1 August 2023, online (Interview #10).

92 Such as provisions relating to establishing the rule of law, protecting individual rights and creating a foundation for democratic governance.

However, advocacy is at times moderated and framed to avoid controversy; the contrary can cause real consequences. For example, the Malian government’s expulsion of MINUSMA’s head of human rights division over an alleged biased choice of civil society witnesses for a UNSC briefing on Mali in early 2023 points to the potential negative consequences of HRD advocacy.⁹³ Nevertheless, as one official argued with reference to UNMISS HRD’s advocacy: “we need to have a strategy about what is most effective to speak about, not what is more comfortable to speak about”.⁹⁴ Furthermore, not all human rights personnel are well-suited or skilled for important advocacy and engagement roles. As one interviewee in UNMISS pointed out: [T]he role of a human rights officer is not like other peacekeepers – you have to go above and beyond... As a result the profile of people who are required need to be scrutinised – what is required is not just technical knowledge, it is also the soft skills that they bring to the table that matters.⁹⁵

Summary

Advocacy is an important part of human rights work, often building on HR reporting carried out by human rights components. Whether advocating for the rights and needs of vulnerable populations, adherence to human rights norms and accountability for violations, or the integration of international human rights standards into national legislation, human rights sections play a significant role in raising human rights concerns with relevant stakeholders. Further, these have proven key to sustaining spaces of engagement and dialogue with host governments and key stakeholders.

3.3 Human rights education

UN peace operations are also regularly mandated to provide human rights education and training to a wide range of actors. At times this training is delivered to host authorities and civil society, while at others it is done collaboratively with government and civil society actors for various participants. These include human rights defenders and journalists, among others, and generally involve outreach to vulnerable and less represented groups (e.g., women and youth under the WPS and Youth, Peace and Security (YPS) frameworks) to enable meaningful and inclusive participation in peacebuilding and sustaining peace processes. Outreach may take the form of communication programmes to inform the population of its legal rights and obligations. For example, many women and youth tend to lack access to power and/or are marginalised from formal political spaces and processes, which in turn has an impact on efforts to uphold their rights. Human rights education can help address these challenges.

93 Reuters. (2023). “Mali expels U.N. mission’s human rights chief”, 6 February. <https://www.reuters.com/world/africa/mali-expels-un-missions-human-rights-chief-2023-02-05>.

94 Interview with UNMISS HRD officials, 7 June 2023, Bentiu, (Interviews #182-184).

95 Interview with UNMISS HRD official, 5 June 2023, Malakal, (Interview #174).

In UNMISS, at the field site level, HRD outreach sensitises communities on their rights, as well as the responsibilities of government authorities as rights duty bearers. This contributes to empowering communities to increase awareness of their rights and seek assistance, particularly in times of crisis.⁹⁶ Residents in the POC site in Malakal explained that UNMISS HRD education had helped them better understand their rights, which in turn helped them better advocate for their own rights.⁹⁷ HRD has also played an important role – along with the Civil Affairs Division (CAD) – in supporting event-based community dialogues (e.g. pre- and post-migration conferences to address issues associated with transhumance) to ensure conflict resolution is rights-respecting, for example, by rejecting revenge cattle raiding and extrajudicial killings.⁹⁸ These awareness-raising activities for stakeholders, including government officials, organised forces and CSOs have reached thousands of people.

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In the DRC, a key enabler for MONUSCO's efforts to promote human rights awareness is Radio Okapi, a service broadly respected and with wide geographic distribution established and managed by the mission.⁹⁹ Radio Okapi runs thematic campaigns, including those aimed at addressing and combatting sexual violence. Additionally, the MONUSCO Public Information Office (PIO), responsible for supporting Radio Okapi, organises and conducts workshops to build the capacity of journalists, ensuring they have the tools and knowledge to report accurately on different issues, including human rights.¹⁰⁰ Many of these journalists, affiliated with local community radio stations, benefitted from professional development for the first time through the mission. Furthermore, recognising the unique challenges faced by journalists and human rights defenders, MONUSCO organises specialised workshops to educate these groups on their rights. This training ensures they are better prepared to defend themselves, utilise protection mechanisms, and reduce the risk of becoming victims of human rights violations.¹⁰¹

96 Interview with UNMISS officials, 5 June 2023, Malakal, (Interviews #174-177).

97 Interviews with participants of a Focus Group Discussion with POC site representatives, 3 June 2023, Malakal, (Interviews #157-160).

98 Interview with UNMISS CAD officials, 29 May 2023, Juba, (Interviews #82-84).

99 Interview with MONUSCO official, 19 September 2023, Goma, (Interview #43); Interview with CSO representative, 19 September 2023, Goma, (Interview #46); United Nations. (2021). "Report of the Secretary-General on United Nations Organization Stabilization Mission in the Democratic Republic of the Congo". S/2021/987. New York: United Nations. https://monusco.unmissions.org/sites/default/files/s_2021_987_e.pdf, para. 74.

100 Interview with CSO representative, 23 August 2023, Goma, (Interview #75); Interview with MONUSCO official, 19 September 2023, Goma, (Interview #43).

101 Interview with former MONUSCO official, 30 August 2023, online, (Interview #20).

For instance, journalists who participated in a JHRO-organised workshop on ‘training the trainers’ highlighted their increased awareness of individual protection strategies.¹⁰² They expressed their intention to disseminate these strategies upon returning to their respective regions. A journalist who had attended a JHRO workshop focusing on safety during reporting appreciated the training’s relevance, especially when covering events such as demonstrations where journalists face increased risks amidst clashes between protesters and law enforcement.¹⁰³

In Mali, MINUSMA initiated a capacity building programme for young people from emerging human rights organisations active in the field between 2017 to 2018. This programme aimed to equip human rights organisations to carry out their activities better to promote and protect human rights in Mali. As one of the beneficiaries testified, the programme enabled them to learn how to “collect information, process it, analyse it and report it to whomever it may concern”.¹⁰⁴

Summary

Human rights education provided or supported by mission human rights actors or focal points contributes to empowering communities and various population groups, particularly women and youth as well as journalists and human rights defenders, to increase awareness of their own rights and responsibilities of authorities as rights duty bearers. Services such as radio stations and specialised workshops, including professional development for journalists and human rights defenders, can be key enablers for mission efforts to promote and diffuse human rights awareness, and further enable key civil society actors to do the same.

3.4 Capacity building for state and local rule of law institutions, including national human rights institutions

Human rights mandates for peace operations regularly direct HRDs to assist states in fulfilling their obligations to protect, respect and promote human rights. Field missions provide capacity building and advisory assistance to national institutions such as parliamentary committees and independent national human rights institutions, including human rights commissions governed by the Paris Principles (or “Principles Relating to the Status of National Human Rights Institutions”). These efforts aim to improve the capacity of host states to respect and protect human rights, help them ratify and uphold their obligations under international treaties, and

102 Researchers interviewed participants during two workshops in September 2023, one delivered by JHRO in Kinshasa and one delivered by PIO in Goma.

103 Interview with journalist, 12 September 2023, Kinshasa, (Interview #27).

104 Interview with former MINUSMA HRPD official, 19 October 2023, online, (Interview #212).

prepare them for interaction with external human rights bodies, including the UN Human Rights Council. This includes strengthening the monitoring, documentation, reporting, and evaluation capacity of relevant government entities and National Commissions on Human Rights for reporting on human rights violations and serious crimes that risk destabilising fragile peace processes. This often takes the form of technical advice and assistance, as well as provision of material support such as computers/laptops and printing to facilitate the timely production of annual and situational reports.

Human rights components, often alongside rule of law mission sections and embedded within wider rule of law agendas, have achieved significant gains in capacitating institutions tasked with addressing impunity.

Human rights components, often alongside rule of law mission sections and embedded within wider rule of law agendas, have achieved significant gains in capacitating institutions tasked with addressing impunity. For example, in South Sudan, key stakeholders noted that efforts to support the South Sudan National Human Rights Commission (SSNHRC) had improved its capacity to fulfil its duties though also noted that there was still much to be done in this regard.¹⁰⁵ Mission efforts have included hosting monthly human rights forum meetings bringing together key stakeholders with the aim of having an impact on government capacity to respond to HR violations.¹⁰⁶ This has also been done with some success at the sub-national level with capacity building support provided by HRD representatives in field offices (with the UN Development Programme (UNDP) funding) to state-level human rights commissions.¹⁰⁷ Further, UNMISS HRD has proven instrumental in supporting a quarterly (periodic) National Human Rights Forum that brings together relevant HR institutions, particularly the RoL sectors, with the objective of discussing challenges around HR – and how these can be maximised to abide by the RoL society.

In Mali, the HRD contributed to strengthening the country's institutional framework for the promotion and protection of human rights. For example, MINUSMA signed a memorandum of understanding (MoU) with the Ministry of Justice and Human Rights to provide “technical support to the Government's efforts to respect, protect and fulfil human rights, including through the operationalisation of the National Human Rights Directorate, which is mandated to streamline

105 Interview with UNMISS officials, 31 May 2023, Juba, (Interviews #99; 103); Interview with member of SSNHRC, 5 June 2023, Juba, (Interview #119). See also: Office of Internal Oversight Services. (2023). “Outcome evaluation of UNMISS contribution to strengthening the rule of law and accountability in South Sudan”. Assignment No: IED-22-012, para. 29, p. 13. <https://oios.un.org/file/9904/download?token=o-VwEVgQ>

106 Interview with UNMISS official, 5 June 2023, Juba, (Interview #123); Interview with member of SSNHRC, 5 June 2023, Juba, (Interview #119).

107 NB: The Deputy Chair of SSHRC noted that these state-level branches were not established by the national HRC or in accordance with global best practices, but instead by political appointees not following reporting protocols.

and monitor respect for human rights in the various State institutions”.¹⁰⁸ One interviewee emphasised this as a good framework that would contribute to the promotion of human rights in the country.¹⁰⁹ MINUSMA also assisted the Malian authorities in preparing their “national report for the fourth cycle of the Universal Periodic Review of the Human Rights Council”.¹¹⁰ Further, the mission supported the National Commission on Human Rights (CNDH), for example, by providing training on human rights monitoring, through its Human Rights and Protection Division, to its commissioners and staff.¹¹¹ MINUSMA also provided technical support to Mali’s Constitutional Court for integrating human rights aspects in its work.

In the DRC, JHRO served as a strong advocate for the establishment of the National Human Rights Commission (NHRC), which was created in 2013 and became operational by 2015.¹¹² Since its establishment, JHRO has maintained a close partnership with the NHRC, focused on enhancing its capabilities to document human rights abuses.¹¹³ However, the Commission often struggles with limited resources challenging its ability to function effectively, despite JHRO’s support at national and provincial levels.¹¹⁴

However, while the creation of the NHRC is an important milestone for human rights in the DRC, the prevailing perception among civil society is that the Commission remains a relatively weak institution. One CSO representative argued that many CSOs supported by JHRO have more political power than the NHRC.¹¹⁵ NHRC members visited this representative upon his arrest and produced a report which he argued had no impact on his case.¹¹⁶ This claim was further substantiated by a member of an international delegation in Kinshasa, who affirmed that the NHRC’s presence remains relatively weak at the national level, while JHRO continues to stand as the primary reference on human rights matters in the country.¹¹⁷

Similar HR training and capacity building for state institutions are also provided to national human rights institutions by SPMs. In Afghanistan, UNAMA, together with civil society partners, provided technical support to NHRIs, contributing to increased public confidence in these important

108 Interviews with former MINUSMA HRPD officers, 19 October 2023, online, (Interviews #211-212). See also section 4.3 Restoration and extension of state authority for further discussion.

109 Ibid.

110 Ibid.

111 Interview with member of MINUSMA HRPD, 19 October 2023, online, (Interview #211).

112 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23); MONUSCO. (2015). “Désignation des membres de la Commission nationale des droits de l’homme par l’Assemblée Nationale”, 11 April. <https://monusco.unmissions.org/d%C3%A9signation-des-membres-de-la-commission-nationale-des-droits-de-l%E2%80%99homme-par-l%E2%80%99assembl%C3%A9e-nationale>.

113 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23); Interview with journalist, 27 July 2023, online, (Interview #7).

114 Interview with CSO representative, 13 September 2023, Kinshasa, (Interview #33).

115 Interview with CSO representative, 19 July 2023, online, (Interview #2); Interview with researcher, 16 August 2023, online, (Interview #17); Interview with JHRO official, 1 August 2023, online, (Interview #10); Interview with CSO representative, 13 September 2023, Kinshasa, (Interview #33).

116 Interview with CSO representative, 13 September 2023, Kinshasa, (Interview #33).

117 Interview with member of an international delegation, 14 September 2023, Kinshasa, (Interview #34).

state functions. For many years, UNAMA HRS offered guidance and technical assistance to the Afghanistan Independent Human Rights Commission (AIHRC), the key national institution mandated by the Afghan Constitution to promote and protect human rights prior to its dissolution under current Taliban leadership since August 2021.¹¹⁸ UNAMA broadly supported the AIHRC since its inception in 2002 pursuant to the Bonn Agreement, consistently engaging with both its national and local offices.¹¹⁹ As one interviewee noted, HRS “supported and mentored” the AIHCR and helped it become a “more credible independent voice”, particularly under Chairperson Shaharзад Akbar’s leadership 2019-2022 before it was dissolved by current *de facto authorities*.¹²⁰

This type of support also occurs through regional offices and the work of special envoys. In West Africa and the Sahel, for example, UN Office for West Africa and the Sahel (UNOWAS) encourages the establishment of national human rights institutions in the region and directly supports the regional network for NHRIs in organising yearly consultations to discuss strategies to address these issues.¹²¹ UNOWAS envisages supporting capacity building for these institutions and is exploring ways of increasing their independence as a strategic approach to addressing human rights issues.¹²²

Further, in 2020, the OSESG-GL developed a new strategy and action plan to strengthen the UN response to conflict prevention and resolution in the Great Lakes, bringing together MONUSCO, UNOCA and OSESG-GL leadership as well as Resident Coordinators of UN country teams in the region. One of the pillars of the action plan is dedicated to supporting the commitments of state parties to the Nairobi Declaration on Justice and Good Governance, including on TJ and strengthening NHRIs.¹²³ To increase human rights commissions’ capacities, the Special Envoy prioritised a peer-to-peer approach among regional actors through support to a network of commissions working on the Paris Principles.¹²⁴ This initiative led the National Human Rights Commission of Rwanda to train its counterpart from Burundi to regain the ‘A status’ after it was downgraded to ‘B’ in 2018 by the Accreditation Sub-Committee of the General Assembly and the Human Rights Council.¹²⁵

118 See: UN. (2019). “Resolution 2489 (2019): Adopted by the Security Council at its 8620th meeting”. S/RES/2489. <http://unscr.com/en/resolutions/doc/2489>.

119 UN. (2002). “Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security”. A/56/875-S/2002/278, p. 7. See also: UNAMA. (2013). “Photo story: A day in the life of UNAMA’s Human Rights chief Georgette Gagnon”, 15 December. <https://unama.unmissions.org/photo-story-day-life-unamas-human-rights-chief-georgette-gagnon>.

120 Interview with former UNAMA political official, 11 October 2023, online, (Interview #209).

121 Interview with UNOWAS human rights officer, 7 September 2023, online, (Interview #239).

122 Ibid.

123 OSESG-GL. (2021). “United Nations Strategy for Peace Consolidation, Conflict Prevention and Conflict Resolution in the Great Lakes Region – Action Plan (2021-2023)”. Nairobi, Kenya. https://ungreatlakes.unmissions.org/sites/default/files/un_great_lakes_strategy_-_action_plan_-_english_final_0.pdf.

124 Interview with UN official, 27 October 2023, online, (Interview #80). NB: Since 1993, the Principles relating to the Status of National Institutions, also referred to as the Paris Principles, are criteria assessing the effectiveness and independence of national human rights bodies. See: <https://www.ohchr.org/en/instruments-mechanisms/instruments/principles-relating-status-national-institutions-paris>.

125 Fédération internationale pour les droits humains. (2018). “Burundi : La CNDH perd son statut A d’indépendance”, 14 March. <https://www.fidh.org/fr/nos-impacts/burundi-la-cnidh-perd-son-statut-a-d-independance>.

The Office also contributes to state capacity building in the region by reinforcing regional cooperation on human rights issues such as transnational crime. From the translation of correspondence between regional actors to trainings of prosecutors, OSESG-GL supports the engagement and coordination of the Judicial Cooperation Network of the Great Lakes region (*Réseau de coopération judiciaire pour la région des Grands Lacs*), a mechanism of the International Conference on the Great Lakes Region (ICGLR).¹²⁶ In 2015, founder and former leader of the Allied Democratic Forces (ADF) Jamil Mukulu was arrested in Tanzania and extradited to Uganda as the result of an effective collaboration between prosecutors through the regional platform. The regional OSESG-GL also provides fundraising and technical support for state authorities for Disarmament, Demobilisation and Reintegration (DDR). Through this mechanism, the Office facilitates the collaboration and exchange between intelligence agencies, DDR practitioners, and CSOs, as well as capacity building for the repatriation of foreign ex-combatants.¹²⁷

However, there are limits to what human rights support can achieve when host governments are unwilling to engage meaningfully in strengthening the domestic HR apparatus. For example, in South Sudan, interviewees explained how the politicisation of the commissioner's appointment to the SSNHRC makes it impossible for the institution to be fully independent and gain external recognition and accreditation.¹²⁸ In Afghanistan, the dissolving of state and local rule of law institutions since the Taliban takeover in 2021, including the AIHRC, has rolled back the HRS' previous capacity building work, and made additional work in this area practically impossible in the current context under the *de facto authorities'* rule.

Summary

Across the contexts examined, human rights actors within field missions engage in a range of activities to strengthen national peace infrastructures that directly or indirectly contribute to host governments being more capable of living up to their obligations as HR duty-bearers. Evidence shows that human rights work across PKOs, SPMs and regional offices has contributed to strengthening institutional frameworks and bolstering the capacity of state rule of law organisations to positively contribute to the promotion and protection of human rights. These efforts also help to build and maintain relationships with national and local authorities that can be leveraged by missions in other ways (see section 4.3). However, several cases point to the remaining challenges in this space, including a continued lack of resources of some NHRIs (which, although HRDs can help tackle, may continue to impact their effectiveness and/or credibility), their politicisation, or potential dissolution, which has impacted missions' ability to fulfil their mandate in this area.

126 Office of the Special Envoy for the Great Lakes. "Le réseau de coopération judiciaire pour la région des grands lacs". https://ungreatlakes.unmissions.org/sites/default/files/great_lakes_judicial_cooperation_network_flyer_french_0.pdf.

127 Interview with UN official, 29 August 2023, online, (Interview #19). See also: UNDP. (2022). "Towards peace in the Great Lakes region: 18 experts receive training on DDR/ RR insider mediation", 9 December. <https://www.undp.org/africa/press-releases/towards-peace-great-lakes-region-18-experts-receive-training-ddr/rr-insider-mediation>.

128 Interview with members of SSNHRC, 5 June 2023, Juba, (Interview #119).



Through its Civil Affairs Division, MINUSMA financed a quick impact project (QIP) consisting of a water tower which is equipped with a solar pump and a mill for the benefit of women in the peripheral neighborhood “Sans fil” of Gao, Mali, in order to contribute to improving the living conditions of women. Photo: MINUSMA /Harandane Dicko.

3.5 Capacity building and engagement with civil society and community-based organisations (CBOs)

UN peace operations’ work with national human rights institutions is often mirrored by similar initiatives to systematically capacitate local and national CSOs and other CBOs defending and protecting human rights, notably human rights defenders facing particular challenges, including targeted attacks or arbitrary detention.

In Mali, MINUSMA led capacity building courses for CSOs throughout the country for years, including founding HR “clubs” at the community level and training high school students.¹²⁹ UNMISS HRD has worked with a range of CSOs in South Sudan, including the Human Rights Defenders Network, the Union of the Disabled and the Center for Inclusive Governance, Peace and Justice to enhance their capacity to engage and hold authorities accountable as HR duty-bearers.¹³⁰ This was highlighted as particularly important at the field office level, where focus group participants noted that they “rely on the human rights section to help us highlight what HR issues to focus on when we have discussions with state officials”.¹³¹ Community leadership and UNMISS sector commanders in one POC site highlighted that HRD increased the community’s capacity to report on and interact with the authorities on human rights issues. Interviewees found this was especially notable on gender-based violence (GBV) and gender-specific engagements.¹³² However, civil society stakeholders also emphasised that while HRD supported them and strengthened their capacity to some extent, these efforts were often not aligned with complementary efforts by the UN Peacebuilding Fund (PBF), via the UNDP, preventing a comprehensive approach drawing on the advantages of all parts of the UN system in country.¹³³ This disconnect is particularly salient as UNDP is often the entity with grants and funding available to sustain capacity building projects in the longer term.¹³⁴

In Afghanistan, UNAMA HRS has supported the Human Rights Defenders Committee (HRDC) civil society group, mainly in its advocacy, coordination and protection role, and has sought opportunities for temporary relocations of human rights defenders at risk.¹³⁵ More broadly, HRS has supported and engaged with civil society and CBOs on human rights issues. As part of the Afghan civil society-led initiative ‘Afghan People’s Dialogue on Peace’ started in 2011, UNAMA facilitated and supported public discussions – overseen by Afghan CSOs and the AIHRC – “on the prospects for durable peace, reconciliation, security, social and economic development, human rights, and the rule of law in Afghanistan”.¹³⁶ As one interviewee argued, while their political influence at the government level remains uncertain, these discussions

129 Interviews with former MINUSMA HRPD officers, 19 October 2023, online, (Interview #211-212).

130 Interview with participants of a Focus Group Discussion with CSOs, 31 May 2023, Juba, (Interview #20-27). Interview with participants of a Focus Group Discussion with women and PWD groups, 3 June 2023, Malakal, (Interview #161-169).

131 Interview with participants of a Focus Group Discussion with CSOs, 7 June 2023, Bentiu, (Interview #196-201).

132 Interview with participants of a Focus Group Discussion with POC Coordination Committee, 2 June 2023, Malakal, (Interview #152-156).

133 Interview with participants of a Focus Group Discussion with TJ Working Group, 31 May 2023, Juba, (Interview #108-114).

134 Ibid.

135 UN. (n.d.). “OHCHR in Afghanistan”. <https://www.ohchr.org/en/countries/afghanistan/our-presence>

136 UNAMA. (2014). “Afghan People’s Dialogue on Peace: Building the Foundations for an Inclusive Peace Process Afghan People’s Dialogue on Peace: Building the Foundations for an Inclusive Peace Process”. https://unama.unmissions.org/sites/default/files/eng_report_-_afghan_peoples_dialogues.pdf, p. 1. Discussions enabled the construction of provincial-level and national road maps for peace. The report highlighted that “throughout the People’s Dialogue, Afghans asserted that proactive and concerted efforts to promote and protect human rights, enhance rule of law, and tackle impunity should be the basic goals of the Government, civil society and the international community” (p. iv). Notably, one of the emerging recommendations was to “strengthen national institutions such as the Afghanistan Independent Human Rights Commission (AIHRC) mandated to protect and promote human rights” (p. 37).

brought civil society together and created a “dividend effect of building solidarity in the region,” notably among southern provinces.¹³⁷ UNAMA’s engagement with civil society has also been closely tied to its support and collaborative efforts with the AIHRC, including through joint projects. UNAMA, together with the AIHRC, led outreach efforts with members of civil society and community leaders, including on creating safe spaces for women to enable them to pursue election campaigns. This was part of a political rights verification campaign prior to the 2005 Afghan elections, which one interviewee highlighted as a unique example of the UN and an NHRI pursuing joint monitoring.¹³⁸ However, since the Taliban takeover in August 2021, engagement with Afghan civil society has unfortunately greatly diminished as rights and freedoms, and access to key stakeholders, have been severely curtailed (see section 5.5).

In the DRC, MONUSCO-led training contributed to the professionalisation of human rights-focused CSOs. Indeed, mission contributions have resulted in CSOs being better equipped for monitoring and advocating for human rights.

In the DRC, MONUSCO-led training contributed to the professionalisation of human rights-focused CSOs.¹³⁹ Indeed, mission contributions have resulted in CSOs being better equipped for monitoring and advocating for human rights.¹⁴⁰ Members of these CSOs highlighted MONUSCO’s particularly important role in strengthening groups dedicated to youth and women, leading to their increased participation in political spaces.¹⁴¹ It should be noted that a cornerstone of the mission’s strategy to empower CSOs lies in its training programs, often led by JHRO or in collaboration with MONUSCO’s Civil Affairs Section (CAS) and PIO. MONUSCO’s logistical assistance, including transportation via flights and armoured vehicles, has been indispensable for CSOs to access challenging areas,¹⁴² and helped ensure members of these organisations can participate.¹⁴³ Local CSOs have also benefited from MONUSCO’s financial support for their projects, strengthening the resources these organisations need to operate.¹⁴⁴

137 Interview with former UNAMA official, 1 November 2023, online, (Interview #206).

138 Ibid.

139 Interview with former MONUSCO official, 23 August 2023, Goma, (Interview #57); Interview with CSO representative, 23 August 2023, Goma, (Interview #63).

140 Interview with CSO representative, 23 August 2023, Goma, (Interview #65).

141 Interview with CSO representative, Goma, 23 August 2023, online, (Interview #65); Interview with researcher, 27 July 2023, (Interview #6).

142 Interview with CSO representative, 23 August 2023, Goma, (Interview #61); Interview with CSO representative, 23 August 2023, Goma, (Interview #70); Interview with CSO representative, 23 August 2023, Goma, (Interview #75).

143 The withdrawal of this vital logistical and financial support as MONUSCO draws down will inevitably impair CSOs’ coordination and operational capacity. See: Center for Civilians in Conflict. (2023). “Integrated United Nations Approaches to Protection During Peacekeeping Transitions: Lessons Learned from MONUSCO”.

144 Interview with CSO representative, 23 August 2023, Goma, (Interview #62); Interview with CSO representative, 23 August 2023, Goma, (Interview #63).

Overall, participants in these trainings acknowledged their significance in building their capacities to address human rights crises.¹⁴⁵

However, despite MONUSCO's consistent support, there are recognised limitations. CSOs in the DRC, as acknowledged by MONUSCO officials, often lack the resources and capacity to conduct human rights investigations, especially in hard-to-access or insecure areas where many human rights abuses occur.¹⁴⁶ Additionally, CSOs might not be able to conduct advocacy effectively on their own following MONUSCO's withdrawal.¹⁴⁷ A JHRO official emphasised the need for CSOs to participate in transition discussions but noted that "authorities don't always see their value", and while MONUSCO has made an effort to include CSOs in its transition planning, the national Congolese authorities have not, excluding them from the transition working groups in Kinshasa.¹⁴⁸ The exclusion of CSOs from transition working groups raises concerns about the sustainability of civil advocacy efforts post-MONUSCO.

Through these capacity building efforts, UN peace operations empower CSOs and CBOs to hold their governments and other actors accountable through better HR monitoring, investigation and advocacy capacities. Further, human rights components can play a significant role in creating platforms and spaces of engagement for civil society actors to protect and promote human rights in each context. However, despite these efforts, the space to engage with civil society remains strongly limited and dependent on the amenability of host states.

145 Interview with former MONUSCO official, 23 August 2023, Goma, (Interview #57); Interview with CSO representative, 23 August 2023, Goma, (Interview #63).

146 Interview with JHRO official, 12 July 2023, online, (Interview #1).

147 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with MONUSCO official, 13 September 2023, Kinshasa, (Interview #29).

148 Interview with JHRO official, 12 July 2023, online, (Interview #1); Levine-Spound, D. & MacClinchy, W. (2022). "Prioritizing the Protection of Civilians During Peacekeeping Transitions: Lessons Learned from MONUSCO".

Summary

Supporting, engaging and empowering civil society and community-based HR capacities in a systematic manner complements parallel initiatives focused on host state and government institutions, by providing checks and balances on abuses of power or selective application of HR legislation and obligations and mobilising civil society at scale to enable societal change. Through these capacity building efforts, UN peace operations empower CSOs and CBOs to hold their governments and other actors accountable through better HR monitoring, investigation and advocacy capacities. Further, human rights components can play a significant role in creating platforms and spaces of engagement for civil society actors to protect and promote human rights in each context. However, despite these efforts, the space to engage with civil society remains strongly limited and dependent on the amenability of host states. While CSOs may be empowered without the support of governments, they are likely to be less effective, encounter a limited operating space, and may do so at significant risks to their members and the populations they represent.

3.6 Conclusion

Rather than an exhaustive study of the effectiveness of UN peace operations HR mandate implementation, the above section provides a snapshot of human rights work and its impacts. The effectiveness of UN peace operations in promoting and protecting human rights can vary significantly depending on numerous factors – its mandate, context, political will or commitment of the parties. Likewise, it does not occur in a vacuum; it is assisted and facilitated by cross-mission progress in other mandated areas and vital UN and civil society partnerships.

Nevertheless, HRDs, HR officials and HR focal points are advancing and protecting human rights in various settings through a range of shared activities, tools and mechanisms. These efforts are critical to improving the realisation of the rights of people on an everyday basis. Further, by promoting and protecting human rights, missions can build trust with host authorities, parties to conflict and local communities that can enhance their legitimacy and acceptance among key stakeholders. This facilitates contributions to other related, tangential, and overarching mandated areas, as well as the work of other substantive sections and mission components. The following chapter provides examples where human rights work, principles and norms have contributed to the achievement of other important/priority mandate areas and the work of other mission components beyond the core OHCHR-mandated functions.



Afghan women leaders and human rights defenders speak to press ahead of the side event, 'New Chapter in Afghanistan: Ensuring Support of Afghan Women & Girls' held in the Trusteeship Council at the United Nations Headquarters on Thursday, 21 Oct. 2021.
Photo: UN Women/ Amanda Voisard.

4. Support to priority mandate areas, substantive sections and mission components

In several missions examined in this study, the promotion and protection of human rights is explicitly singled out as one of a few strategic priorities – albeit language differs according to the mission and context. However, human rights are also pertinent – sometimes intrinsic – to other mandated priorities. Indeed, many – if not all – other mandated priorities include human rights aspects, are underpinned by HR principles (grounded in IHL/IHRL) and/or can be understood through a human rights prism as part of a rights-based approach. Most obviously, the POC is intricately linked and mutually reinforcing with human rights considerations. Other commonly mandated areas fundamentally linked to the core HR and OHCHR mandate include preventing conflict-related sexual violence and violations against children, while security and justice sector reform, among other efforts to extend state authority, are underpinned by human rights principles. Further contributions to infusing and promoting human rights norms and principles can be seen in efforts to embed human rights in ceasefire and peace agreements through mediation activities and the quotidian good offices function of special representatives/envoys. Human rights officers or focal points in field missions also cooperate and coordinate with a range of other actors – including the work of uniformed components in multidimensional peacekeeping operations – and the panoply of civilian sections, as well as local authorities and counterparts, indirectly supporting various mandated objectives.

4.1 Improving the protection of civilians (POC)

Lacking a UN system-wide concept of protection, mutual contributions of human rights and POC can be somewhat complicated – though more so at Headquarters (HQ) where differing organisational positions, some exacerbated by recent reforms, lack the clearer evidence

base found in peace operations. In the UN Secretariat, DPO, Office for the Coordination of Humanitarian Affairs (OCHA) and OHCHR have led notable efforts to bring these concepts together through various initiatives, with DPPA's position still evolving. First, from a humanitarian perspective, the concept of POC relates to “all efforts aimed at obtaining full respect for the rights of the individual and of the obligations of the authorities/arms bearers in accordance with the letter and the spirit of the relevant bodies”.¹⁴⁹ Second, from a human rights perspective, protection is understood as a broader concept, applicable to all individuals in times of peace and conflict and encompassing all the rights and freedoms recognised under international human rights law (IHRL), international humanitarian law (IHL), international refugee law and international criminal law, in addition to all existing rights in international and regional instruments.¹⁵⁰

Attempting to reconcile the language of peacekeeping operations mandate resolutions, the Security Council has opted for inclusivity, inadvertently contributing to conceptual ambiguity.¹⁵¹ It is no surprise that in mission settings, differing and sometimes competing perspectives on how best to translate the “protection of civilians” into implementable terms remains a challenge. However, a growing body of good practice is both encouraging and instructive.¹⁵²

The UN Department of Peace Operations (DPO) leads the UN's policy and guidance on POC, as seen in its 2010 policy on the POC in UN peacekeeping operations, merging both perspectives. Updated in 2023, the policy aims to steer the implementation of concepts and principles along three tiers, clarifying human rights components' POC responsibilities.¹⁵³ Furthermore, DPO's 2023 practitioner-oriented guidance helpfully details the evolving practice of its field missions. However, a lack of shared ownership of this approach by DPPA can inhibit better system-wide collaboration, particularly during UN transitions.¹⁵⁴ Further, that POC has become part of peacekeeping's bloodstream is evident in capacities within national institutions and local civil society, but absent a system-wide policy and enhanced organisational coherence during peacekeeping exits, reconfiguring a protection role among other UN actors and their partners when these transitions occur, risks reversing any legacy of mission POC gains.

149 Inter-Agency Standing Committee. (2016). “IASC Policy on Protection in Humanitarian Action, 2016”. <https://inter-agencystandingcommittee.org/sites/default/files/migrated/2020-11/IASC%20Policy%20on%20Protection%20in%20Humanitarian%20Action%2C%202016.pdf>, p. 2.

150 OHCHR staff. (2006). “Chapter Seven. Protection in the Field: Human Rights Perspective SOHCHR”. In *Human Rights Protection in the Field*. Leiden, The Netherlands: Brill/Nijhoff. <https://doi.org/10.1163/ej.9789004148475.i-430.55>, p. 119, 121.

151 Wani, I.J. (2021). “United Nations Peacekeeping, Human Rights, and the Protection of Civilians”. In *The State of Peacebuilding in Africa*. Palgrave Macmillan: Cham. https://doi.org/10.1007/978-3-030-46636-7_6, p. 88; UN OCHA. (2019). *Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians*. <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Building%20a%20culture%20of%20protection.pdf>.

152 Ibid.

153 The three tiers are: protection through dialogue and engagement, provision of physical protection, and the establishment of a protective environment. UNDPO. (2023). “Policy. The Protection of Civilians in United Nations Peacekeeping”. New York: UN. https://peacekeeping.un.org/sites/default/files/2023_protection_of_civilians_policy.pdf, p. 30.

154 Lilly, D. (2021). “Considering the Protection of Civilians During UN Peacekeeping Transitions”. International Peace Institute. https://www.ipinst.org/wp-content/uploads/2021/01/2101_POC-and-Transitions.pdf

This is particularly true when exit strategies yield to political or peacebuilding priorities, especially without capabilities or mandates for physical protection.¹⁵⁵

In the DRC context, as in other missions, including some SPMs, the POC is a prioritised whole-of-mission effort, built around the three-tiered strategy and leveraging both civilian and uniformed capacities, where present. Still, the conceptual distinction between the POC and the protection of human rights can be very narrow in conflict settings, particularly as these relate to attacks and other abuses by armed groups or state forces. Discussions with practitioners in mission settings highlighted the perceived overlap between the two concepts. A UN official succinctly noted, “POC is 99% human-rights related work,”¹⁵⁶ highlighting the intrinsic link between the two.¹⁵⁷ Yet while the role of human rights components is central and ubiquitous to inform and address POC tasks, in the DRC the POC unit is separate from JHRO (MONUSCO/OHCHR) and has its own unit under the Deputy Special Representative of the SG (DSRSG) protection office (DPO) based in Goma. Monitoring, reporting, advocating, and training are attributed to JHRO, while coordination with the force and the UN Police (UNPOL) remains driven by POC,¹⁵⁸ with a permanent presence and collaboration with JHRO. Nonetheless, while there is a division of labour in the mission’s strategy to protect civilians, its overall approach is aligned with fundamental principles of human rights.

Human rights efforts and principles contribute to POC at the strategic and operational level, whereas HR documentation, investigation and reporting on allegations of violations of international humanitarian law and international human rights law can support POC data-driven analysis, planning and decision-making, and contribute to early warning systems which can be crucial for peacebuilding. For these reasons, human rights components play a critical role in preventing critical protection gaps after a mission’s withdrawal.

If the UN’s ambition toward a comprehensive POC agenda has made some progress in joining a human-rights-based approach with a “people-centred approach” to POC, it may be owed to the dedication of field-based staff. Indeed, there is ample evidence demonstrating that human rights work has led to direct and measurable improvements in POC outcomes. As discussed below,

¹⁵⁵ Ibid, p. 12.

¹⁵⁶ Interview with former MONUSCO official, 29 August 2023, online, (Interview #18).

¹⁵⁷ Interview with MONUSCO official, 18 September 2023, Goma, (Interview #41).

¹⁵⁸ Interview with former MONUSCO official, 29 August 2023, online, (Interview #18).

human rights efforts and principles contribute to POC at the strategic and operational level, whereas HR documentation, investigation and reporting on allegations of violations of international humanitarian law and international human rights law can support POC data-driven analysis, planning and decision-making, and contribute to early warning systems which can be crucial for peacebuilding.¹⁵⁹ For these reasons, human rights components play a critical role in preventing critical protection gaps after a mission's withdrawal. As noted above, several policy initiatives, including the UN's Common Agenda, New Agenda for Peace and, more specifically, the UN's delayed Agenda for Protection, part of the SG's Call to Action on Human Rights, are intended to underscore these priorities and drive improved coherence.¹⁶⁰

HR monitoring can also help inform strategic decision-making on mission course correction. For instance, human rights reporting on HRVs in central Mali that evidenced an increase in persecution along ethnic lines provided an early warning of conflict dynamics shifting to the centre of the country and helped inform an (eventual) shift in mission focus to POC in central Mali.

4.1.1 Strategic planning

Human rights actors and work contribute to POC in several ways, including at the strategic level. For instance, in UNMISS, HRD played an important role in the latest revision of the mission-wide POC strategy to ensure the mainstreaming of HR language and concerns.¹⁶¹ HR monitoring can also help inform strategic decision-making on mission course correction. For instance, human rights reporting on HRVs in central Mali that evidenced an increase in persecution along ethnic lines provided an early warning of conflict dynamics shifting to the centre of the country and helped inform an (eventual) shift in mission focus to POC in central Mali.

MINUSMA's Human Rights and Protection Division (HRPD) has played a crucial role in various strategic initiatives, including facilitating regular visits of Special Rapporteurs, especially

159 Arendt, L. (2019). "Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians". UN OCHA. <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4F-F96FF9%7D/Building%20a%20culture%20of%20protection.pdf>.

160 UN. (2021). "Our Common Agenda: Report of the Secretary-General". <https://www.un.org/en/content/common-agenda-report>; UNSC. (2020). "The Highest Aspiration: A Call to Action for Human Rights". UN. <https://www.un.org/en/content/action-for-human-rights/index.shtml#>.

161 Interview with HRD official, 5 June 2023, Juba, (Interview #123); Interview with HRD official, 4 June 2023, Malakal, (Interview #174).

during their travels to different regions, as well as consistent consultations with the Special Representative.¹⁶² HRPD also conducted regular meetings with the Deputy Force Commander to discuss relevant issues.¹⁶³ Further, the mission's human rights component worked with the International Criminal Court (ICC), specifically on information sharing and facilitating contacts with victims and witnesses for cases submitted to the ICC with the aim of sanctioning and targeting the assets of actors who commit serious human rights violations that could impede the peace process.¹⁶⁴

In the DRC, analysis grounded in human rights also informs UN approaches and engagement in regional processes. On a regular basis, JHRO analysis helps both MONUSCO and the Office of the Special Envoy of the Secretary-General for the Great Lakes (OESG-GL) region to inform their engagement in support of DRC stakeholders and in the region on the Luanda and Nairobi processes.¹⁶⁵ JHRO leadership also works closely with the Special Representative of the Secretary-General (SRSG) to support her good offices efforts with authorities at the national and provincial levels.

4.1.2 Threat analysis, early warning and early action

Active POC work relies on the development and regular updating of high-confidence mapping and prioritisation of POC threats as well as early warning to enable timely and effective responses.¹⁶⁶ As discussed above, human rights data that identifies and documents human rights abuses, including attacks on civilians, sexual and gender-based violence and violations of the right to life and physical integrity can feed analysis and situational knowledge into POC assessments and planning processes. Human rights monitoring and reporting on HRVs against civilians enables the early warning of protection threats and needs that can in turn inform mission POC strategies and activities, including preventive measures to stop abuses before they escalate. Human rights work may also form the basis for accountability for human rights abuses, informing longer-term rule of law work, including, for example, security sector reform (SSR) or TJ.

162 Interview with former MINUSMA HRPD officer, 19 October 2023, online, (Interview #211).

163 Ibid.

164 Ibid.

165 Interview with MONUSCO official, 11 September 2023, Kinshasa, (Interview #22); Interview with UN official, 27 October 2023, online, (Interview #80).

166 See Levine-Spound, D. (2021). "Early Warning and Rapid Response Takes Root in UN Peacekeeping". CIVIC. https://civiliansinconflict.org/wp-content/uploads/2021/01/CIVIC_Peacekeeping_EWCM_Report_EN_V5-1.pdf; UNDPO. (2020). "The Protection of Civilians in United Nations Peacekeeping Handbook". https://peacekeeping.un.org/sites/default/files/dpo_poc_handbook_final_as_printed.pdf; Levine-Spound, D. & MacClinchy, W. (2022). "Prioritizing the Protection of Civilians During Peacekeeping Transitions: Lessons Learned from MONUSCO". CIVIC. <https://civiliansinconflict.org/wp-content/uploads/2022/11/Prioritizing-the-Protection-of-Civilians-During-Peacekeeping-Transitions.pdf>; Smith, S. (2022). "Early Warning and Rapid Response: Reinforcing MINUSMA's Ability to Protect Civilians". CIVIC. https://civiliansinconflict.org/wp-content/uploads/2022/01/BAT_CIVIC_Peacekeeping_EWRR_Report_MALI_EN_CORRECTION_V2_web.pdf. See also: Sarfati, A. (2023). "New Technologies and the Protection of Civilians in UN Peace Operations". International Peace Institute. <https://www.ipinst.org/2023/09/new-technologies-and-the-protection-of-civilians-in-un-peace-operations>.

In the context of MONUSCO, the collaboration between JHRO and CAS is central for the verification and assessment of alerts transmitted to the POC unit. Both JHRO and CAS work in parallel with separate databases for confidentiality and protection of victims. A primary source of information for civil affairs teams includes the Community Alert Networks (CAN), composed of focal points selected by community members, in contact with Community Liaison Assistants (CLAs), and civil affairs' national staff based in UN military bases. CLAs and members of CANs are trained on human rights monitoring by JHRO. In addition to information gathered directly by human rights officers serving with JHRO, 43 human rights informal protection networks spread across the country provide further information to the Office, each of these receiving support, including communications equipment, from JHRO.¹⁶⁷

In the context of MONUSCO, the collaboration between JHRO and CAS is central for the verification and assessment of alerts transmitted to the POC unit.

The complementarity of these sections, supported by close working relationships, particularly at the field office level, allows for an effective assessment of potential threats to civilians. Several interviewees highlighted the need for an improved synergy between JHRO and CAS early warning mechanisms.¹⁶⁸ A greater harmonisation of sources and databases of events involving human rights abuses could help overcome several challenges, including the risk of data duplication. Moreover, closer collaboration between these units in handling cases involving human rights abuses could improve and reinforce CLA capacities in fostering a protective environment in line with a human rights-based approach.¹⁶⁹

The complementarity of these sections, supported by close working relationships, particularly at the field office level, allows for an effective assessment of potential threats to civilians.

The POC approach in MONUSCO has also demonstrated the value of bringing human rights information to multiple decision-making forums, including members of the Humanitarian Country Team. Human rights officials are contributing to the agenda of secretariats of the Senior Management Groups on Protection at the Provincial level (SMGPPs), the highest forum on protection at the provincial level bringing together all protection actors from the

¹⁶⁷ Interview with JHRO official, 9 August 2023, online, (Interview #12).

¹⁶⁸ Interview with MONUSCO official, 26 July 2023, online, (Interview #5); Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42).

¹⁶⁹ Interview with MONUSCO official, 25 July 2023, online, (Interview #5); Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42).

Protection Cluster and UN Agencies. This platform gathers firsthand knowledge for POC,¹⁷⁰ which HR officers use to feed conversations with POC advisors and the Force (mission military components) on how to respond to alerts according to a human rights-based approach.¹⁷¹ As MONUSCO continues its phased transition, JHRO is progressively increasing the capacities of UN Agencies and CSOs in terms of POC, with training and support on early warning mechanisms.¹⁷² For reasons stated above, continuation of this support, including CLAs, is essential during peacekeeping transitions.

4.1.3 Protection reporting

Human rights documentation, investigation and reporting on allegations of violations of international humanitarian law and international human rights law, where applicable, including sexual violence and violations against children particularly where there are few or no dedicated child and/or women protection capacities, can support POC data-driven analysis, planning and decision-making. For example, information sharing through regular meetings of Protection Working Groups helps feed into mechanisms supporting key POC areas, such as women's protection through the MARA on conflict-related sexual violence, and child protection through the Monitoring and Reporting Mechanism (MRM) on grave violations of children's rights in situations of armed conflict. In South Sudan, UNMISS HRD works with the Gender Advisory Unit, feeding into the SGBV sub-cluster which consolidates and tracks data on SGBV violations at the State level.

4.1.4 Advocacy

Field mission human rights actors play a significant role not only in reporting on attacks on civilians but in advocating against these and for POC, including by calling on parties to a conflict to adhere to the prohibitions on deliberate targeting of civilians enshrined in international humanitarian law and international human rights law.

In UNAMA, POC has always been a core focus of the work of its HRS.¹⁷³ In the context of ongoing conflict in the past decades, HRS's work has been leveraged and led to direct and measurable improvements in POC outcomes. Efforts to meticulously monitor and document civilian casualties resulting from actions by all parties to the conflict (both in the detention and active conflict space), used as a basis for engagement to address behaviour, led to noticeable

170 Interview with UN official, 14 August 2023, online, (Interview #14); Interview with MONUSCO official, 18 September 2023, Goma, (Interview #41).

171 Interview with JHRO official, 12 July 2023, online, (Interview #1).

172 Interview with JHRO official, 1 August 2023, online, (Interview #10).

173 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208).

reductions in people killed, injured, and civilian infrastructure attacked.¹⁷⁴ Engagement with national stakeholders has also allowed for an exchange of information that assists and feeds into HRS's substantive analysis of the human rights situation in Afghanistan, further bolstering advocacy efforts for measures to improve risk reduction and conflict prevention.¹⁷⁵ For example, through customised advocacy campaigns aimed at reducing the use of Pressure-Plate Improvised Explosive Devices (PPIEDs), the mission noted a decline in attacks involving these landmines between 2016 and 2018, representing a valuable contribution to civilian protection.¹⁷⁶

In the context of ongoing conflict in the past decades, HRS's work has been leveraged and led to direct and measurable improvements in POC outcomes. Efforts to meticulously monitor and document civilian casualties resulting from actions by all parties to the conflict (both in the detention and active conflict space), used as a basis for engagement to address behaviour, led to noticeable reductions in people killed, injured, and civilian infrastructure attacked.

4.1.5 Operational contributions

On the ground, HR officials also play important roles in joint, mission-wide, and integrated operational activities. For instance, in DRC, JHRO is part of Joint Protection Teams (JPT), Joint Assessment Missions (JAM), and other integrated POC-oriented mechanisms.¹⁷⁷ Under the second tier of the UN's protection policy and MONUSCO's mission-specific POC strategy – protecting civilians from physical harm – JHRO contributes to all mission prevention mechanisms, such as assessing the risk to civilians when the mission is considering establishing or closing a peacekeeping military base.¹⁷⁸ Human rights expertise feeds into protection needs assessments and allows the SMGPP to take actions tailored to the security context.¹⁷⁹

174 Interview with former UNAMA official, 28 September 2023, online, (Interview #207).

175 UNAMA. (2013). "Photo story: A day in the life of UNAMA's Human Rights Chief, Georgette Gagnon".

176 Interview with former UNAMA official, 28 September 2023, online, (Interview #207).

177 Interview with MONUSCO official, 18 September 2023, Goma, (Interview #41). See also:

Mamiya, R.H. (2020). "Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions", p. 24.

178 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23); Interview with MONUSCO official, 11 September 2023, Kinshasa, (Interview #22); Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42).

179 Interview with MONUSCO official, 26 July 2023, online, (Interview #5); Interview with MONUSCO official, 18 September 2023, Goma, (Interview #41).



UNAMA DSRSG Markus Potzel, UNHCR and UNICEF representatives travelled to Qarabagh district of Kabul province, Afghanistan, on 8 June 2023. Photo: UNAMA.

These aim to generate new recommendations for advancing POC through community-based protection mechanisms and building relationships and trust between the mission and communities.¹⁸⁰ However, persistent anti-MONUSCO sentiment, sometimes fomented by mis- or disinformation, or by national politicians, and repeated, sometimes deadly, attacks by armed actors against MONUSCO convoys in 2023 in Eastern DRC have made carrying out JPT missions more complicated, further damaging the relationship between the mission and communities. In the Kivus, lack of access to vulnerable populations following an extended “State of Siege” in which human rights restrictions, arbitrary detentions and insecurity increased, further soured public sentiment toward the UN. In Goma, civil society leaders and journalists refer to the mission as isolated and out of touch with reality.¹⁸¹ Despite the UN’s over two decades of support to DRC’s stabilisation, widespread unpopularity, largely due to a perceived failure to

180 Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42).

181 Interview with an international mission delegate, 19 September 2023, Goma, (Interview #45); Interview with CSO representative, 21 September 2023, Goma, (Interview #55); Interview with journalist, 21 September 2023, Goma, (Interview #56).

protect civilians, has influenced Congolese leadership’s request for an accelerated MONUSCO withdrawal, or transition. This request was endorsed unanimously by the Security Council in December 2023.¹⁸²

In Mali, the swift withdrawal of MINUSMA in 2023 underscores the critical importance of maintaining key human rights monitoring functions to prevent significant POC gaps post-mission departure.

4.1.6 POC in transitions

Several lessons emerged from the research relating to mission withdrawal, reconfiguration, or “transition”, when PKOs with significant POC mandates and resources are due to be replaced by SPMs (e.g., UN Integrated Transition Assistance Mission in Sudan (UNITAMS)) or their responsibilities fully transferred to the government, with UN Country Team (UNCT) support as possible (e.g. MINUSMA, MONUSCO). In Mali, the swift withdrawal of MINUSMA in 2023 underscores the critical importance of maintaining key human rights monitoring functions to prevent significant POC gaps post-mission departure. However, sustaining these functions presents challenges, especially due to strained working relations between the HRD and actors on the ground, particularly at the local level, exacerbated in the last two years amidst the transition. While the State bears the primary responsibility for safeguarding populations and ensuring security, serious doubts persist about its ability to effectively guarantee the physical and mental well-being of its citizens after MONUSCO’s withdrawal. Nevertheless, HRD has previously undertaken capacity building and training initiatives, transferring skills to CSOs and human rights organisations. For example, a mission pilot project extended to equip CSOs in Segou, Sikasso, and Bamako in local-level monitoring and report production. Further, HRD’s collaboration with the National Human Rights Commission remains integral to sustaining the mission’s human rights efforts. While certain activities are directed to be transferred to UNDP, the High Commission retains an exclusive mandate. Despite these efforts, the rapid withdrawal poses significant consequences as the UN loses its capability to conduct POC, resulting in a substantially reduced on-the-ground presence for monitoring and reporting on human rights violations.

182 UNSC. (2023). S/RES/2717.

Human rights principles and practices play a central role in delivering on the POC. Human rights work in missions facilitates better POC in various ways: strengthening analysis of threats to civilians, directing measures to prevent harm to them, and informing advocacy for their rights and safety in conflict zones.

In the DRC, the handover of POC tasks to Congolese national security and defence forces, which continue to be listed for conflict-related sexual violence and implicated as major perpetrators of violations against civilians, remains a key challenge of the mission's withdrawal from the Eastern provinces. To bridge the protection gap left by the departure of MONUSCO in Tanganyika province in 2022, human rights teams that remained in this province under OHCHR participated in advocacy efforts to convince national authorities to deploy security forces for rapid response to protection alerts.¹⁸³

In transition settings, key HR monitoring functions are even more critical to avoid gaps in POC during transition processes.

Despite these and other examples of human rights work enabling POC efforts, information sharing and cooperation between HR components and national entities/other mission sections remain ad hoc and lacking formal channels. For instance, respondents in UNMISS argued that without effective interpersonal relationships, the full benefits of cooperation between the HRD and the Protection, Transition and Reintegration (PTR) Section would not be realised.¹⁸⁴ Further, interviewees in South Sudan highlighted how information in the mission's HRD database is sometimes withheld by HRD. While legitimate concerns around the use and security of sensitive and confidential human rights information are often responsible for this, these restrictions may come at the expense of more precise and actionable POC threat analysis, early warning and response.¹⁸⁵

183 See: CIVIC. (2023) "United Nations Integrated Approaches to Protection during Peacekeeping Transitions: Lessons learned from MONUSCO", p. 20. For further discussion on the transformation of POC-related tasks in mission transition settings, see also: Levine-Spound, D. & MacClinchy, W. (2022). "Prioritizing the Protection of Civilians During Peacekeeping Transitions: Lessons Learned from MONUSCO". <https://civiliansinconflict.org/publications/policy/prioritizing-the-protection-of-civilians-during-peacekeeping-transitions>.

184 Interview with UNMISS PTR officials, 29 May 2023, Juba, (Interview #85-86).

185 Ibid.

Summary

Human rights principles and practices play a central role in delivering on the POC. Human rights work in missions facilitates better POC in various ways: strengthening analysis of threats to civilians, directing measures to prevent harm to them, and informing advocacy for their rights and safety in conflict zones. Through their promotion of HR principles and advocacy for the rights and safeguarding of civilians, human rights components/field missions mitigate the impact of conflict on vulnerable populations and work towards creating sustainable protective environments. HR enabling of POC in these ways also has flow-through impacts on overall mission efforts (see more in chapter 5). In transition settings, key HR monitoring functions are even more critical to avoid gaps in POC during transition processes. Yet maintaining these functions as relates to POC presents several challenges, ranging from ensuring budgets and funding for early warning and rapid response coordination mechanisms after mission withdrawal, to identifying which entities are best placed to take on these functions.

4.2 Supporting the facilitation of inclusive political processes and the implementation of effective peace agreements (peacemaking and mediation)

Guided by the primacy of politics, all UN peace operations pursue political solutions to conflict, and human rights are fundamental to the idea of advancing an inclusive and equitable vision of peace. Past studies and evidence have suggested that peace agreements with strong human rights aspects are more durable and effective.¹⁸⁶ Other research has explored the central role of human rights in mediation aimed at resolving and preventing conflict, specifically how human rights can support mediation and good offices efforts.¹⁸⁷ At the macro level, the principles and broader UN commitment to impartiality that underpin human rights work in missions can provide a level of support for its work that feeds a larger sense of legitimacy and trust in the UN to engage in political dialogue and mediation with parties to a conflict.¹⁸⁸ The credibility and presence of HR efforts in pursuing investigations and reporting can help enable progress in

186 See DPPA & OHCHR. (2023). “Enhancing the quality and effectiveness of mediation efforts through human rights: DPPA-OHCHR Practice Note”. <https://www.ohchr.org/sites/default/files/documents/publications/DPPA-OHCHR-Joint-Practice-Note-20231101.pdf>. See also: Pospisil, J. (2022). “Peace Accords and Human Rights”. In R. Mac Ginty, & A. Wanis-St. John (Eds.), *Contemporary Peacemaking: Peace Processes, Peacebuilding and Conflict*. London: Palgrave Macmillan (pp. 427-445). https://doi.org/10.1007/978-3-030-82962-9_21.

187 See, for example: Månsson, K. (2023). *Human rights in mediation: The heart of the matter*. Berlin: Berghof Foundation; O’Neill, W. (2005). “Mediation and Human Rights”. Centre for Humanitarian Dialogue. <https://www.hdcentre.org/wp-content/uploads/2016/07/MediationandHumanRights-July-2005.pdf>.

188 OHCHR, DPA & DPKO. (2017). “Public Reporting on Human Rights by United Nations Peace Operations: Good practices, lessons learned and challenges”.

other areas. Indeed, the visibility and awareness of human rights can support broader perceptions of UN impartiality¹⁸⁹ and bring greater credibility that, in turn, can facilitate access to key parties and all segments of society, particularly important in times of crisis or key junctures in peace processes.

Building trust and confidence between warring parties and/or communities through impartial and even-handed reporting on HRVs and human rights abuses (HRAs) (e.g., detention of prisoners of war, etc.) can allow for some amount of political dialogue.¹⁹⁰ For example, in Afghanistan, impartial casualty tracking that captures harm caused by the government, Taliban and North Atlantic Treaty Organization (NATO) forces strengthened the reputation of UNAMA with all sides, enabling engagement on other issues, including action on political tracks. Indeed, POC work helped lay the ground for the Pugwash track 2 dialogues in 2017 and 2018 and contributed to the SRSG's discussions with their political interlocutors.¹⁹¹ UNAMA HRS continued its conversations with the Taliban during the Doha peace talks from 2018 until the collapse of the negotiations following the Taliban takeover in 2021. As one interviewee argued, one significant result of over a decade of dialogue between HRS and the Taliban on POC and human rights casualty reporting was a “growing professionalization” of the way the Taliban spoke about the conflict in Afghanistan and recorded casualty incidents.¹⁹² Notably, from 2019, the Armed Conflict Location & Event Data Project (ACLED) has included the ‘Voice of Jihad’ – a Taliban website and news service – as a source for its Afghanistan dataset.¹⁹³ As the interviewee noted, this significantly contributed to developing a “mutually recognised picture of the battlefield” among conflict parties within the negotiation process and was conducive to realistic conversations during the Doha talks.¹⁹⁴

Mission efforts to ensure that human rights principles around the right to participation and representation are respected and upheld in ‘post-conflict’ arrangements can also contribute to more just and ultimately durable peace settlements. In Yemen, for example, OSESGY has an important role in supporting an inclusive political transition process that meets the legitimate demands and aspirations of the Yemeni people, including women. OSESGY demands a strong representation of women during consultations on the political process with the parties. While progress on gender equity across society is more difficult, including for the CAD in UNMHA, this is a clear example of where the insistence on the representation of women in

189 Former MONUSCO DSRSG for Protection and Operations David Gressly cited in Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”, p. 23.

190 OHCHR, DPA & DPKO. (2017). “Public Reporting on Human Rights by United Nations Peace Operations: Good practices, lessons learned and challenges”.

191 Interview with former UNAMA official, 28 September 2023, online, (Interview #207).

192 Interview with former UNAMA political officer, 11 October 2023, online, (Interview #209).

193 Pavlik, M. & Hart, T. (2019). “The World According to the Taliban: New Data on Afghanistan”. ACLED, 19 December, <https://acleddata.com/2019/12/19/the-world-according-to-the-taliban-new-data-on-afghanistan>. ACLED reported that the addition of “Voice of Jihad” as a source for its Afghanistan dataset “more than doubles the number of political violence and protest events in ACLED’s Afghanistan dataset, offering more nuanced insight into the conflict landscape”.

194 Interview with former UNAMA political officer, 11 October 2023, online, (Interview #209).

important aspects of the peace negotiations leads to simultaneously promoting women's rights while enabling a more inclusive political process – a core mandated goal of the mission (see also section 5.1).¹⁹⁵

Some missions have also proved successful in encouraging parties to address human rights concerns and commit to upholding human rights standards as part of peace agreements. For example, MINUSMA's HRPD played a role in the political process in Mali by infusing HR recommendations in the Agreement for Peace and National Reconciliation and supporting the implementation of the reconciliation and justice measures set out in the Agreement, particularly Title V, to support the work of the Truth, Justice and Reconciliation Commission and the implementation of recommendations made by the International Commission of Inquiry (see below for further discussion on transitional justice). In addition, a report published by MINUSMA and OHCHR in 2018 on the Human Rights and Peace Process in Mali highlighted human rights violations which occurred in the transition period of the Agreement for Peace and National Reconciliation.¹⁹⁶ However, with rare exceptions, the transitional government made little effort to investigate, prosecute, or punish government officials who committed abuses either in the security forces or elsewhere in the transition government. As a result of a lack of control over more than half of the country's territory, the transitional government was unable to deter serious crimes in the northern and central regions.¹⁹⁷ Moreover, the government hardly investigated cases related to killings, forced disappearances, or other serious human rights abuses; where it did, cases rarely moved beyond an investigative phase.¹⁹⁸

Mission efforts to ensure that human rights principles around the right to participation and representation are respected and upheld in 'post-conflict' arrangements can also contribute to more just and ultimately durable peace settlements.

In the DRC, according to civil society leaders interviewed, both JHRO and Radio Okapi remain among the most recognised and praised components of MONUSCO by human rights activists. As one human rights defender in Goma noted, "Radio Okapi has really contributed to the construction of civic space in the country. It would be very sad if the mission leaves with the radio".¹⁹⁹ JHRO's efforts on women's rights, specifically in promoting women's voices at all society levels in peace and reconciliation settings, are seen by some as one of the main achievements

195 Interview with OSESGY official, 2 October 2023, online, (Interview #228).

196 Interview with former MINUSMA HRPD officer, 19 October 2023, online, (Interview #211). NB: It was not possible to ascertain the impact of this report.

197 Ibid.

198 FIDH. (2022). "In central Mali, victims and persecutors live together". https://www.fidh.org/IMG/pdf/rapport_d_enque_te_fidh_-_dans_le_centre_du_mali_victimes_et_bourreaux_vivent_ensemble.pdf, p. 64-68 (available in French only).

199 Interview with CSO representative, 19 September 2023, Goma, (Interview #46).

of the mission.²⁰⁰ Through training, sensitisation on women's rights,²⁰¹ and constant JHRO efforts to reach gender parity in its activities, women's voices have been amplified.²⁰² As a former national MONUSCO staff member explained, "talking about women's rights is not taboo anymore".²⁰³ Furthermore, in the 2023 election period, JHRO was seen as a strong ally to women's participation in the electoral process as the office engaged in combatting hate speech targeted at female political leaders online and in traditional media, as well as in individual protection of leaders at risk.²⁰⁴ However, structural change for the meaningful participation of women in DRC society has not occurred.²⁰⁵ A civil society leader fighting against gender-based violence in Eastern DRC highlighted the consequences of the lack of structural reflection in UN activities on gender mainstreaming and the failure to address power relations: "MONUSCO, as other international organisations, reinforced gender stereotypes as it did not address after 20 years (of) presence the root causes of violence against women, [...] the link between masculinity and impunity still needs to be done".²⁰⁶

JHRO's efforts on women's rights, specifically in promoting women's voices at all society levels in peace and reconciliation settings, are seen by some as one of the main achievements of the mission.

In most cases examined, the UN was not in the lead on efforts to mediate the political processes among conflict actors.²⁰⁷ Even in large-footprint missions like the DRC or South Sudan, political processes have tended to be facilitated by regional or sub-regional organisations, which have played a significant role. In this context, regional offices have made outsized contributions in infusing human rights principles into mediation, negotiations and peace agreements. For example, the good offices of the SRSG are a particularly important tool for both UNOWAS and UNOCA since a considerable part of mandate implementation depends on the effectiveness of these offices. Good offices functions operate in very closed settings, allowing for strong messages on the importance of maintaining civic space and securing human rights. Some examples include successful messaging on safeguarding opponents' human rights in election crises, arrests after public demonstrations or a coup d'état, and the treatment of former presidents, among others.

200 Interview with researcher, 27 July 2023, online, (Interview #6); Interview with CSO representative, 23 August 2023, Goma, (Interview #70).

201 Interview with CSO representative, 19 July 2023, online, (Interview #2).

202 Interview with CSO representative, 23 August 2023, Goma, (Interview #71).

203 Interview with former MONUSCO official, 23 August 2023, Goma, (Interview #57).

204 Ibid.

205 Interview with CSO representative, 23 October 2023, online, (Interview #77).

206 Ibid.

207 Interview with MONUSCO official, 13 September 2023, Kinshasa, (Interview #30); Interview with an international mission delegate, 19 September 2023, Goma, (Interview #45).



The second edition of the Ségou Art festival took place from 31 January to 5 March 2023 on the banks of the Niger River in Ségou. Photo: MINUSMA/Harandane Dicko.

An important part of the Special Envoy good offices mandates focuses on the inclusion of women’s voices in the regional peace process. The Office of the Special Envoy of the Secretary General for the Great Lakes (OESG-GL) encourages women from civil society grassroots organisations to meet with high-profile female political leaders to discuss this challenge and find strategies to overcome structural obstacles to gender equality.²⁰⁸ However, the impact of this support to women-led peace initiatives, supported by the OESG-GL, must be considered as part of the effective role of the UN Envoy in the peace process. As a UN senior official noted, “it is complicated for the Special Envoy as he is not invited at the heart of the political process [...] his role being on the operationalisation of the agreement”.²⁰⁹ It is also worth noting that the information gathered by MONUSCO’s JHRO and other human rights UN offices in the region is essential to leverage OESG-GL good offices efforts in the region.²¹⁰ As a UN official noted, once MONUSCO withdraws, “OESG-GL will face challenges to follow up on the

208 Interview with UN official, 29 August 2023, online, (Interview #19); Interview with UN official, 27 October 2023, online, (Interview #80).

209 Interview with MONUSCO official, 13 September 2023, Kinshasa, (Interview #30).

210 Interview with JHRO official, 11 August 2023, online, (Interview #10); Interview with MONUSCO official, 11 September 2023, Kinshasa, (Interview #22); Interview with UN official, 27 October 2023, online, (Interview #80).

situation in the DRC”.²¹¹ To bridge this gap, current efforts intend to strengthen UN coordination mechanisms and clarify the mandates and roles between MONUSCO, UNOCA and OSESG-GL.²¹²

Furthermore, considering the increasing rejection of the universality of human rights, often perceived as representing Western values, the OSESG-GL has prioritised a collaborative approach that involves strengthening continental and regional institutions, particularly the AU and the ICGLR. Similarly, through its partnership with the Intergovernmental Authority on Development (IGAD), the OSE-HOA advises the peace process to proceed in a rights-respecting manner.²¹³ Through the good offices of the Special Envoy, the OSE-HOA has also engaged in mediation processes across the region. While the primary mandate for intervention in some instances lies with the SRSG, the OSE-HOA mandate to support the IGAD and the AU has contributed positively to peacemaking and mediation processes in the region. Beyond traditional mediation in conflict settings, the OSE-HOA has been active in coordinating and providing requisite support, through its good offices, on preventive diplomacy during elections, as was seen in the 2022 Kenya elections.²¹⁴

Field missions also provide targeted support to the implementation of peace agreements, including those aspects with strong human rights underpinnings. In South Sudan, UNMISS provides assistance to parties in implementing the Revitalised Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), including provisions with HR dimensions such as access to justice and transitional justice. In this regard, HR reporting and investigations have also helped set a shared foundation for reparations and compensation to then move into political peace agreements.²¹⁵ Moreover, whereas their role in the political process at the national level remains limited, human rights work nevertheless contributes to bottom-up efforts to build durable peace. In South Sudan, the UNMISS HRD is an integral part of efforts to address intercommunal violence at the local level – often connected to national level politics – promoting peaceful coexistence and building a more conducive environment for if/when progress occurs in national level peace implementation.

Leverage in the political process can also be derived from missions’ everyday engagements with local communities and CSOs through human rights work. For example, credibility and trust deficits of UN missions can be partially overcome through quotidian interactions where HR officers listen and transmit local concerns to the mission and wider community, leading to more buy-in to the political process.²¹⁶ In South Sudan, interviewees at field sites such as Malakal

211 Interview with JHRO official, 9 August 2023, online, (Interview #12).

212 Interview with JHRO official, 1 August 2023, online, (Interview #10); Interview with MONUSCO official, 23 September 2023, online, (Interview #79).

213 Interviews with OSE-HoA officials 31 August 2023, online, (Interview #241-242).

214 Ibid.

215 Further discussion on both access to justice and transitional justice is provided below (section 5.4).

216 See similar examples regarding Haiti in: Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”.

and Bentiu pointed to the fact that HR officers (sometimes through community dialogues in partnership with CAD) are often “the face of UNMISS in communities”, especially rural ones where contact with the mission is more limited. This provides an opportunity to engage and provide feedback to communities on the impact of UN operations and programmes.²¹⁷ Another area where human rights contribute to political processes is through efforts to protect civic space and monitoring and reacting to hate speech and mis-/disinformation (e.g. during election campaigns; see section 5.7 and 5.8).

However, the role of human rights in political processes cuts both ways. In many cases examined, the delicate balance and politically sensitive environment is such that HR reporting and other activities can lead to missions being accused of partial treatment and missions losing access and/or leverage in political processes. In some SPM settings, this dynamic is particularly acute. For example, in Yemen, efforts by UNMHA’s Civil Affairs Section to promote the inclusion of women and girls in the political process under the rubric of the Women, Peace and Security (WPS) agenda has caused significant tensions among conflict parties, reinforcing the perception that the UN aims to transform societal norms in Yemen, among particularly the Houthis favouring a “family”-oriented focus. Similarly, OSESGY interviewees noted that OHCHR HR reports were not useful in encouraging progress on the political track as these were simply “not productive and [the] time not ripe to play that card”.²¹⁸ Interviewees argued these reports did not offer leverage over parties and were not prudent: “Waving HR reports around won’t help bring key parties into the room. On the contrary, fear that it’d have the opposite effect”.²¹⁹

In the case of the Horn, the OSE-HOA’s overarching sub-regional coordination mandate allows flexibility in engagement, but also limits its impact at a national level. The 2023 implementation review of the comprehensive regional strategy found that the multiagency coordination mechanism for the implementation of this strategy was not always effective.²²⁰ Indeed, rather than using the mechanism for further collaboration and the delivery of the strategy, most agencies used it to share their work, undermining its effectiveness.²²¹ While technical coordination mechanisms such as these may fall short in mainstreaming human rights through multiagency coordination, other mechanisms still allow room for coordination and knowledge sharing. Twice a year, the OSE-HOA organises a meeting with all the envoys in the region, as well as the OHCHR, which allows the Office to continue pushing for better coordination and inclusion of emerging issues in the human rights space.²²²

217 Interview with UNMISS field site HRD officials, June 2023, Malakal and Bentiu, (Interviews #174-177 and #182-184). NB: This is also true, albeit to a lesser extent, of the civil society engagement by OSESGY. Interview with OSESGY official, 2 October 2023, online, (Interview #228). See also TJ example below.

218 Interview with OSESGY official, 2 October 2023, online, (Interview #228).

219 Ibid.

220 Pre-publication draft on file with authors.

221 Interview with OSE-HOA official, 31 August 2023, online, (Interview #242).

222 Interview with OSE-HoA official, 31 August 2023, online, (Interview #241).

Summary

In many cases, human rights components provide crucial support to missions' peacemaking and mediation efforts by infusing and promoting human rights norms and principles within political processes, including the right to participation and representation, and efforts to ensure these are respected and upheld in 'post-conflict' arrangements. More broadly, while the promotion of rights of some vulnerable and disempowered groups in society can create friction with key stakeholders, including national authorities with the power to withdraw host state consent for a peace operation, HR actors, norms, and principles are contributing to more sustainable and durable peace, not least through efforts to ensure that national and local level political processes, including peace negotiations and implementation of agreements, are inclusive. However, the role of human rights in political processes remains a delicate balancing act between the promotion of human rights norms and principles in political, mediation and peace implementation processes, and maintaining the UN's sufficient leverage, in collaboration with other partners, including regional actors, within these processes to reach outcomes.

4.3 Extending state authority, stabilisation and building state capacity

Human rights are often described as intrinsic to sustaining peace and, therefore, an essential part of peacebuilding. As noted by the OHCHR, "the international human rights framework comprise universal norms agreed to and recognized by States as essential elements and principles for building resilient, peaceful, inclusive and just societies".²²³ Beyond the HR-specific capacity building efforts discussed in the previous chapter, UN peace operations – particularly, though not exclusively, larger stabilisation missions – provide a range of support to host states that are influenced, underpinned and/or supported by human rights. SPMs are also invariably part of efforts to promote more inclusive and responsive governance.

4.3.1 Restoration and extension of state authority

The extension of state authority relates to effective and legitimate governance for a population, which relies on an intricate relationship between accessibility, legitimacy, accountability, and the rule of law. This extension is central to strengthening the social contract between the state and its citizens. In the major stabilisation missions examined in this study, human rights work has contributed to efforts to support the (re)deployment of forces throughout a country and, in doing so, extend state authority.

223 OHCHR. (2020). "Thematic Paper: the contribution of human rights to peacebuilding and sustaining peace", p. 1.

In Mali, a sizeable portion of the UN's efforts following the 2012 insurgency concentrated on expanding the reach of the Malian State throughout its territory. For example, MINUSMA's mandate assigned responsibility to HRPD for supporting "the stabilization and restoration of State authority in the Centre" of the country by supporting Malian authorities "in ensuring that those responsible for violations and abuses of human rights and violations of international humanitarian law are held accountable and brought to justice".²²⁴ MINUSMA has contributed to strengthening the human rights capacities of the defence and security forces, for example, through a project to strengthen cooperation between the UN Mission and the Malian National Defence and Security Forces.²²⁵ As part of this project, a "training of trainers" course on human rights, international humanitarian law and teaching methodology was provided to the Malian Armed Forces (FAMA). The police benefited from training programmes on human rights conducted by MINUSMA. Furthermore, prior to the transition, the HRD had a good working relationship with the authorities, with systematic cooperation mechanisms established with relevant ministries, particularly the Ministries of Justice and Defence. The MoU between the mission and the Ministry of Justice and Human Rights made the collaboration between the entities smooth at the technical level, with regular meetings held to update the parties. The HRD Director also discussed highly sensitive matters with the Ministry of Foreign Affairs.

The human rights work of missions also brings legal expertise and a rights-based approach to justice and corrections, including efforts to ensure standards around the duration and conditions of pretrial detention. For example, as part of MINUSMA's efforts to return, restore and extend state authority in the rule of law domain to towns in the centre and north of Mali,²²⁶ the mission has been working to improve the conduct of corrections officials in compliance with international human rights standards.²²⁷ Similarly, support for the Congolese prison administration has been one of MONUSCO's axes of support for the establishment of state authority. As the country is experiencing extreme prison overcrowding, exacerbated by a growing lack of infrastructure compliance,²²⁸ MONUSCO's Corrections Unit has been a central actor in the support of prison

224 UNSC. (2020). S/RES/2531, p. 9. See also MINUSMA. (2023). "Avancées concrètes dans l'appui à la justice malienne et la restauration de l'autorité de l'état", 8 June. <https://minusma.unmissions.org/avanc%C3%A9es-concr%C3%A8tes-dans-l%E2%80%99appui-%C3%A0-la-justice-malienne-et-la-restauration-de-l%E2%80%99autorit%C3%A9-de-l%E2%80%99C3%A9tat>.

225 MINUSMA. (2023). "Promoting Human Rights in Mali: MINUSMA and Malian Authorities Collaborate on Capacity Building". <https://minusma.unmissions.org/en/promoting-human-rights-mali-minusma-and-malian-authorities-collaborate-capacity-building>; UNSC. (2023). "Situation in Mali: Report of the Secretary-General". S/2023/402, 1 June 2023.

226 Interview with former MINUSMA HRPD team member, 19 October 2023, online, (Interview #211). See also UN. (2022). "Outcome evaluation of the contribution of the United Nations Multidimensional Integrated Stabilization Mission in Mali to the rule of law and the fight against impunity in Mali: Report of the Office of Internal Oversight Services". A/76/698. <https://reliefweb.int/report/mali/outcome-evaluation-contribution-united-nations-multidimensional-integrated-stabilization>.

227 See UN. (2022). "Outcome evaluation of the contribution of the United Nations Multidimensional Integrated Stabilization Mission in Mali to the rule of law and the fight against impunity in Mali: Report of the Office of Internal Oversight Services".

228 OMCT. (2020). "Afrique et Covid-19, Urgence Sanitaire et Urgence Carcérale: Etat des lieux du droit à la santé et la dignité dans les prisons à l'aune de la crise sanitaire en Afrique de l'Ouest et en Afrique centrale". Rapport du Groupe régionale d'intervention judiciaire SOS-Torture en Afrique. Cas de la République Démocratique du Congo. <https://www.omct.org/site-resources/images/Afrique-Covid-19-web-Pages.pdf>; Interview with MONUSCO official, 2 August 2023, online, (Interview #11).

administration in the DRC.²²⁹ This support is guided by human rights principles to ensure that the basic needs and rights of prisoners and their children detained with them are respected. It also includes food, healthcare, and protection against abuses, such as torture and extra-judicial executions. Notably, the JHRO and the Corrections Unit established the blueprint for standard prison models, ensuring their compliance with international human rights. Both entities also collaborate with the Ministry of Justice to support inmates in pretrial situations via monitoring their detention conditions and through advocacy efforts for appropriate detention measures raised with Congolese judicial authorities.²³⁰

Furthermore, as the DRC does not have a dedicated school for magistrates, the JHRO, MONUSCO's Justice Support Section, and the UNDP contribute to the training of judges by providing logistical, financial and technical support as needed. For example, the JHRO provides investigative forensic expertise, given the insufficient number of examiners in the country. It should be noted that the mission's efforts have been particularly orientated towards the support for military judges, who, following decades of conflict, have been trained and supported internationally and have become more familiar with international law than civilian magistrates. Mission officials, journalists and civil society leaders have acknowledged some improvements in the prosecution of sexual crimes, including crimes allegedly involving high-ranking uniformed perpetrators. However, the research team could not identify the measures taken by the mission, if any, to prevent the strengthened military justice from becoming detrimental to civilian justice, and what effect it could have on the protection of the rule of law in the DRC, not least regarding the separation of powers and the independence of the judiciary. Military courts have come to play an outsized role in the DRC in addressing human rights violations, while national defence and security forces remain among the major perpetrators of these. Observers noted that in the East of the country, where military governors are in power because of the State of Siege (in place since May 2021), the decision by the mission and donors reinforced military justice rather than civilian justice and already had visible negative consequences.²³¹ The excessive focus on military justice contributes to the weakening of civilian courts, restrictions on victims' access to justice and their safe participation in trials. Ultimately, as one journalist in Goma explained, "when violations are committed by FARDC [the Armed Forces of the DRC], you can easily imagine that it will be complicated for victims to expect justice from FARDC themselves".²³²

Another key effort of human rights components, in collaboration with other MONUSCO sections and international non-governmental organisations (INGOs), such as Trial International, to contribute to the extension of state authority is the development of mobile courts in the country. Mobile courts are designed to respond to the need to bring justice closer to the communities where crimes have taken place, in a context of vast geographies lacking infrastructure to facilitate

229 Interview with MONUSCO official, 2 August 2023, online, (Interview #11).

230 Interview with MONUSCO official, 2 August 2023, online, (Interview #11); Interview with CSO representative, 23 August 2023, online, (Interview #70); Interview with CSO representative, 23 August 2023, Goma, (Interview #69).

231 Interview with journalist, 27 July 2023, online, (Interview #7); Interview with researcher, 16 August 2023, online, (Interview #17).

232 Interview with journalist, 22 September 2023, Goma, (Interview #56).

travel to larger population centres where courts usually sit. This alternative solution has allowed for better access to trials for victims, especially for cases of sexual violence.²³³ The mobility of courts favours the rapid pace of justice, a better understanding of the context in which violence occurs, and has an educational and deterrent effect. A court able to move within remote areas is also a strong symbol of the state sovereign power rendering justice, reinforcing the idea that no one is above the law.²³⁴ Once again, the durability of these courts post-MONUSCO drawdown should feature as a key consideration for Congolese authorities, remaining UN actors, and their international donors.

4.3.2 Strengthening national rule of law capacities

A major aspect of extending state authority involves attempts to improve the rule of law in a host country through support to its security and justice institutions.²³⁵ Efforts to support the reform of security and judicial institutions to ensure they are functional, professional, and accountable are also commonly part of activities aiming to promote inclusive and accountable governance.²³⁶ Access to justice is fundamentally a rights issue and human rights work is an important partner to other actors focused on strengthening legal institutions, promoting legal reform, and building the capacity of local security and justice systems to ensure human rights are respected. For example, UN HRDs and expertise help to do so within a framework that emphasises respect for human rights through activities involving vetting recruits and the provision of training and overall accountability.²³⁷

Human rights components have been a key partner in efforts to mainstream HR principles and international human rights law into mentoring, monitoring, advising, capacity building, operational support, and any other relevant activities conducted with host state police counterparts, supporting training for police and gendarmerie and conducting vetting for all recruits. For example, in the DRC, the Congolese security forces pose a substantial threat to various sections of the population and are frequently identified as the primary violator of human rights within the country.²³⁸ Applying the Human Rights Due Diligence Policy (HRDDP) to manage the risks associated with collaborating with the national police has yielded beneficial outcomes

233 Interview with researcher, 16 August 2023, online, (Interview #17); Interview with CSO representative, 23 August 2023, Goma, (Interview #59); Interview with CSO representative, 23 August 2023, Goma, (Interview #71).

234 Trial International. (2019). "Mobile courts in the DRC: Why, and how?" 28 October. <https://trialinternational.org/latest-post/mobile-courts-in-the-drc-why-and-how>

235 UN. (2019). "Extension of State Authority in the Areas of Justice and Corrections: A Lessons Learned Study on the Work of United Nations Peace Operations". https://peacekeeping.un.org/sites/default/files/jcs_extension_state_authority_report_2019.pdf

236 UNSC. (2004). "Report of the Secretary-General on the rule of law and transitional justice in conflict and post-conflict societies". S/2004/616. <https://digitallibrary.un.org/record/527647?ln=en>.

237 Day, A. & Caus, J. (2021). "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention". New York: UN University. http://collections.unu.edu/eserv/UNU:8342/RuleOfLaw_FullVolume.pdf.

238 UNGA. (2020). "Report of the United Nations High Commissioner for Human Rights on the human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo". A/HRC/45/49. <https://digitallibrary.un.org/record/3883774?ln=fr>.

for their conduct.²³⁹ Before initiating donations or constructing facilities, UNPOL collaborates with JHRO to verify if any of the Congolese National Police (PNC, or *Police nationale congolaise*) beneficiaries are listed in the profiling database, indicating a history of human rights violations.²⁴⁰ The objective is to ensure that UN material support does not benefit human rights violators. A UNPOL official noted that generally, and from the agency's perspective, HRDDP's execution is effective, though challenges remain.²⁴¹

Human rights components have been a key partner in efforts to mainstream HR principles and international human rights law into mentoring, monitoring, advising, capacity building, operational support, and any other relevant activities conducted with host state police counterparts, supporting training for police and gendarmerie and conducting vetting for all recruits.

UNPOL plays an important role in building the PNC's capabilities. One significant aspect of this capacity building involves conducting human rights training for PNC members in collaboration with JHRO.²⁴² Interviewees, including CSO representatives, highlighted a marked improvement in the police force's professionalism as a result.²⁴³ However, as pointed out by an UNPOL official, instances of police brutality sometimes stem not from a lack of human rights understanding, but from the force's inadequate preparedness or equipment in certain situations.²⁴⁴ Given this, there has been a concerted effort by UNPOL and JHRO to provide crowd control training to the PNC – in line with international human rights standards and norms – leading to improved conduct of the security services, a significant reduction in protest-related casualties and a lasting enhancement in the way Congolese authorities handle civil unrest.²⁴⁵ UNPOL and JHRO have also engaged in a task force to prevent the excessive use of force by the PNC²⁴⁶ to better equip the force during demonstrations, notably during the latest

239 Day, A. & Caus, J. (2021). "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention", p. 175.

240 Interview with UNPOL official, 12 September 2023, Kinshasa, (Interview #28).

241 Ibid.

242 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with UNPOL official, 21 September 2023, Kinshasa, (Interview #52).

243 Interview with former MONUSCO official, 23 August 2023, Goma, (Interview #57); Interview with CSO representative, 23 August 2023, Goma, (Interview #62).

244 Interview with UNPOL official, 21 September 2023, Kinshasa, (Interview #52).

245 UNSG. (2008). "Guidance Note: United Nations Approach to Rule of Law Assistance". New York: UN. <https://www.refworld.org/docid/4a54bbf64.html>; UNSC. (2004). "Report of the Secretary-General: the rule of law and transitional justice in conflict and post-conflict societies". S/2004/616. <https://undocs.org/Home/Mobile?FinalSymbol=S%2F2004%2F616&Language=E&DeviceType=Desktop&LangRequested=False>.

246 Interview with JHRO official, 12 July 2023, online, (Interview #1).

election period.²⁴⁷ For instance, in light of the PNC acquiring armoured vehicles, UNPOL recommended training for their use in crowd control situations.²⁴⁸ Additionally, UNPOL advocated for increased water cannons in Kinshasa, promoting their use as a safer alternative to more harmful crowd control methods, such as lethal weapons, and coordinated the provision of tear gas to the PNC.²⁴⁹ The objective of these initiatives is to curtail the PNC's excessive use of force against civilians, thereby safeguarding and preserving their human rights.

In South Sudan, officers from the Rule of law and Security Institutions Section (RoLSIS) noted that “HR has been instrumental in our ROL work”.²⁵⁰ Functional coordination between HRD and other key mission partners, including the RoLSIS and the police component (UNPOL), has led to the successful implementation of training programmes for formal and informal justice actors, community leaders, including women and youth representatives amongst others, mobile court deployments, as well as technical support on legal reforms.²⁵¹ Assistance to justice reform in South Sudan has included HRD collaboration with RoLSIS to prepare dossiers for mobile courts, enabling the presence of state justice in places with no services, albeit only scratching the surface of the needs across the country.²⁵² HRD was also heavily involved with RoLSIS as co-chair of a Rule of law Forum that, *inter alia*, hosted workshops on human rights standards with customary justice actors (in and out of POC sites). The workshops have helped clarify how traditional and state justice systems can be better harmonised – particularly when addressing conflict related to seasonal transhumance – as well as ensuring their practices (or punishments) are more rights-respecting.²⁵³ These RoL Forums exist in different states, with joint events organised together with mission components on various human rights and RoL topics.²⁵⁴ However, given limited capacity, political will and resources, progress on the rule of law has been slow and difficult. The national security and justice apparatus' low capacity and limited resources of HR/RoLSIS in UNMISS confound good intentions.

247 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with UNPOL official, 21 September 2023, Kinshasa, (Interview #52).

248 Interview with UNPOL official, 21 September 2023, Kinshasa, (Interview #52).

249 Ibid.

250 Interview with Rule of law Advisory Section officials, 4 June 2023, Malakal, (Interview #178-179).

251 Ibid. See also: Office of Internal Oversight Services. (2023). “Outcome evaluation of UNMISS contribution to strengthening the rule of law and accountability in South Sudan”, para. 17, p. 8.

252 Interview with HRD officials, 5 June 2023, Malakal, (Interview #174-177).

253 Interview with Rule of law Advisory Section officials, 4 June 2023, Malakal, (Interview #178-179). See also Office of Internal Oversight Services. (2023). “Outcome evaluation of UNMISS contribution to strengthening the rule of law and accountability in South Sudan”, para. 38, p. 16; UNPF. (2022). “Final Evaluation for the Peacebuilding (PBF) Project: Breaking the Cycle of Violence (BCV) – Rehabilitating Justice and Accountability mechanisms for the Transformation of Survivors and Perpetrators of Violent Conflict into Agents for Peace – 4th October 2019 to 3rd April, 2022”. https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/pbf_ssd_a-2_south_sudan_breaking_the_cycle_of_violence.pdf.

254 For example, in Lake State, the HRD organised the monthly Accountability Forum in collaboration and coordination with the legal administration and public prosecution office. In July 2023, in Central Equatoria (CES), the HRD, in partnership with the Office of the Human Rights Advisor for CES, the Independent Human Rights Commission (IHRC) in CES and a CSO, conducted a Human Rights Forum with the aim of strengthening accountability and access to justice in CES. Interview with HRD, 5 June 2023, Juba, (Interview #123).

HR also supports access to justice from the bottom up through its engagement and advocacy on behalf of those vulnerable to having their rights overlooked. For example, in South Sudan, UNMISS HRD has been instrumental in elevating the rights and amplifying the voices of people with disabilities to be included in a range of associations and working groups that are influencing policy and progress on issues such as criminal justice reform.²⁵⁵

UNAMA HRS has played an important role in the rule of law space, including by pursuing engagement with *de facto* justice actors and institutions on human rights since the Taliban takeover of Afghanistan in August 2021.

A range of SPMs analysed for this study also regularly assist in strengthening the rule of law, including through support for judicial reform, capacity building of law enforcement agencies, and efforts to combat impunity for violations of human rights. UNAMA HRS has played an important role in the rule of law space, including by pursuing engagement with *de facto* justice actors and institutions on human rights since the Taliban takeover of Afghanistan in August 2021.²⁵⁶ One significant development was the adoption of Afghanistan's new penal code, which came into effect in 2018, in line with international human rights standards and which HRS, alongside other UNAMA sections, UN agencies and global collaborators, helped draft.²⁵⁷ This first comprehensive criminal code criminalised a range of human rights violations and addressed key conflict drivers, such as the issue of land rights.²⁵⁸ More broadly, UNAMA's human rights monitoring and advocacy work, including on detainee mistreatment, torture and violence against women and girls, has fed into the larger rule of law agenda, given its aims to hold conflict parties accountable to their international human rights and humanitarian law obligations.

Since January 2022, UNAMA HRS has engaged with *de facto* justice and detention actors and institutions, bringing attention to its reported human rights violations and advocating for the

255 Interview with OHCHR, 9 June 2023, Juba, (Interview #132). Interview with participants of a Focus Group Discussion with Executive Committee of PWD association, 3 June 2023, Malakal, (Interview #161-169).

256 NB: UNAMA has had Rule of law and Police Advisory Units, the former significantly reduced in 2017 and the later phased out, yet components central to the rule of law have often fallen within UNAMA's HR mandate. Interview with Afghanistan expert, 29 September 2023, online, (Interview #208). See also Day, A. & Caus, J. (2021). "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention", p. 36.

257 Day, A. & Caus, J. (2021). "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention", p. 39.

258 Ibid. See also: UNAMA. (2018). "UNAMA Welcomes Afghanistan's New Penal Code – Calls for Robust Framework to Protect Women Against Violence", 22 February. <https://unama.unmissions.org/unama-welcomes-afghanistan%E2%80%99s-new-penal-code-calls-robust-framework-protect-women-against-violence>.

protection of victims' rights, accountability of perpetrators, and prevention of future violations.²⁵⁹ At the central level, HRS has engaged with the *de facto* Ministry of Foreign Affairs, Ministry of Defence, General Directorate of Intelligence, Ministry for the Propagation of Virtue and the Prevention of Vice, Attorney General's Office, and the Office of Prison Administration. At provincial and district levels, HRS has met with *de facto* leadership, including Directors of Police, Departments, General Directorate of Intelligence, penitentiary system officials, and judicial actors. In practice, HRS has conducted awareness-raising sessions on international human rights instruments and issues, such as the rights of detainees and conditions of detention, including with prison staff.²⁶⁰ Parallel efforts have included the improvement of detention conditions through UNAMA/OHCHR reporting and advocacy.²⁶¹ UNAMA's latest report found that detainees "in the custody of the *de facto* Ministry of the Interior and *de facto* General Directorate of Intelligence routinely experience torture and other forms of ill-treatment [...], with no accountability for perpetrators".²⁶² Following the release of the report, the *de facto* Ministry of the Interior established an internal Committee under the Office of the Minister to consider the findings and recommendations outlined by UNAMA. Another recent development is the expansion of UNAMA's access to prisons in the country by the *de facto* Office of the Prison Administration, which is key to the mission's ongoing monitoring work.²⁶³

Human rights support for the rule of law with a view to fighting impunity and deterring future HRVs further advances the protection of human rights.

In other mission settings, similar efforts are pursued under the rubric of broader security sector reform. In Yemen, the OSESGY works with host state authorities, non-state armed actors, and civil society networks of international and domestic non-governmental organisations (NGOs) on an innovative programme to enhance the accountability of armed groups and to highlight IHL obligations. While the language of human rights is harder to promote in this setting, the

259 Upon return to power in August 2021, the Taliban dismantled the independent legal system and replaced it with a *de facto* system and justice institutions. For example, the Afghanistan Independent Bar Association was integrated into the *de facto* Ministry of Justice and excluded women from the practice of law. Key *de facto* judicial positions have been filled primarily by Taliban members with a basic religious education. See OHCHR. (2023). "Human Rights Special Procedures", <https://www.ohchr.org/en/special-procedures-human-rights-council>; OHCHR. (2023). "UN experts: legal professionals in Afghanistan face extreme risks, need urgent international support", 20 January. <https://www.ohchr.org/sites/default/files/documents/issues/ijudiciary/statements/2023-01-17/202301-stm-sr-ijl-sr-afghanistan-day-endangered-lawyer.pdf>.

260 HRS has delivered awareness-raising sessions for representatives from facilities, including (but not limited to) the Office of Prison Administration in Kabul, Pul-e-Charkhi complex in Kabul, and provincial prisons in Bamyán, Daikundi, Kandahar, Kunduz, Logar, Nangarhar, and Herat. See: UNAMA HRS. (2022). "Human rights in Afghanistan: 15 August 2021-15 June 2022", p. 6, 38.

261 For UNAMA reports on the treatment of conflict-related detainees in Afghanistan, see: <https://unama.unmissions.org/treatment-conflict-related-detainees-afghan-custody-0>.

262 UNAMA. (2023). "Human rights in Afghanistan: July-September 2023 Update". https://unama.unmissions.org/sites/default/files/human_rights_situation_in_afghanistan_jul-sep_2023.pdf, p. 4.

263 Ibid.



Uruguayan peacekeepers with the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and local youth watch a soccer game at the launching of a new soccer school at the Don Bosco centre in Goma on 24 April 2014. Photo: UN Photo/Sylvain Leichti.

rights and freedoms protected under IHL provide a clear avenue for HR norms and principles to be promoted. Focusing on IHL has also enabled OSESGY's work on SSR to improve protections for civilian populations.²⁶⁴

From the regional perspective, OSE-HOA's pillar of regional conflict prevention strategy on inclusive and responsive governance includes an explicit focus on human rights (e.g., the inclusion of women) as a stand-alone element. This involves, for example, advisory support to IGAD and integrating HR indicators into AU early warning mechanisms. In the West African sub-region, UNOWAS has dedicated time and investment in ensuring that human rights-oriented organisations, which report the majority of human rights-centred cases, can contribute to the early warning mechanism in the region. As of today, human rights actors are part of the

²⁶⁴ Interview with OSESGY official, 2 October 2023, online, (Interview #228).

early warning system in West Africa. However, some interviewees pointed to the early warning mechanism's slow response, including on human rights-related issues.²⁶⁵

Summary

Human rights support for the rule of law with a view to fighting impunity and deterring future HRVs further advances the protection of human rights.²⁶⁶ More broadly, the role of the rule of law, underpinned by human rights, is central to supporting the establishment of a protective environment – the third pillar of the UN's protection policy. Human rights components, in publicly recognising advances on rights protection by states, may incentivise further behavioural and institutional change. Ensuring these institutions respect human rights is essential for long-term stability and peace. However, measurable impact in these areas has a long timeframe. As noted by the World Bank, institutional behavioural changes require 20-40 years/generations, not three-to-four-year funding cycles, never mind 12-month mandates.²⁶⁷ In addition to increasing the capacity of state and societal bodies to fulfil their obligations, when effective, HR components, often reliant on partnerships with others and particularly in mission transition settings, also contribute to building trust between state and society in ways that are conducive to repairing the social contract and promoting longer-term rights-respecting sustainable peace.

4.3.3 *Vis-à-vis* uniformed components

In field missions with uniformed components, human rights actors and activities, as well as norms and principles, can be an important enabler for both police and military components. Given the shared and interdependent mandates – particularly in integrated missions – the importance of civil-military and civil-police coordination is well noted. Indeed, HRD networks with a range of actors can provide a bridge between the force (and police) and local authorities. HR further facilitates the efforts of the force and police through deeper collaboration.

First, the relative longevity of human rights officials within missions compared to uniformed actors who rotate more frequently means they often have more institutional memory that can inform patrols and other planned activities. In UNMISS, senior commanders in the field noted that the superior contextual and historical knowledge of conflict dynamics and drivers of HRDs was important for the force and police to interpret security incidents. This longevity is also an important facilitator for community engagement essential to the mission's POC work. Second, data provided on HRVs by HRDs contribute to identifying hotspots that are

²⁶⁵ Interview with UNOWAS human rights officer, 7 September 2023, online, (Interview #239).

²⁶⁶ Office of Internal Oversight Services. (2023). "Outcome evaluation of UNMISS contribution to strengthening the rule of law and accountability in South Sudan", para. 25, p. 11.

²⁶⁷ Interview with UNMISS SRSG, 31 May 2023, Juba, (Interview #103). See also: UN and World Bank. (2018). "Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict". Washington, DC: World Bank.

used by uniformed elements to inform the planning of patrols to these areas, as well as early warning and rapid-response mechanisms.²⁶⁸

In the DRC, JHRO collaborates closely with MONUSCO's military component on the POC and the implementation of HRDDP.²⁶⁹ As noted above, data on human rights violations and abuses, including alleged perpetrators where possible, acquired by JHRO is routinely shared with the Force, and helps to guide its engagements.²⁷⁰ Further, JHRO's investigative missions in insecure locations often require the protection of the Force.²⁷¹ Some civilian staff noted that collaborations with military personnel can present challenges, including the common perception among some military members who view civilian staff as subordinates.²⁷² Thus, fostering mutual understanding, as well as exchanging information and analysis, is often required for effective cooperation on the POC. Complicating matters further, frequent personnel rotations within the military mean that this rapport-building process must be initiated repeatedly.²⁷³

As previously mentioned, JHRO and UNPOL also work closely together, particularly in delivering human rights training to the PNC.²⁷⁴ By supporting PNC training in human rights, UNPOL enhances its professionalism and contributes to building a protective environment.²⁷⁵ For example, UNPOL guides the PNC in handling sexual violence cases, ensuring victims receive the necessary support.²⁷⁶ As a UNPOL official observed, the entity's operations are conducted with the "underlying idea that [they] should contribute to the promotion of human rights".²⁷⁷ Additionally, JHRO and UNPOL's joint mechanism to address police abuse has provided useful assessments on corrective measures to tackle instances of excessive use of force by the PNC.²⁷⁸ UNPOL co-location with PNC, MONUSCO's police component, can effectively prevent human rights abuses, with JHRO's collaboration. Further, UNPOL supports the monitoring of detainees' conditions in some cases and alerts JHRO to any concerns.²⁷⁹ A UNPOL official confirmed that this allows for vigilant monitoring and meaningful impact on detainees'

268 For other good practices and innovations in South Sudan and Mali relating to: information-sharing; joint coordination mechanisms; joint planning; and translating early warning into early action, see Day, A. & Hunt, C.T. (2021). "Protecting Together: Lessons from Mali and South Sudan on Coherence Between Human Rights and Military Components in UN Peace Operations".

269 Interview with JHRO official, 12 July 2023, online, (Interview #1).

270 Interview with JHRO official, 26 July 2023, online, (Interview #3); Interview with MONUSCO former official, 30 August 2023, online, (Interview #20).

271 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23).

272 Interview with MONUSCO official, 19 September 2023, Goma, (Interview #48); Interview with MONUSCO official, 19 September 2023, Goma, (Interview #48).

273 Ibid.

274 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with UNPOL official, 21 September 2023, Kinshasa, (Interview #52). See section 4.3 for further discussion.

275 Interviews with UNPOL official, 12 September 2023, Kinshasa, (Interview #28); Interview with UNPOL officials, Kinshasa, 21 September 2023, Kinshasa, (Interview #52). For further details on PNC training in human rights, see section 5.2 on HRDDP.

276 Interview with UNPOL official, 12 September 2023, Kinshasa, (Interview #28).

277 Interview with UNPOL officials, 21 September 2023, Kinshasa, (Interview #52).

278 Ibid.

279 Ibid.

rights. UNPOL also collaborates with local magistrates to release wrongfully detained individuals such as minors.²⁸⁰ Thus, through co-location, mentoring and collaboration are facilitated.²⁸¹

HR components also provide a range of advice to the force and police. In South Sudan, UNMISS has developed MoUs for operational coordination and cooperation between HRD and UNPOL, as well as another between HRD and the Force. These MoUs outline key roles and responsibilities, liaison structures, and collaborative processes.²⁸² For example, UNMISS HRD provides advice to UNPOL on: 1) apprehension, detention, and handling of SGBV in POC sites; 2) guidance on how to train community watch groups providing security inside POC sites on HR;²⁸³ and 3) holding monthly meetings with UNPOL looking at caseloads and distinguishing between crimes and HR violations.²⁸⁴ Through in-mission training on HR standards and obligations, HRD also ensures that the work of uniformed components is rights-based/respecting and aligned with overall mission objectives.

By facilitating closer coordination, cooperation and even integration of human rights actors with military and police peacekeepers, HR can serve as an important enabler for both police and military components, as well as a bridge between forces and communities/local authorities.

However, research conducted also revealed instances of heightened tension. For instance, in MINUSMA, friction around HRDDP was described as undermining force relationships with FAMa.²⁸⁵ The sensitivity and required confidentiality of HR information often make disclosure to the military and police a source of tension, especially when working in close partnership with host state security forces. This tension has led to public perceptions of a lack of transparency by the mission. Interviewees in Mali reported that exchanges of information became more efficient and faced fewer challenges when solidified through formal MoUs between HRD and the force and HRD and the police on information sharing.²⁸⁶

280 Ibid.

281 Interview with UNPOL official, 12 September 2023, Kinshasa, (Interview #28).

282 Interview with UNMISS officials, 30 May 2023, Juba, (Interviews #89-90).

283 Interview with participants of a Focus Group Discussion with POC site Community Watch Group leaders, 3 June 2023, Malakal, (Interview #157-160).

284 Interview with HRD officials, 4 June 2023, Malakal, (Interview #174-177).

285 See Day, A. & Hunt, C.T. (2021). "Protecting Together: Lessons from Mali and South Sudan on Coherence Between Human Rights and Military Components in UN Peace Operations".

286 Interview with former member of HRPD team, 19 October 2023, online, (Interview #211).

Summary

Human rights actors and activities, as well as norms and principles, have enabled the work of military and police personnel in missions with uniformed components in multiple ways. By facilitating closer coordination, cooperation and even integration of human rights actors with military and police peacekeepers, HR can serve as an important enabler for both police and military components, as well as a bridge between forces and communities/local authorities. To this end, large multidimensional missions, in particular, have developed a range of good practices, which can continue to improve with strong coordination channels, information and analysis sharing and regular community engagement.

4.4 Conclusion

Taken together, this body of evidence highlights the various ways human rights contribute to a wide range of peace operations across these missions, both directly and indirectly, through mandates, staff expertise, joint or coordinated activities, as well as through the influence of norms, principles and thinking. Indeed, the relative longevity of HR officials in missions compared to others allows them to nurture relationships and build institutional memory in ways that enable other mission parts and priorities. These enabling consequences are an important part of the HR effect and demonstrate the power of a rights-based approach. Beyond these contributions to other mandated areas and substantive components, human rights work also enables a range of cross-cutting mission endeavours and objectives. The following chapter examines examples where human rights work, principles, and norms have contributed to these.



A wide view of the Security Council meeting on peace consolidation in West Africa. The Council heard a report of the Secretary-General on the activities of the United Nations Office for West Africa and the Sahel (UNOWAS). On the screen is Giovannie Biha, Deputy Special Representative for West Africa and the Sahel. Photo: UN Photo/Loey Felipe

5. Contributions to other cross-cutting mission functions and objectives

Whether large multidimensional missions or smaller SPMs, including regional offices and offices of Special Envoys, certain objectives, functions, policies and practices are cross-cutting in that they are mainstreamed objectives or whole-of-mission responsibilities (with the onus on senior mission leadership). This chapter examines a range of areas that fit into this category where human rights work, principles, and norms influence and shape mission efforts.

5.1 Supporting good offices

The cases examined provide useful insights into how human rights are incorporated into the good offices roles and how human rights work contributes to the quotidian good offices function of special representatives and envoys. Whether by infusing and promoting human rights norms and principles into good offices, incorporating human rights considerations into UN diplomatic efforts to prevent and resolve conflicts, or providing impartial HR reporting which can bolster the UN’s reputation, human rights components play an essential supporting role for good offices at multiple levels and in both country-specific and regional settings.

First, human rights components can support and enrich good offices through informed, impartial, and comprehensive reporting and data provision. In the DRC, the JHRO provides comprehensive reports and data that inform mission leadership’s political engagements, as well as through established mission coordination mechanisms such as the Senior Management Group on Protection (SMGP) and Senior Management Group on Protection at the Provincial level (SMGPP). Moreover, investigations and reports generated by JHRO stand as key references

for the Office's good offices activities, as well as other civilian sections in the mission, including political affairs, civil affairs and technical teams focused on security sector reform and disarmament, demobilisation and reintegration.²⁸⁷

Human rights components also provide impartial assessments of HR incidents that can be used in good offices outreach in ways that can inform preventive diplomacy and help avert future cycles of violence.

Human rights components also provide impartial assessments of HR incidents that can be used in good offices outreach in ways that can inform preventive diplomacy and help avert future cycles of violence. For example, interviewees in South Sudan highlighted several instances where reporting in UNMISS was used by senior mission leadership (SML) as the basis for engagement with conventional parties to facilitate dialogue aimed at deescalating tensions and work towards averting further violence.²⁸⁸ In Mali, MINUSMA HRD was at times able to support the SRSG's high-level engagement with government to promote, *inter alia*, the national human rights policy. To decentralise the policy and as part of a broader improvement of human rights institutions' capacity, MINUSMA organised training programs for Malian Defence and Security forces and judicial police officers from various regions in the country. These trainings focused on human rights norms and standards relating to police investigations, special investigation techniques, gender considerations in police investigations, case investigation of CRSV, grave violations, and crimes involving children. Additionally, MINUSMA supported the UN-independent panel of experts in conducting field missions and investigations into human rights issues in Mali. Furthermore, in Afghanistan, civilian casualty reporting has contributed to enabling some working-level engagements that facilitated important but difficult resolutions. Following an aerial attack in Dasht-e-Archi district of Kunduz province in April 2018, resulting in high casualty numbers, UNAMA's human rights unit undertook a fact-finding mission, which proved essential for establishing a fact-based documentation of the attack.²⁸⁹ As one interviewee put it, "painstaking work done by UN national and international staff on three independent sources for verified casualties" offered "measurable peace-oriented dividends", but

287 Interview with MONUSCO official, 13 September 2023, Kinshasa, (Interview #30).

288 Interview with UNMISS officials, 31 May 2023, Juba, (Interviews #99 and 103).

289 Interview with former UNAMA official, 28 September 2023, online, (Interview #207). See also: UNAMA. (2018). "Special Report Airstrikes in Dasht-e-Archi district, Kunduz Province, 2 April 2018". https://unama.unmissions.org/sites/default/files/unama_protection_of_civilians_special_report_2_april_aerial_operations_final.pdf. For this fact-finding mission, UNAMA coordinated its outreach and efforts, including site visits and joint meetings with civil society, community members and leaders, government officials, victims and witnesses, with the AIHRC at national and local levels. As of 7 May 2018, UNAMA had verified 107 casualties (36 killed and 71 injured) according to its methodology, of which 81 were children (30 killed and 51 injured). Notably, the report found that "the Government used rockets and heavy machinegun fire on a religious gathering, resulting in high numbers of child casualties, raising questions as to the Government's respect of the rules of precaution and proportionality under international humanitarian law" (p. 2).

“without this massive work we wouldn’t have had the credibility”.²⁹⁰ Further, some interviewees drew attention to instances where HRS was able to pursue dialogue with local actors when other political or humanitarian ‘tracks’ were halted during moments of high political sensitivity. For example, HRS continued dialogue with the Taliban following the May 2017 Kabul truck bombing, with the benefit of keeping channels of communication open.²⁹¹

More generally, human rights components can help mainstream human rights considerations into good offices’ work, contributing to the effectiveness of overall mandate implementation. Interviewees in UNOWAS suggested that human rights had been a “very useful and important aspect of the mandate that contributes to overall mandate implementation”.²⁹² One example is mainstreaming or integrating human rights into the analysis that informs the good offices of the special representative and the overall work of the office. Similar experiences were conveyed in the context of UNOCA, including the HR focal point mainstreaming of human rights into the SRSG’s “good offices” work on HR-related issues such as cross-border conflicts, armed conflicts and activities of armed groups, refugees’ affluence, economic and social rights inequalities, poverty and the exploitation of natural resources in countries of particular interest, such as the DRC, Central African Republic (CAR), and Chad.²⁹³

Summary

In many ways, therefore, incorporating human rights considerations into good offices’ work can enhance the effectiveness of the UN’s diplomatic efforts in preventing and resolving conflicts. Human rights components can enrich good offices through informed, impartial, and comprehensive reporting and data provision, which feeds into “good offices” outreach in ways that can inform preventive diplomacy and help avert future cycles of violence. A strong and consistent track record of impartial human rights reporting can also bolster the UN’s reputation for “good offices” at multiple levels, not least in regional offices. More broadly, enabling the UN’s good offices in these ways helps to connect HR norms and principles to efforts to sustain peace.

5.2 Assisting the implementation of the UN Human Rights Due Diligence Policy

Another area in which human rights are protected and promoted is through the application and adherence to the Human Rights Due Diligence Policy on UN support to non-UN Security

290 Interview with former UNAMA official, 28 September 2023, online, (Interview #207).

291 Interview with former UNAMA official, 28 September 2023, online, (Interview #207); Interview with former UNAMA political officer, 11 October 2023, online, (Interview #209).

292 Interview with UNOWAS human rights officer, 7 September 2023, online, (Interview #239).

293 Interview with UNOCA human rights officer, 7 September 2023, online, (Interview #237).

Forces (commonly abbreviated as HRDDP). The HRDDP is a system-wide policy setting out measures that all UN entities must take to ensure that any support they may provide to non-UN forces is consistent with human rights principles and obligations.²⁹⁴ Common steps for applying the HRDDP include conducting a risk assessment to evaluate potential human rights risks and developing appropriate risk mitigation measures. The policy is important as, when appropriately applied, it can limit reputational damage and enhance protections for civilians. HRDDP can provide leverage over non-UN security forces, including police, military and other security actors, to comply with international humanitarian law, international human rights law and international refugee law.

In Mali (MINUSMA) and South Sudan (UNMISS), HRDDP has played an important role in helping missions avoid unintentionally supporting known human rights offenders, also offering points of leverage with national governments alongside broader efforts to encourage adherence to international human rights and humanitarian law.

First established within MONUSCO in 2009, the HRDDP began as a vetting instrument – initially overseen by JHRO – and is currently under the purview of a dedicated unit within the mission to support HRDDP-related tasks, while responsibility and oversight ultimately sits with mission leadership. JHRO has added a risk assessment component, broadening its scope to both security and non-security matters such as procurement, recruitment, and premises leasing. In the DRC, national defence and security forces are among the main violators of human rights.²⁹⁵ In this regard, HRDDP plays a key role in mitigating the risks of human rights violations by preventing the mission from providing support to any units or individuals within State forces associated with human rights violations.²⁹⁶ Beyond risk assessments, HRDDP offers mitigation strategies for human rights abuses, primarily within the framework of follow-up committees (*comité de suivi*) on violations by the FARDC and PNC.²⁹⁷ Their efforts have contributed to legal proceedings against high-ranking military officers for human rights violations. Moreover, as a journalist noted, the database connected to HRDDP “is the memory of 30 years human rights abuses in the DRC, its existence changed everything in the country”.²⁹⁸

294 UN General Assembly & UN Security Council. (2013). “Human rights due diligence policy on United Nations support to non-United Nations security forces”. A/67/775-S/2013/110. https://www.ohchr.org/sites/default/files/Documents/HRBodies/SP/AMeetings/20thsession/IdenticalLetterSG25Feb2013_en.pdf.

295 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with former MONUSCO official, 29 August 2023, online, (Interview #18).

296 Interview with JHRO official, 26 July 2023, online, (Interview #2).

297 For more information on the follow-up committees on violations by the FARDC and PNC, see section 5.5 on the fight against impunity, accountability, and transitional justice.

298 Interview with journalist, 27 July 2023, online, (Interview #7).

In Mali (MINUSMA) and South Sudan (UNMISS), HRDDP has played an important role in helping missions avoid unintentionally supporting known human rights offenders, also offering points of leverage with national governments alongside broader efforts to encourage adherence to international human rights and humanitarian law.²⁹⁹ HRDDP appeared most effective where it was used by all key actors as an enabler for operations, helping to identify mitigating measures that would allow operations to move forward, rather than prohibiting actions.

In the DRC, perceptions of HRDDP's role within the mission vary. A JHRO official mentioned, "some view it as a bureaucratic exercise, some see it as an impediment, some see it as an avenue to making sure that we do what we want to do, which is protecting civilians and not increasing the risk for them by supporting the wrong actors".³⁰⁰ For this interviewee, HRDDP operates "as a form of leverage, where [MONUSCO] can really use the carrot of support, not only to protect civilians, but also to enhance security sector reform, awareness of human rights and international law".³⁰¹ A UN Force member emphasised the importance of HRDDP in maintaining MONUSCO's reputation,³⁰² while other mission representatives emphasised the policy's broader implications. For instance, by flagging "problematic" units or command structures, HRDDP plays a preventive role in human rights violations.³⁰³ HRDDP's implementation impacts decision-making among FARDC leaders, fostering preventive measures.³⁰⁴ Despite difficult negotiations with government authorities, there has been some accommodation not to involve a unit in a joint operation or to have a certain commander associated with human rights violations re-assigned away from joint operations.³⁰⁵ Nevertheless, one interviewee argued that although useful, the policy is not necessarily effective given that exceptions have been granted to support military officials identified as perpetrators by MONUSCO.³⁰⁶ Further, HRDDP also emerges as a point of tension beyond the mission. Mission civilian officials have acknowledged that MONUSCO's implementation of the HRDDP can strain relationships with Congolese authorities and is often cited by the Congolese armed forces as an impediment to quick response to crises threatening the lives of civilians, including partnerships with the mission.³⁰⁷ Given this, a JHRO official underscored the need to maintain consistent communication with domestic authorities, portraying HRDDP as a mission priority, irrespective of internal disagreements.³⁰⁸

Interviewees from other missions (e.g. Mali) also suggested that the HRDDP remained an inhibition to their work, particularly when the human rights component demanded comprehensive

299 Day, A. & Hunt, C.T. (2021). "Protecting Together: Lessons from Mali and South Sudan on Coherence Between Human Rights and Military Components in UN Peace Operations".

300 Interview with JHRO official, 26 July 2023, online, (Interview #3).

301 Ibid.

302 Interview with MONUSCO military official, 14 September 2023, online, (Interview #37).

303 Interview with MONUSCO official, 11 September 2023, Kinshasa, (Interview #22).

304 Ibid.

305 Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42).

306 Interview with researcher, 16 August 2023, online, (Interview #17).

307 Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42); Interview with MONUSCO official, 26 July 2023, online, (Interview #5).

308 Interview with JHRO official, 12 July 2023, online, (Interview #1).

lists of national soldiers involved in operations. One officer noted that “when we have an operation stopped or delayed because the army hasn’t provided a list of every name, we can’t do our protection job”.³⁰⁹ This also generated negative perceptions towards HR colleagues who were (incorrectly) deemed responsible for ensuring the application of the HRDDP. While HR reporting and the databases managed by human rights sections help to inform decisions in relation to HRDDP, senior mission leadership manages the process, with decisions taken by a task force including a range of representatives. Raising awareness of the fact that HRDDP is not the work of the HRD but a mission-wide obligation is a cultural shift still required in some mission settings. The 2018 review of HRDDP implementation reiterates this point, highlighting the common misunderstanding that the human rights component or OHCHR alone bear responsibility for HRDDP policy implementation, rather than it being a system-wide policy.³¹⁰

Recent analysis of PBF-funded projects in the DRC suggests that human rights components are crucial to the implementation of HRDDP and “house” OHCHR’s programmatic capacities (...) While the HRDDP in itself is key to ensure that human rights considerations inform peacekeeping and peacebuilding approaches, human rights components play a key role in its implementation, including via the PBF.

Furthermore, different interpretations regarding HRDDP’s implementation remain a hurdle.³¹¹ A JHRO official mentioned that over the past decade, the Office has compiled a comprehensive database on Congolese security forces. However, with the influx of foreign security forces in the East of the country, including the East African Community Regional Force (EAC-RF) and collaborations with the Uganda People’s Defence Force (UPDF) and Burundi National Defence Force (FDNB, *Force de défense nationale du Burundi*), challenges have arisen. HRDDP currently does not encompass these entities and has no information regarding their human rights track records.³¹²

Despite these challenges, the scope of HRDDP is expanding, with increasing application beyond support to military actors. In UNMISS, mission support to the South Sudanese National Police and decision-making about Quick Impact Projects (QIPs) implemented by the PTR Section

309 Interview with former MINUSMA HRPD officers, 19 October 2023, online, (Interview #211).

310 Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”, p. 30.

311 Interview with JHRO official, 26 July 2023, online, (Interview #3).

312 Ibid.

have grown increasingly compliant with existing HRDDP obligations.³¹³ There have also been growing calls and efforts to apply HRDDP to actions by UN entities in theatre, including AFP, as well as a broader set of entities in the security sector. An expansion of HRDDP to other programming may reap rewards in settings where it already applies to security force assistance. For example, in South Sudan, interviewees noted that HRDDP required a whole of UN application, including UNMISS and all agencies that support national security forces in various ways.³¹⁴ This has not been without challenges. In UNMISS, respondents noted initial pushback from some members of the UNCT since the adoption of the Standard Operating Procedure (SOP) on 7 June 2021, which expanded the application to include the UNCT.³¹⁵ It was noted that much of this pushback was overcome by including the UNCT in the application of HRDDP and giving it ownership by making UNDP co-chair of the decision-making Task Force.³¹⁶

HRDDP applies to all UN entities providing support to non-UN security forces, including peacebuilding work.³¹⁷ One significant example is how peacebuilding projects, including the UN PBF, apply HRDDP. Recent analysis of PBF-funded projects in the DRC suggests that human rights components are crucial to the implementation of HRDDP and “house” OHCHR’s programmatic capacities.³¹⁸ The JHRO in DRC was involved in the design and has served as an implementing agency for multiple PBF-funded projects in the past years.³¹⁹ This is a large part of why human rights is so centrally integrated within the projects’ conception and implementation, pointing to a growing integration of human rights in PBF programming. Furthermore, the human rights component provided an important vehicle for working with the PBF by enabling the coordination of mission assets, while leveraging the OHCHR’s programmatic capacity.

MONUSCO is considering extending HRDDP’s application beyond programming with a security sector focus to be included in the decision-making process for all support to government actors. However, the extension of HRDDP application, which would go beyond current UN policy parameters, remains a sensitive issue, and would need to acknowledge that the policy should be applied by entities pursuant to their mandates.³²⁰ Such a broadening of scope will also have to consider the different circumstances in SPMs. In some cases, the application of HRDDP is similar to large peacekeeping missions. For example, in UNITAMS, support to state security agencies has followed in a similar vein to South Sudan (UNMISS) and CAR (MINUSCA). However, in other settings, HRDDP could present challenges to overall mission objectives. In Yemen, relations between UNMHA and the government are fraught.

313 Interview with UNMISS HRD officials, 5 June 2023, Juba, (Interview #123-126).

314 Ibid.

315 Online correspondence with UNMISS HRD officials, November 2023.

316 Interview with UNMISS official, 5 June 2023, Juba, (Interview #123).

317 UN. (2015). “Human Rights Due Diligence Policy on United Nations Support to Non-United Nations Security Forces: Guidance Note and text of the Policy”. <https://unsdg.un.org/sites/default/files/Inter-Agency-HRDDP-Guidance-Note-2015.pdf>, p. 43.

318 See forthcoming UNU-CPR Thematic Review on Human Rights and Peacebuilding, specifically the DRC case study.

319 Ibid.

320 Ibid.

Even speaking about human rights can lead to expulsion.³²¹ Imposing HRDDP on limited activities and programmes (e.g., QIPs implemented by UNMHA CAD) would likely rule out all key stakeholders. It would also feed a narrative of bias that would impede the progress of UNMHA – and by extension, the progress of OSESGY – towards overarching goals in the political process, which may have longer-term rights benefits. Any efforts to expand or deepen the reach of HRDDP will need to account for the potential negative impacts in SPM contexts that may be more reflective of the future of UN peace operations than the large stabilisation missions.

Summary

As the cases above highlight, HRDDP, when properly and strategically applied, is an enabler of more effective, impactful operations. While the HRDDP in itself is key to ensure that human rights considerations inform peacekeeping and peacebuilding approaches, human rights components play a key role in its implementation, including via the PBF. The case studies also highlight important differences in how HRDDP can be applied. In some cases, targeted measures for individuals are needed, while other settings may require due diligence for an entire unit or group.³²² This points to the need for tailored approaches to the HRDDP, incorporating the policy into the broader political strategy of the mission and constantly revisiting how due diligence can enable more effective interventions.

5.3 Early warning, situational awareness and crisis response

Early warning, situational awareness and crisis response are central to mission planning and activities across a range of different settings. Human rights contribute to these in important ways.³²³ Through data collection, information sharing and analysis, HR significantly support a range of other mission components and objectives.

One of the main ways human rights assists others in understanding context and raising awareness of risks is through information sharing with other parts of field missions. HR reporting relies on widespread networks of deeply embedded officers and sources that are often more extensive and provide a more comprehensive picture of a given context than other analytical mission capacities. Information sharing between human rights and other components of a mission (e.g. political), particularly through coordination mechanisms such as the Joint Operations Center (JOC) and Joint Mission Analysis Centre (JMAC), has facilitated more effective conflict resolution

321 Interviews with UNMHA officials, August and October 2023, online, (Interviews #215-218 and 228).

322 Former COS MONUSCO and MINUSCA oversaw the implementation of HRDDP in both.

323 In many ways, these functions overlap with section 4.1 on improving POC (see above).

responses. HR officials involved in assessment missions and connected through networks on the ground gather important insights that can enable a wide range of other mission activities, including directing further investigations and patrols, informing analysis, among others. In the DRC, an SOP for sharing information on the human rights situation in the country is established within the mission, ensuring that JHRO is promptly informed of human rights violations encountered by any mission staff, whether civilian or uniformed. Under this SOP, JHRO can activate rapid-response mechanisms, liaising with the Force, Police, or national authorities. The Community Alert Network (CAN), managed by the Civil Affairs Section (CAS) and Community Liaison Assistants (CLAs), exchanges information with JHRO and is instrumental in this process.³²⁴ In 2022, a collaborative note was developed by CAS and JHRO to enhance information sharing and coordination, focusing on synchronising information and bolstering joint efforts in local-level protection tools, including early warning mechanisms.³²⁵

Information sharing between human rights and other components of a mission (e.g. political), particularly through coordination mechanisms such as the Joint Operations Center (JOC) and Joint Mission Analysis Centre (JMAC), has facilitated more effective conflict resolution responses.

In SPMs, human rights reporting also provides important situational awareness. For example, in Yemen, where neither OSESGY nor UNMHA have an explicit HR mandate and both steer clear of explicit HR discourse, interviewees voiced their reliance on OHCHR reporting in country, especially given the general lack of attention on human rights issues by global media and some INGOs.³²⁶ Weekly meetings between heads of office (OHCHR, RC/HC, OSESGY and UNMHA) have enabled exchanges and data-sharing on HR issues.³²⁷ However, it was noted that deeper integration and incorporating OHCHR reporting into OSESGY/UNMHA documentation was not desirable and would likely jeopardise important relationships with key stakeholders.³²⁸

Beyond awareness-raising, information shared and analysis generated by HR sections is also used to direct and guide missions' work. Human rights actors also produce and feed into analysis that complements and augments other sources of conflict analysis, contributing to early warning and, where necessary, planning rapid responses. HR analysis brings additional granularity, for example, by highlighting discrimination and (horizontal) inequalities, which can more adeptly

324 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23); Interview with MONUSCO official, 18 September 2023, Goma, (Interview #42).

325 Interview with MONUSCO official, 26 July 2023, online, (Interview #5).

326 Interviews with UNMHA officials, August–October 2023, online, (Interview #213, 215, 217–218).

327 Interview with OSESGY official, 2 October 2023, online, (Interview #228).

328 Ibid.

help identify root causes and drivers of conflict, violence and social unrest. HRD documentation of allegations of violations of international humanitarian law and international human rights law, including CRSV and grave violations against children, can also be utilised to inform early warning analysis, risk and threat assessments, as well as strategic and operational planning.

HR analysis brings additional granularity, for example, by highlighting discrimination and (horizontal) inequalities, which can more adeptly help identify root causes and drivers of conflict, violence and social unrest.

In larger multidimensional missions, HR feeds into integrated/joint planning units. Indeed, bringing together military, police and civilian units within missions under one umbrella is now increasingly common. In UNMISS, this happens at multiple levels: at SML level, the Director HR/OHCHR representative is able to feed information about root causes of conflicts into head of sections meetings, senior management groups (SMGs), and principal management meetings, informing early warning and decision-making on early responses across key mission components.³²⁹ Similarly, in MINUSMA, a cross-fertilisation of the civilians, military and the police personnel at all levels of the mission structure contributes to joint planning. Senior leadership, managers, and representatives of its troops and police-contributing countries (T/PCCs) provide vital and timely information for early warning actions to be taken. However, the internal coherence of MINUSMA and the UNCT in ensuring the seamless integration of early warning signals appears to be less than perfect, especially between the military and civilian components. Some officials in the UN military component noted that they had not received adequate guidance from civilian mission leadership on this.³³⁰

At the whole-of-mission level, HR sections share relevant information and trend analysis with mission coordination and analysis bodies, including POC coordination mechanisms, to inform early warning, prevention, risk and threat assessments, as well as planning at Mission Headquarters and Field Office levels, with a view to mitigating the risk of violence against civilians. In the DRC, information collected through JHRO monitoring supports the mission's "protection through projection" approach, which relies on rapid deployments to prevent or respond to episodes of violence against civilians. This information is vital in guiding discussions at the SMGP level, influencing subsequent protection strategies such as Joint Assessment Missions (JAM) and Joint Protection Missions (JPM). These missions, often jointly organised by JHRO and CAS, are responsible for recommending actions such as establishing a Temporary Operational Base (TOB) to protect civilians.³³¹

329 Interview with UNMISS/OHCHR representative, 5 June 2023, Juba, (Interview #123).

330 Interview with former member of MINUSMA HRPD team, 19 October 2023, online, (Interview #211).

331 Interview with MONUSCO official, 26 July 2023, online, (Interview #5).

Coordination between human rights sections and JMAC/JOCs is another important aspect of large missions. In the DRC, coordination between JHRO and JMAC is formalised. JHRO collaborates strategically with JMAC to identify potential threats, leveraging its substantial access to information and analytical capabilities.³³² This collaboration is enhanced, particularly in the context of elections, to ensure effective strategic communication. The mission established JMAC-JHRO joint teams to collect and analyse information and enhance monitoring activities.³³³ In the period preceding the elections, these teams produced two daily situation reports.³³⁴ Overall, JHRO contributes its analytical insights to JMAC, which often incorporates these findings into its own reports and threat analysis.³³⁵ Additionally, the JOC, a crucial coordinator of early warning alerts, frequently collaborates with JHRO to verify information.³³⁶ This integrated approach strengthens the mission's overall strategy in identifying and mitigating potential threats.

Nevertheless, UN officials highlighted several inefficiencies within missions concerning early warning systems.

However, coordination in other missions is more ad hoc. In UNMISS, information sharing between HRD and JMAC/JOC occurs through both formal (e.g., formal requests for information, biweekly scheduled meetings) and informal channels (e.g., ad hoc meetings reliant on interpersonal relationships).³³⁷ These exchanges have served to support mission crisis response (i.e. early warning to early action) and inform horizon-mapping and longer-term strategy around the allocation and deployment of mission resources, according to need. For example, UNMISS CAD leads conflict mapping and an analytical hotspot analysis in which HRD plays an important role.³³⁸ This has directly contributed to the mission's early warning capacities and led to tangible early action, such as deconfliction conferences and the use of UN special flights to hotspot areas.³³⁹

Human rights efforts also inform action at the local/field site level. In the DRC, CAS and JHRO work collaboratively to provide information for protection responses at the local level. JHRO identifies protection issues through monitoring while CAS oversees the CAN.³⁴⁰ Both CAS and JHRO are actively involved in joint coordination mechanisms for the POC, such as

332 Interview with MONUSCO official, 12 September 2023, Kinshasa, (Interview #25).

333 Interview with JHRO official, 1 August 2023, online, (Interview #10).

334 Ibid.

335 Ibid.

336 Interview with MONUSCO official, 18 September 2023, Goma, (Interview #41).

337 Interview with UNMISS JMAC officials, 31 May 2023, Juba, (Interview #93-98).

338 Interview with CAD officials, 29 May 2023, Juba, (Interview #82-84).

339 Interview with UNMISS HRD officials, 4 June 2023, Malakal, (Interview #174; 176).

340 For an explanation of how community alert networks operate to protect civilians, see section 4.1.

the Senior Management Protection Group (SMPG) and Protection Working Group (PWG).³⁴¹ CAS has also developed indicators through local surveys that assist in identifying areas particularly vulnerable to CRSV. The MARA working group, coordinated by JHRO, acts as a significant platform for early warning, especially concerning CRSV. Further, JHRO's Women Protection Advisor has been instrumental in formulating guidelines for CLAs on CRSV cases in the field.³⁴² These guidelines were established under the MARA framework, also coordinated by JHRO. Although CLAs are not human rights personnel, they frequently interact with victims due to their close community involvement.

Interviewees in the DRC conveyed that the prevalent issue is not necessarily receiving alerts but rather responding to them effectively.

A similar set of activities in UNMISS is formalised at the field level through the Field Integrated Operations Centre (FIOC), which interviewees identified as an important mechanism bringing together representatives from all sections for daily and weekly response planning by a field office (Integrated Response Planning, INREP), and which draws heavily on data, advice and analysis from HRD.³⁴³ It was further noted that UNMISS has achieved relatively strong integration at the field site level, avoiding common silos, even in integrated peace operations.³⁴⁴ On human rights, interviewees affirmed that “the integration of HR is felt strongly at field level”.³⁴⁵ In fact, HR information and analysis is used to prioritise patrolling locations and community engagement according to the vulnerability and exposure of local populations, and informs reporting to the capital/HQ in Juba via the Principals Management Meeting (PMM).³⁴⁶ In this way, human rights is an enabler of key areas of mission work, including POC.³⁴⁷

341 The PWG serves as a high-level coordination and advisory body, offering tactical guidance on specific POC threats and facilitating high-level advocacy initiatives in Kinshasa. The SMGP, another high-level entity, is tasked with making key POC-related decisions. Among its functions, the SMGP determines actions to prevent or address critical POC situations, drawing on the PWG's recommendations. Additionally, the SMGP is involved in high-level political engagements aimed at reducing violence against civilians, actions which are also based on recommendations from the PWG.

342 Interview with MONUSCO official, 26 July 2023, online, (Interview #5).

343 Interview with UNMISS field office officials, 3-4 June 2023, Malakal, and 7-8 June, Bentiu, (Interviews #147 and 190).

344 Ibid.

345 Ibid.

346 Interview with UNMISS JOC officials, 5 June 2023, Juba, (Interview #124-125).

347 Ibid.

Human rights reporting and analysis across missions generate important early warning alerts, yet ongoing inefficiencies in early warning response systems/mechanisms, particularly in ensuring timely and effective action, point to a broader need to recalibrate these mechanisms and mission components' reactions to alerts generated.

Nevertheless, UN officials highlighted several inefficiencies within missions concerning early warning systems. In the DRC, communication and information sharing between JHRO and other substantive civilian components are generally effective, yet some areas would benefit from enhancement, particularly concerning the harmonisation of databases that document violence against civilians.³⁴⁸ Additionally, a MONUSCO official highlighted a communication gap where field officers often do not receive updates on cases referred to JHRO, limiting their ability to provide feedback to local communities.³⁴⁹ This lack of follow-up information could potentially discourage communities from reporting future cases due to a perception of inadequate case progression. Further, interviewees in the DRC conveyed that the prevalent issue is not necessarily receiving alerts but rather responding to them effectively.³⁵⁰ Challenges in response are particularly noticeable in areas where the mission is not mandated to deploy troops, despite receiving alerts.³⁵¹ However, even where Company Operating Bases (COBs) are in place, there have been instances where the UN has been reluctant to respond swiftly to alerts.³⁵² Specific cases were cited where commanders were hesitant to redeploy troops in reaction to CAN alerts if such actions were not pre-scheduled in their weekly plans.³⁵³ Feedback from CSOs further underscored these challenges, with some emphasising the ineffectiveness of MONUSCO's early warning system.³⁵⁴ For example, these recounted an incident where MONUSCO failed to intervene during a village looting, later attributing their lack of response to the Congolese government.³⁵⁵ This example emphasises the necessity for a review and potential recalibration of early warning response mechanisms, particularly in terms of reaction by both UN peacekeeping forces and national security forces to ensure timely and effective action.

348 Interview with MONUSCO official, 26 July 2023, online, (Interview #5).

349 Ibid.

350 Interview with JHRO officials, 11 September 2023, Kinshasa, (Interview #23).

351 Ibid.

352 Interview with MONUSCO official, 11 September 2023, Kinshasa, (Interview #22).

353 Interview with MONUSCO officials, 19 September 2023, Goma, (Interview #48).

354 Interview with CSO representative, 23 August 2023, Goma, (Interview #61); Interview with CSO representative, 23 August 2023, Goma, (Interview #76).

355 Interview with CSO representative, 23 August 2023, Goma, (Interview #61).

Summary

Early warning, situational awareness and crisis response are critical functions of peace missions. The centrality of human rights in providing data, supporting analysis and guiding proactive mission action is a clear example of the enabling effects that HR can have.³⁵⁶ Human rights reporting and analysis across missions generate important early warning alerts, yet ongoing inefficiencies in early warning response systems/mechanisms, particularly in ensuring timely and effective action, point to a broader need to recalibrate these mechanisms and mission components' reactions to alerts generated.

5.4 Combatting impunity and ensuring accountability and transitional justice

In many of the mission contexts examined, impunity for serious abuses and violations of human rights, be they historical, recent or current, is the norm. The lack of action to combat impunity and provide victims with measures of redress through accountability efforts and transitional justice (TJ) processes risks fuelling further cycles of violence. Indeed, the new UN SG Guidance Note on “Transitional Justice as a Strategic Tool for People, Prevention and Peace” promotes transitional justice as a flexible human rights-based policy tool to help build just and inclusive futures in fractured societies.³⁵⁷ In addition to efforts (discussed above) to tackle impunity for everyday criminality and improve access to justice by (re)building the rule of law, human rights work in field missions also makes important contributions to efforts to uphold the rights to truth, justice and reparations. These include promoting efforts to hold perpetrators of HRVs to account, collecting evidence on abuses, and supporting processes and the establishment of mechanisms for addressing legacies of atrocities and other serious HRVs (e.g., victim and community consultations, truth and reconciliation commissions and other forms of truth-seeking, courts/tribunals, reparations arrangements, institutional reform and other measures to prevent recurrence) and ensuring such transitional justice processes are credibly rights-respecting and context-specific (e.g. focused on rights of victim-survivors, witnesses, etc.). For these, HRD expertise in inclusive and participatory methodologies as well as impartial fact-finding and investigations protocols are particularly useful, specifically through direct engagement in processes and capacity building with national and local actors.

356 In the context of transitions, human rights plays an even more important role in these aspects (see section 5.7).

357 UN. (2023). “Guidance Note of the Secretary-General on Transitional Justice: A Strategic Tool for People, Prevention and Peace”. https://www.ohchr.org/sites/default/files/documents/issues/transitionaljustice/sg-guidance-note/2023_07_guidance_note_transitional_justice_en.pdf, p. 2. See also: OHCHR. (2020). “Thematic Paper: Peacebuilding, Sustaining Peace and Transitional Justice”. 2020 Review of the UN Peacebuilding Architecture. https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/4_ohchr_thematic_paper_on_transitional_justice.pdf.



A Human Rights Officer (right) serving with the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) interviews a displaced witness in Menaka. A delegation led by Human Rights Officers travelled to region in northern Mali to investigate recent armed attacks in the settlements of Aklaz and Awakassa, in which at least 47 people were killed.
Photo: UN Photo/Marco Dormino.

Addressing impunity for severe human rights abuses and other crimes that contribute to conflict in Mali³⁵⁸ has been a major aspect of MINUSMA's work. Over the years, HRD has provided support to the crafting of peace agreements to include strong measures and provisions around accountability and transitional justice. Routine public reporting of human rights violations committed by both governmental and non-governmental entities has increased awareness and added to public pressure for legal proceedings.³⁵⁹ Further, HRD, in collaboration with the rule of law section, has provided support for the Truth, Justice and Reconciliation Commission in Mali. From its inception and since the drafting and adoption of the law establishing the Commission, the Division has advocated that the aspects of truth and justice should be a paramount concern, to which the National Assembly has responded favourably. The HRD supported this process to ensure that the truth would be known by victims, and supported the establishment of a body with explicit responsibility for reparations. As part of these efforts, HRD has strengthened the capacities of the judiciary for communities to enjoy long-term protection and exercise their right to truth, reparation, and guarantees of non-recurrence. This objective is also integrated into various aspects of the UN's initiatives in the region, with the aim of strengthening the judiciary to improve access to justice indirectly for vulnerable citizens. Actions have included strengthening community associations, including women's and young people's associations, to guarantee their rights better.³⁶⁰

In South Sudan, slow progress has occurred on key components of the transitional justice provisions included in the R-ARCSS – i.e., the AU-backed Hybrid Court for South Sudan (HCSS), the Commission on Truth, Reconciliation and Healing (CTRH), and the Compensation and Reparation Authority (CRA). These are primarily responsibilities the government has not lived up to.³⁶¹ However, the HRD (in partnership with the OHCHR and others (e.g., UNDP)) has made important contributions on at least two fronts.³⁶² First, the mission has contributed to the collection and preservation of evidence of war crimes and other human rights violations for the eventual handover to transitional justice mechanisms. Second, the HRD has continued to support civil society actors to increase awareness of their rights, advocate for the implementation of these provisions and helped set up Transitional Justice Resource Centres in Juba, Yei, Wau and Yambio, working closely with the Community Empowerment for Progress Organization (CEPO). Furthermore, the HRD collaborated with the Transitional Justice Working Group³⁶³ to host events for a wide cross-section of international, regional, national and local stakeholders (including other CSOs, traditional authorities and religious leaders, government representatives,

358 International Federation for Human Rights and Association Malienne des droits de l'Homme. (2017). "Mali: Choosing justice in the face of crisis". Bamako: FIDH. https://www.fidh.org/IMG/pdf/20171208_rapportmali_justice_en.pdf.

359 Day, A. & Caus, J. (2021). "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention", p. 212.

360 Interview with former members of MINUSMA HRPD team, 19 October 2023, online, (Interview #211 and 212).

361 Interview with participants of a Focus Group Discussion with CSOs, 5 June 2023, Juba, (Interview #117 and 118).

362 At the time of writing, with the support of the HRD, the CTRH and the CRA Bills have been approved by the Council of Ministers and transmitted to Parliament for deliberations. Updates on the CTRH Bill have been particularly positive, with provisions for specialised desks for vulnerable groups, the establishment of the position of assistant commissioners, interim reparations for victims, as well as the setting up of CTRH offices in the States, incorporated.

363 A network of CSOs working on transitional justice.

the South Sudan Human Rights Commission) to sensitise the population and effectively promote accountability and transitional justice.³⁶⁴ Members of this network responded positively to these developments but expressed a continued desire for further support to trickle down at the community level, and to ensure the process is victim-centred.³⁶⁵ It is also worth noting the HRD's role in PBF-funded projects, most notably ongoing PBF/SSD/A-4, which aims to support the design, set-up and operationalisation of the CTRH and advocate for the creation of complementary institutions, in particular the HCSS and the CRA. As part of this project, UNMISS HRD and the Rule of law Advisory Section, together with OHCHR, UNHCR and UNDP, supported an inclusive, victim-centred consultation process crucial for informing the establishment of the CTRH.³⁶⁶

In 2018, following recommendations emerging from popular consultations held in communities across Kasai-Central and among key political figures from the Kasais on the need for justice, reparations, truth, reconciliation, peace and prevention of new conflicts carried out as part of two PBF-funded projects in the Kasais, the JHRO, together with other UN agencies and NGOs, joined in supporting the creation of a provincial Truth, Justice and Reconciliation Commission.

In the DRC, inquiries into serious HRVs, even when these do not lead to immediate criminal prosecutions, were said to lay the groundwork for broader UN anti-impunity efforts.³⁶⁷ Further, a human rights-based approach to reconciliation and social cohesion, driven by a victims-centred approach and context-specific programming, was said to have generated significant levels of buy-in from local populations.³⁶⁸ In the aftermath of the large rebellion between 2016 and 2017 in the Kasais, mission and UN-wide efforts advocated for the establishment of a transitional justice mechanism. In 2018, following recommendations emerging from popular consultations held in communities across Kasai-Central and among key political figures from the Kasais on the need for justice, reparations, truth, reconciliation, peace and prevention of new

364 Interview with participants of a Focus Group Discussion with TJ Working Group, 5 June 2023, Juba, (Interview #117 and 118). See also: Office of Internal Oversight Services. (2023). "Outcome evaluation of UNMISS contribution to strengthening the rule of law and accountability in South Sudan".

365 Interview with participants of a Focus Group Discussion with TJ Working Group, 5 June 2023, Juba, (Interview #117 and 118).

366 For more information on "PBF/SSD/A-4: Building peace through promoting inclusive and participatory transitional justice processes and mechanisms in South Sudan", see: <https://mptf.undp.org/project/00130006>.

367 Day, A. & Caus, J. (2021). "Rule of Law and Sustaining Peace: Towards More Impactful, Effective Conflict Prevention", p. 175.

368 See forthcoming UNU-CPR Thematic Review on Human Rights and Peacebuilding DRC case study.

conflicts carried out as part of two PBF-funded projects in the Kasais, the JHRO, together with other UN agencies and NGOs, joined in supporting the creation of a provincial Truth, Justice and Reconciliation Commission.³⁶⁹ Although the Truth Commission has not yet been operationalised with funding, these PBF projects helped reignite transitional justice conversations both at the provincial and national level.³⁷⁰ Furthermore, this bottom-up approach is presented by JHRO (key implementing partner in both PBF projects) as a pilot that could be replicated in other post-conflicts contexts, with subsequent annual technical assistance resolutions by the Human Rights Council mandating assistance at national and provincial levels.³⁷¹ JHRO's advocacy efforts have also been pursued to establish reparation mechanisms for victims of human rights violations, with provisions for CRSV, including the creation of a National Fund for the Compensation of Victims of Sexual Violence and Other Crimes Against Humanity.³⁷² However, implementation remains nascent.³⁷³

UNOWAS has worked to strengthen the capacity of regional and national bodies and civil society platforms to respond to various issues, including impunity, and has supported national human rights commissions and the West African Bar Association to address this issue.

A range of SPMs are also engaged in efforts to promote and support transitional justice processes. In Yemen, since 2022, OSESGY has expanded a team supporting a TJ coalition promoting a rights-respecting process to tackle impunity, hold perpetrators to account and undergo transitional justice.³⁷⁴ The office has also provided support to the Reconciliation and Social Peace Commission, while officials in the OSE-HOA pointed to their mutual collaboration with the OHCHR Regional Office (RO) as integral to their work on transitional justice in Ethiopia. Meanwhile, UNOWAS has undertaken efforts to tackle impunity for political and economic crime and instrumentalisation of the justice system. Impunity is one of the main drivers, if not the main, of conflict in the region. UNOWAS has worked to strengthen the capacity of regional and national bodies and civil society platforms to respond to various issues, including

369 Ibid. See also: UN Peacekeeping. (2020). "Central Kasai province determined to set up a provincial Truth, Reconciliation and Justice commission", 5 February. <https://peacekeeping.un.org/en/central-kasai-province-determined-to-set-provincial-truth-reconciliation-and-justice-commission>. For more information on the two PBF-funded projects, see: PBF/COD/C-1 and PBF/COD/B-7.

370 See the forthcoming UNU-CPR Thematic Review on Human Rights and Peacebuilding DRC case study.

371 UNGA. (2023). "Resolution adopted by the Human Rights Council on 12 October 2023: Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo". A/HRC/RES/54/34. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G23/214/46/PDF/G2321446.pdf?OpenElement>.

372 Interview with JHRO officials, 11 September 2023, Kinshasa, (Interview #23); Law No. 22/065 of December 26, 2022. <http://www.leganet.cd/Legislation/Droit%20Public/DH/Loi.022.65.26.12.2022.html>.

373 Radio France Internationale. (2023). "RDC: une loi pour des réparations en faveur des victimes de viol", 26 April. <https://www.rfi.fr/fr/afrique/20230426-rdc-une-loi-pour-des-r%C3%A9paration-en-faveur-des-victimes-de-viol>.

374 Interview with OSESGY official, 2 October 2023, online, (Interview #228).

impunity, and has supported national human rights commissions and the West African Bar Association to address this issue. In addition, through advocacy and the good offices of the Special Representative, UNOWAS has been able to raise specific human rights and rule of law questions with heads of state and other high-level national authorities for action.

However, fieldwork also revealed frustrations related to the limits of work on accountability. In South Sudan, mission officials highlighted that HR has focused on rights and transitional justice, with insufficient attention to the forensics of evidence or the standards required for criminal investigations and accountability.³⁷⁵ Further concerns were raised regarding the lack of victim protection required to incentivise widespread buy-in to TJ processes, despite the UNMISS HRD mandate to provide for it.³⁷⁶

Summary

Efforts by peace operations to address human rights abuses and grievances by combatting impunity, promoting accountability and supporting transitional justice processes can contribute to conflict prevention. While TJ initiatives and the extent of UN field mission involvement in these vary significantly across contexts, what is germane to them all is the embedding of a more rights-based approach to promoting reconciliation, healing and sustaining peace. In this way, human rights expertise in missions that contribute to TJ processes is essential. Enabling efforts to support justice and accountability for human rights violations that are often part of the root causes and triggers for conflicts can contribute to resolving conflicts, promoting reconciliation among parties and achieving sustainable peace.

5.5 Protecting civic and political space in fragile settings

A major concern for field missions in many contexts examined was extremely limited civic space for human rights defenders, activists and civil society actors. In these settings, crackdowns on media organisations and journalists by state authorities, as well as an increase in formal censorship, are seen to curtail public discourse around claims to rights and accountability. The targeting of civil society actors, especially by state security forces as well as non-state armed actors, regularly involves the harassment and sometimes disappearance of human rights defenders and other civil rights activists, in turn leading to self-censorship, further restricting civic space.

³⁷⁵ Interview with OHCHR official, 9 June 2023, Juba, (Interview #132). NB: Part of the explanation for this may be that a lot of work in this space is also done by other actors, including the UN HRC-mandated Commission on Human Rights in South Sudan.

³⁷⁶ Interview with UNMISS HRD official, 7 June 2023, Bentiu, (Interview #183). NB: In other places like DRC and CAR, interviews revealed that there has been effective work on victim and witness protection.

A rights-based approach in missions that prioritises fundamental freedoms of opinion and expression, assembly, peaceful protest, association and the right to privacy also facilitates broader mission efforts aimed at reversing the shrinkage of civic space.

UNMISS has sought to use its good offices role to draw attention to the suppression of political opposition, crackdowns on demonstrations, and interference with the independence of the media to report on the process. Human rights provides strong foundations for this work through outreach.

In the lead-up to national elections in South Sudan scheduled this year, shrinking civic and political space poses a serious challenge to a free, fair and credible electoral process.³⁷⁷ UNMISS has sought to use its good offices role to draw attention to the suppression of political opposition, crackdowns on demonstrations, and interference with the independence of the media to report on the process. Human rights provides strong foundations for this work through outreach, including, for example, the “Know your Rights” programme on UN Radio Miraya. However, these efforts face resistance and are perceived by some national authorities as an imposition of Western ideals.³⁷⁸ Indeed, at the time of fieldwork, the government was threatening to close down the UN Radio Miraya as part of a wider crackdown during this pre-election period.³⁷⁹ However, interviewees also highlighted that the mission’s growing interest in efforts to protect, defend and create civic and political space resulted in the development and adoption of a mission-wide strategy in 2022 and guidelines on interventions for the Protection of Civic Space and Non-State Actors at Risk, as well as the creation of a coordination structure that has helped provide a holistic approach to the protection of civic space and effective action.

UNMISS HRD has also advocated for accountability for human rights violations and abuses committed against human rights defenders, journalists, and media practitioners with the government of South Sudan, including the Ministry of Information, Communication Technology and Postal Services and the Media Authority. Further, it has engaged with CSOs, the South Sudan Human Rights Commission, human rights defenders, and media practitioners to promote and protect civic space and participation and ensure inclusive, safe, and meaningful civil society participation in the political processes. The UNMISS Senior leadership regularly engages with CSOs nationwide on pertinent political developments, challenges, and the way forward. In May

377 Interview with participants of a Focus Group Discussion with CSOs, 31 May 2023, Juba, (Interview #108-114). See also: OHCHR. (2023). “Strengthening accountability and civic space critical for South Sudan’s future, says Türk”, 7 March. <https://www.ohchr.org/en/statements-and-speeches/2023/03/strengthening-accountability-and-civic-space-critical-south-sudans>; UNGA. (2022). “Report of the Commission on Human Rights in South Sudan”. A/HRC/49/78. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/257/69/PDF/G2225769.pdf?OpenElement>.

378 Interview with UNMISS SRSG, Juba, 31 May 2023, Juba, (Interview #103).

379 Ibid.

and September 2023, the Head of UNMISS held meetings with CSOs on issues related to civic and political space in preparation for the general elections. These interactive discussions led to a series of recommendations, including the need for the government to stabilise security at the state level, timely implementation of the Revitalized Agreement and its roadmap, non-interference of security forces in CSO activities, the need to convene a national CSO forum, and advocacy for an inclusive and transparent constitution-making and electoral process, among others.³⁸⁰

In the DRC, JHRO and other actors have documented a narrowing civic space in the lead-up to the general elections in December 2023.³⁸¹ Mission officials noted that this followed a brief period of improvement but was reminiscent of the restrictive environment experienced prior to the 2018 elections. To this day, journalists, in particular, operate in a challenging environment, facing significant threats that hinder their reporting capabilities.³⁸² To reduce the threat against journalists and CSOs, MONUSCO established a supportive infrastructure, including a direct, toll-free line managed by MONUSCO's PIO facilitating immediate assistance, including risk-related evacuations, in collaboration with JHRO. Many CSO representatives and journalists interviewed were part of this alert system.³⁸³ This mechanism has enhanced the safety of journalists, minimising intimidation and allowing for a freer operational space.³⁸⁴ The utility of this tool was evident when a journalist, under threat, was evacuated while reporting on the "*Mouvement du 23 mars*" or March 23 Movement (M23) rebel military group's activities in a conflict area.³⁸⁵ More broadly, in the wake of M23's most recent incursions in the Rutshuru territory, the proactive engagement of JHRO was crucial to help ensure the safety of threatened journalists and civil society members.³⁸⁶ Following such interventions, the PIO and Radio Okapi have been vital in supporting evacuated journalists by providing training and facilitating their placement in different media outlets.³⁸⁷ Further, MONUSCO has facilitated the professional development of local media through funding and capacity building initiatives.³⁸⁸

380 Interview with UNMISS HRD official, 5 June 2023, Juba, (Interview #123); Interview with participants of a Focus Group Discussion with CSOs, 31 May 2023, Juba, (Interview #108-114).

381 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with researcher, 31 July 2023, online, (Interview #9); Interview with an international mission delegate, 14 September 2023, Kinshasa, (Interview #34). See also Human Rights Watch. (2023). "DR Congo: Crackdown on Opposition Ahead of Elections", 22 August. <https://www.hrw.org/news/2023/08/22/dr-congo-crackdown-opposition-ahead-elections>. In August 2023, the JHRO reported that "the pre-electoral environment in [Congo] is increasingly characterised by a narrowing of civic space and political and electoral violence, arbitrary arrests and detentions, abductions and threats targeting political opponents, excessive use of force against peaceful demonstrators, and hate speech and incitement to violence". The office warned that such abuses "risk damaging the credibility of the electoral process" and "increase the risk of violence".

382 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with CSO representative, 19 September 2023, Goma, (Interview #46).

383 Interview with CSO representative, 23 August 2023, Goma, (Interview #61); Interview with CSO representative, 23 August 2023, Goma, (Interview #70); Interview with journalist, 23 August 2023, Goma, (Interview #67); Interview with journalist, 23 August 2023, Goma, (Interview #68).

384 Interview with journalist in the DRC, 23 August 2023, Goma, (Interview #67); Interview with journalist, 23 August 2023, Goma, (Interview #68).

385 Interview with journalist, 23 August 2023, Goma, (Interview #68).

386 Interview with JHRO officials, 11 September 2023, Kinshasa, (Interview #23).

387 Interview with MONUSCO official, 19 September 2023, Goma, (Interview #43).

388 Interview with journalist, 23 August 2023, Goma, (Interview #67). For further information on MONUSCO's capacity building activities targeting journalists, see section 3.5 Capacity building and engagement with civil society and community-based organisations (CBOs).



Ivan Šimonović (right), United Nations Assistant Secretary-General for Human Rights, meets with internally displaced women from the Protection of Civilians Camp (POC) in Malakal, South Sudan. Photo: UN Photo/JC McIlwaine

In addition, MONUSCO's presence has, in some instances, broadened civic space, deterring potential human rights violations. A civil society representative shared an interaction highlighting MONUSCO's role as a deterrent to oppressive actions by local authorities.³⁸⁹ However, it is worth noting different perceptions regarding the mission's impact. While some view MONUSCO as integral to the protection of civic space and journalistic freedoms, others believe that its eventual departure may not significantly impact freedom of expression within the DRC.³⁹⁰

SPMs also promote and uphold human rights norms and standards in their host countries by advocating for the protection of individual rights and freedoms, such as freedom of speech, assembly, and association. In UNAMA, HRS has played a significant role in creating a space for other human rights actors in Afghanistan, including civil society, to engage in conversation

389 Interview with CSO representative, 23 August 2023, Goma, (Interview #73).

390 Interview with journalist, 12 September 2023, Kinshasa, (Interview #27).

on human rights issues.³⁹¹ However, since the Taliban takeover of Afghanistan in 2021, civic space and any expression of dissent, including the work of CSOs, has been severely restricted; the status of civic space in Afghanistan is currently described as “closed”.³⁹² In this context, HRS’ ability to pursue capacity building and engagement with civil society has been greatly constrained, not least given overall access challenges which have impacted the mission’s ability to report on the harassment of protesters, human rights defenders, journalists and other civil society actors. Yet, despite these challenges, Afghan civil society continues to look to UNAMA to create platforms and space for local civil society.³⁹³ So far, this remains difficult for both the mission as a whole and HRS, especially within provinces with severe limitations on civil society.

Furthermore, UNOWAS is facing a regional context in which legislation designed to combat terrorism is being used to curtail or target political opponents, leading to a shrinking civic space exacerbated by the coups d’état in the region (Niger, Mali and Burkina Faso) followed by suspensions of any forms of public demonstrations and crackdowns on media freedoms. In Niger, Burkina Faso and Mali, media and civil society actors who have spoken publicly on human rights issues and expressed dissenting opinions have been the subject of media debate and public scorn.³⁹⁴

Summary

Safeguarding the right to broad-based participation in everyday political life, particularly during critical election periods, is a critical element of efforts by peace operations to support sustainable political solutions and, ultimately, peacebuilding. As with transitional justice discussed above, HR officials and expertise have been central to prioritising, devising, advising on and monitoring rights-oriented efforts to defend and preserve civic space across the spectrum of missions examined. As civic space comes under continued pressure in many mission settings, this offers a significant value added of having robust and capable human rights presences.

391 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208).

392 CIVICUS Monitor. (2022). “People Power Under Attack”, <https://civicusmonitor.contentfiles.net/media/documents/GlobalFindings2022.pdf>, p. 6 and 33; CIVICUS Monitor. (2022). “Afghanistan: The Taliban’s assault on civic space, a year on from its takeover”. <https://civicus.contentfiles.net/media/assets/file/Afghanistan.CountryBrief.August2022.pdf>.

393 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208).

394 In Niger, four activists from ‘Tournons la Page’ (TLP) Niger and Mathieu Pourchier, an employee of ‘Agir ensemble pour les droits humains’, were “arrested and spent the night in police custody in Niamey” in late 2021. See France24. (2021). “Niger: protestations d’ONG après l’arrestation de cinq activistes, dont un Français”, 12 December. <https://www.france24.com/fr/afrique/20211212-niger-protestations-apr%C3%A8s-l-arrestation-de-cinq-activistes-dont-un-fran%C3%A7ais>. In Burkina Faso, activist Naïm Touré, known for his criticism of the governance of the “Mouvement du peuple pour le progrès”, regime was arrested in late 2019. See Boureïma. (2019). “Burkina: l’activiste Naïm Touré arrêté par la police nationale”. *WakatSera*, 13 November. <https://www.wakatsera.com/burkina-lactiviste-naim-toure-enleve>. In Mali, six cases of arrest “were allegedly carried out” by Mali’s State Security in December 2020. See Ben Ahmed, L. (2020). “Mali: arrestation de plusieurs personnalités”. Anadolu Agency, 24 December. <https://www.aa.com.tr/fr/afrique/mali-arrestation-de-plusieurs-personnalit%C3%A9s/2087421>.

5.6 Detecting and combatting hate speech and mis-/disinformation

Most of the contexts examined for this study were, to varying degrees, characterised by a harmful communication environment. In many of these settings, disinformation and hate speech have been utilised as a way of inciting violence against minority groups determined by ethnicity, gender, and religion, among others, particularly during vulnerable moments of disruption (e.g., elections, transitions, etc.). By sowing discord, division and othering communities, hate speech, mis- and disinformation create impediments to many UN peace operations objectives from conflict prevention to peacebuilding. The fact that these practices, particularly mis-/disinformation, are increasingly targeted directly at the UN makes this an even more pressing concern.³⁹⁵ Human rights sections have played a significant role in engaging, coordinating, and leading proactive measures to detect, analyse and respond to mis-/disinformation and hate speech.

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5.6.1 Mis-/disinformation

Disinformation has become a common strategy in Mali. Groups of influencers are given logistical and financial support to create a narrative that can manipulate national public opinion on political issues. In particular, some public speeches targeting the United Nations have gone viral online, leading to calls to attack mission vehicles and personnel. In MINUSMA, HRD has played a key role in devising a mission-wide action plan to address mis-/disinformation.³⁹⁶ A strategy and open-source monitoring and reporting mechanism have been put in place by HRD to alert the mission leadership, with an ad hoc report on misinformation generated from this mechanism. Focal points have been identified, capacitated for data analysis and provided with the tools to report on the indicators identified. This mechanism has equipped the mission to detect elements such as hate speech, disinformation and misinformation better, and enabled its leadership to act or provide good offices based on credible information. It has also enabled the mission to intervene in situations that could have been prejudiced by misinformation or hate speech.³⁹⁷

395 Trithart, A. (2022). "Disinformation against UN Peacekeeping Operations". New York: International Peace Institute. https://www.ipinst.org/wp-content/uploads/2022/11/2212_Disinformation-against-UN-Peacekeeping-Ops.pdf.

396 Interview with former member of MINUSMA HRDP team, 19 October 2023, online, (Interview #211).

397 Ibid.

In the DRC, disinformation campaigns have greatly contributed to fostering discontent directed at the mission.³⁹⁸ Following violent protests against the mission in July 2022, MONUSCO enhanced its monitoring of social media trends to increase its awareness of possible disinformation. A JHRO official underscored the significance of strategic communication in navigating and mitigating the challenges posed by disinformation campaigns directed against MONUSCO.³⁹⁹ Disinformation campaigns have significantly hampered the mission's ability to execute its human rights mandate effectively. Another JHRO official remarked that, in some cases, security risks associated with heightened anti-MONUSCO sentiment hindered essential human rights monitoring activities, particularly in the East of the country.⁴⁰⁰ The risky security environment, stemming from anti-MONUSCO sentiment, temporarily prevented the Office from carrying out investigative and capacity building activities.⁴⁰¹ To tackle disinformation, JHRO has engaged in mission efforts to train parliamentarians and the media while promoting more accurate information-sharing via social media platforms among youth groups in higher education institutions.⁴⁰²

In MINUSMA, HRD has played a key role in devising a mission-wide action plan to address mis-/disinformation.

While providing support to host governments is an important aspect of the UN's efforts to address hate speech, state-based solutions have, at times, counterintuitively suppressed freedom of speech.⁴⁰³ In this regard, impartial UN reporting, including on culpability for human rights violations, is becoming increasingly important in countering the increased turn to propaganda and strategic disinformation by warring parties and their backers. Human rights procedures for verifying and triangulating data sources help to ensure a more accurate information base upon which to contest mis-/disinformation while supporting the work of public information sections.

UN radios are another essential enabler for peace missions' ability to respond to and tackle mis-/disinformation. In South Sudan, a recent public opinion survey found that of the 60% of South Sudanese respondents who access the radio, more than 80% listened to UN Radio Miraya, 92.3% of whom believed that the station was fair, impartial, and provided accurate information. Radio Okapi in the DRC has also been instrumental in providing a reliable source

398 Interview with JHRO official, 12 July 2023, online, (Interview #1); Interview with JHRO official, 1 August 2023, online, (Interview #10); Interview with MONUSCO official, 23 September 2023, Goma, (Interview #54); MONUSCO. (2020). "Interview with SRSB Bintou Keita, Battling Fake News for Peace and Security in the DR Congo", 3 October 2023, <https://monusco.unmissions.org/en/interview-battling-fake-news-peace-and-security-dr-congo>.

399 Interview with JHRO official, 1 August 2023, online, (Interview #10).

400 Interview with JHRO official, 26 July 2023, online, (Interview #3).

401 Interview with JHRO official, 1 August 2023, online, (Interview #10).

402 Action for Peacekeeping. (2023). "3rd Progress Report: June 2023: Peacekeeping Operations". https://peacekeeping.un.org/sites/default/files/a4p_progressreport3_final_aug_1_2023_0.pdf.

403 UNGA. (2021). "Disinformation and freedom of opinion and expression: Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan". A/HRC/47/25. <https://www.ohchr.org/en/documents/thematic-reports/ahrc4725-disinformation-and-freedom-opinion-and-expression-report>.

of information, as acknowledged by civil society representatives.⁴⁰⁴ Furthermore, interviews with public information sections in both MONUSCO and UNMISS described how HR colleagues played important roles in initiating and informing programming on Radio Okapi and Radio Miraya,⁴⁰⁵ respectively.⁴⁰⁶ A range of complementary social media campaigns (e.g., in the DRC) has also sought to deter mis-/disinformation practices by highlighting their roles and responsibilities as well as their impact.

Interviews with public information sections in both MONUSCO and UNMISS described how HR colleagues played important roles in initiating and informing programming on Radio Okapi and Radio Miraya.

5.6.2 Hate speech

In line with the SG's Plan of Action (2019), human rights actors in field missions make significant contributions to tackling hate speech by monitoring conventional media and social media, and working with local media outlets to combat hate speech. Missions' use of HR procedures for verifying and triangulating data sources provides a higher fidelity of information base upon which to attribute hate speech.⁴⁰⁷

In the DRC, JHRO actively monitors hate speech and disinformation in line with its mandate to protect civilians and ensure the safety and security of UN personnel.⁴⁰⁸ Its increasing focus on hate speech reflects emerging trends in the DRC of a surge in incidents of hate speech.⁴⁰⁹ An official from JHRO highlighted the connection between the escalation of hate speech and the rise in violent fatalities, particularly in the East.⁴¹⁰ In response, MONUSCO established a task force dedicated to combatting hate speech, coordinating targeted actions and responses in the Eastern provinces where the mission is operational.⁴¹¹ Initiatives spearheaded by this task force focus on sensitising communities to the dangers of hate speech and strategies to prevent it.

404 Interview with CSO representative, 13 September 2023, Kinshasa, (Interview #33); Interview with journalist, 12 September 2023, Kinshasa, (Interview #27).

405 One of the largest radio stations in South Sudan with programming mostly in English.

406 Interview with UNMISS CPID officials, 30 May 2023, Juba, (Interview #87 and 88); Interview with MONUSCO official, 19 September 2023, Goma, (Interview #43).

407 OHCHR. (2011). "Manual on Human Rights Monitoring, Chapter 13: Human Rights Reporting". HR/P/PT/7/Rev.1. <https://www.ohchr.org/sites/default/files/Documents/Publications/Chapter13-MHRM.pdf>.

408 UNSC. (2021). S/RES/2612. <http://unscr.com/en/resolutions/doc/2612>.

409 Interview with JHRO official, 1 August 2023, online, (Interview #10).

410 Ibid.

411 Ibid.

Collaborative efforts between JHRO and other organisational units, including PIO, have been key for organising campaigns and workshops aimed at countering hate speech.⁴¹² For example, Radio Okapi has aired programmes, featuring JHRO participation, focusing on preventative measures against hate speech in the DRC.⁴¹³ To combat disinformation and hate speech, MONUSCO has facilitated workshops involving various stakeholders, including WhatsApp group administrators, journalists, political party representatives, and CSOs.⁴¹⁴ These workshops focus on strategies to identify and fight disinformation and hate speech. UNPOL's training modules for the PNC have also included content on information manipulation and hate speech, with JHRO contributing expertise on the issue, given its knowledge of local contexts and violence linked to hate speech.⁴¹⁵

Collaborative efforts between JHRO and other organisational units, including PIO, have been key for organising campaigns and workshops aimed at countering hate speech.

JHRO has further coordinated with national regulatory bodies, the DRC Ministry of Communication, and self-regulation mechanisms to conduct workshops raising awareness about hate speech.⁴¹⁶ Furthermore, JHRO's capacity building workshops for national authorities, such as the National Human Rights Commission, have included discussions on the repercussions of hate speech.⁴¹⁷ However, a former JHRO official noted that despite national authorities' efforts to enact provisions against hate speech, enforcement and prosecution remain challenging.⁴¹⁸ In this regard, the mission has worked with national actors towards a more robust response to cases of incitement to violence.⁴¹⁹

In other settings, UN field presences have played important roles in devising overarching regional approaches to tackle the growing threat posed by hate speech. For instance, in response to increasing incidences of hate speech in the Horn of Africa, OSE-HOA has sought to raise awareness, advocate and provide requisite training to address and curb the issue of hate speech. The OSE-HOA, working in collaboration with the Office of the Special Adviser on Genocide

412 Interview with MONUSCO official, 19 September 2023, Goma, (Interview #43).

413 Ibid.

414 Interview with MONUSCO official, 19 September 2023, Goma, (Interview #43); MONUSCO. (2023). "La MONUSCO forme soixante personnes à la lutte contre la désinformation et les discours de haine à Beni", 6 October. <https://monusco.unmissions.org/la-monusco-forme-soixante-personnes-%C3%A0-la-lutte-contre-la-d%C3%A9sinformation-et-les-discours-de-haine-%C3%A0>.

415 Interview with UNPOL officials, 21 September 2023, Kinshasa, (Interview #52).

416 UN Peacekeeping. (2022). "MONUSCO launches appeal against hate speeches in the Democratic Republic of Congo", 13 June. <https://peacekeeping.un.org/en/monusco-launches-appeal-against-hate-speeches-democratic-republic-of-congo>.

417 Radio Okapi. (2023). "Haut Katanga: le BCNDH invite les acteurs politiques à bannir les discours de la haine pendant la campagne électorale", 13 January. <https://www.radiookapi.net/2023/01/13/actualite/societe/haut-katanga-le-bcndh-invite-les-acteurs-politiques-bannir-les-discours>.

418 UN Peacekeeping. (2022). "MONUSCO launches appeal against hate speeches in the Democratic Republic of Congo".

419 Interview with JHRO official, 12 July 2023, online, (Interview #1).

Prevention, has sought to use the coordination and political mandate of the Office of the Special Envoy to discuss hate speech as a regional peace and security threat. Further, OSE-HOA convened and led a process to develop a full strategy on hate speech in the region. By bringing together other UN field missions from the sub-region (e.g., UNMISS, UNITAMS), regional bodies (e.g., IGAD) and a range of civil society bodies, OSE-HOA has been able to leverage its convening power to facilitate a comprehensive approach to addressing issues of hate speech, leading to guidance on effective capacity building initiatives in this area.⁴²⁰ A similar approach has been taken by UNOCA in Central Africa, with a regional strategy being finalised as the blueprint for derivative national strategies.

OSE-HOA convened and led a process to develop a full strategy on hate speech in the region. By bringing together other UN field missions from the sub-region (e.g., UNMISS, UNITAMS), regional bodies (e.g., IGAD) and a range of civil society bodies, OSE-HOA has been able to leverage its convening power to facilitate a comprehensive approach to addressing issues of hate speech, leading to guidance on effective capacity building initiatives in this area.

Human rights also contribute to efforts to detect and counter hate speech that have facilitated early warning and enabled early action to prevent violence during election periods. In South Sudan, UNMISS has continued to track hate speech in collaboration with the National Human Rights Commission. Indeed, the mission has trained the sub-national components of the Commission, providing reporting and verification support, as well as civil society.⁴²¹ At the sub-regional level, joint regional analysis provided by the OSE-HOA and the various technical arms of the UN, along with IGAD, have created a coordinated approach to preventive diplomacy in the region.⁴²² In the case of the 2022 Kenya elections, collaboration between the OSE-HOA, Kenya Regional Coordinator Office (RCO), UNDP, civil society and national human rights institutions was evident in the tracking, verification and reporting of mis-/disinformation and hate speech. In addition to the good offices of the OSE-HOA, missions also provide proximate support, especially to national human rights institutions, through capacity building and reporting of hate speech incidents.

420 Interview with OSE-HoA officials, 31 August 2023, online, (Interview #241-242).

421 Interview with CSO representative, 3 June 2023, Malakal, (Interview #152).

422 Interview with OSE-HOA officials, 31 August 2023, online, (Interview #241-242).

However, across a range of cases examined, UN initiatives tended to be concentrated on mitigating the dangers associated with divisive language, failing to connect immediate action with extended strategies aimed at resolving the fundamental problems of exclusion and resentment that often create a conducive atmosphere for hate speech.

The potential of human rights actors to empower efforts to tackle mis-/disinformation and hate speech points to a critical role for HR in these settings, which is likely to increase in the future.

Summary

Whether part of regional strategies or individual country approaches, proactive efforts to prevent and address mis-/disinformation and hate speech are fundamental to tackling underlying drivers of conflict and achieving the aims of contemporary peace missions. Indeed, impartial reporting by the UN, including on culpability for human rights violations, is increasingly important in countering the rise of the use of propaganda and strategic disinformation by warring parties and their backers. The potential of human rights actors to empower efforts to tackle mis-/disinformation and hate speech points to a critical role for HR in these settings, which is likely to increase in the future.

5.7 Transitions

Human rights concerns often persist after missions are instructed to drawdown and the UN presence in a country transitions to new arrangements. HR components within field missions play a particularly important role in these transitions between different UN configurations. Indeed, their membership status within the UNCT, sometimes based on stand-alone MoUs with the host government and linkages to the work of the Human Rights Council and its various mechanisms, highlights their institutional knowledge and continuity compared to other components of peace missions.

Human rights actors – whether in follow-on missions, a UNCT, or regular OHCHR presence – are crucial in ensuring early warning, POC, and continuing monitoring beyond the life of a mission. In the DRC, the role of JHRO remains central to sustaining the legacy of POC knowledge and good practices developed over the mission's lifetime. In support of MONUSCO's ongoing transition, JHRO has been training UN agencies on protection within the limits of their

respective mandates and available resources.⁴²³ Both agencies and international and national humanitarian partners have expressed the need to be trained and informed about what will happen to existing POC mechanisms once the mission leaves.⁴²⁴ The eventual completion of the mission's withdrawal creates concerns that JHRO, under the sole authority of OHCHR, will not have the necessary capacity and leverage to continue its actions, while the needs will remain and could even increase. As one human rights defender in Goma asked: "MONUSCO are the eyes of [the] international community deterring people from committing serious crimes; once [they are] gone, what will happen?"⁴²⁵

Human rights actors – whether in follow-on missions, a UNCT, or regular OHCHR presence – are crucial in ensuring early warning, POC, and continuing monitoring beyond the life of a mission.

Notably, 75% of the JHRO's resources, including staff in the DRC, are currently funded through the MONUSCO budget.⁴²⁶ Excluding salaries, the mission's support, including flights, security analysis from the UN Department of Safety and Security (UN DSS), and security support provided by the Force allows for the safe deployment of JHRO personnel to carry out core monitoring and investigation activities, support to mobile courts, and outreach to victims in remote and unstable areas.⁴²⁷ The OHCHR presence in the DRC after the mission's withdrawal will be funded under regular budget funds through mandates provided by the Human Rights Council and voluntary contributions from Member States. This shift from assessed Member States contributions through MONUSCO will create a major gap for the continuation of human rights activities in the DRC.

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423 Interview with JHRO official, 9 August 2023, online, (Interview #12).

424 Interview with UN official, 14 August 2023, online, (Interview #14); Interview with UN official, 9 August 2023, online, (Interview #13); Interview with humanitarian worker, October 2023, online, (Interview #81).

425 Interview with CSO representative, 19 September 2023, Goma, (Interview #46).

426 Interview with former MONUSCO official, 1 August 2023, online, (Interview #10); Interview with MONUSCO official, 13 September 2023, Kinshasa, (Interview #29); Interview with former MONUSCO official, 29 August 2023, online, (Interview #18).

427 Interview with former MONUSCO official, 29 August 2023, online, (Interview #18); Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23).

Furthermore, the previous closure of offices in the West of the country has significantly impacted the monitoring and reporting of human rights violations, particularly those committed by state actors. As one interviewee emphasised: “If you don’t have human rights violations of the political space, it is because JHRO, with the few staff they have left, is focusing on the armed groups in the East, and it is not because violence decreased”.⁴²⁸ Another preoccupation shared by some interviewees is whether, without MONUSCO’s good offices, the OHCHR will receive a sufficient level of cooperation from the host state to fulfil its mandate.⁴²⁹ During tense relations between the mission and the Congolese government, many questioned whether the OHCHR will have sufficient leverage to ensure investigations are conducted if the authorities are unwilling to authorise them, particularly given the ongoing military state of siege in the East. Others highlighted the risk that the joined-up approach realised under MONUSCO may be lost if other UN agencies, funds and programmes distance themselves from OHCHR for fear of a deterioration in their relations with the government. As one former MONUSCO official argued: “In the UN system, everyone repeats that human rights are at the heart of the UN’s work, but in reality, no one really wants to commit to human rights”.⁴³⁰ For one civil society leader:

[T]he unit [that] should be the last one to leave is JHRO, [...] as the challenges of consolidating the rule of law must involve the continued possibility and capacity to promote human rights. If MONUSCO leaves, it must involve the strengthening of the human rights country team.⁴³¹

Similarly, the International Federation for Human Rights (FIDH) issued a statement highlighting the central role played by JHRO in the DRC in the past decades and called on Member States and the UNSC to dedicate sufficient funding and resources to the Human Rights Office during and after the transition.⁴³²

Although MINUSMA may have left, through its other agencies, funding and programmes, the UN will still be present to support the Malian authorities in protecting civilians and pursuing human rights monitoring and reporting.

428 Interview with journalist, 27 July 2023, online, (Interview #7).

429 Interview with JHRO official, 11 September 2023, Kinshasa, (Interview #23); Interview with journalist, 27 July 2023, online, (Interview #7); Interview with former MONUSCO official, 29 August 2023, online, (Interview #18).

430 Interview with former MONUSCO official, 26 July 2023, online, (Interview #5).

431 Interview with CSO representative, 19 July 2023, online, (Interview #2).

432 Fédération Internationale pour les Droits Humains. (2023). “Départ de la Monusco en RDC: la protection des civils et des droits humains doit être au centre des préoccupations”, 13 December. <https://www.fidh.org/fr/regions/afrique/rdc/rdc-la-protection-des-civils-et-des-droits-humains-doivent-etre-au>.

In Mali, where the transition was foisted upon the mission in usual circumstances with very short timelines, human rights also played a critical role in planning how to address the protection gap after mission withdrawal. Although MINUSMA may have left, through its other agencies, funding and programmes, the UN will still be present to support the Malian authorities in protecting civilians and pursuing human rights monitoring and reporting. These agencies' work, particularly the OCHCR, is vital for ensuring that the Malian authorities respect and protect human rights. However, whether UNCTs and humanitarians in Mali have the requisite numbers to cover the entire country or the funding to support the conduct of independent human rights investigations remains unclear, particularly within a context of abuses perpetrated by Islamist armed groups, government forces, allied foreign fighters, and militias. Meanwhile, the mission is helping Malian actors prepare for takeover once it leaves the country. Since August 2023, several roundtable discussions between MINUSMA, the UNCTs and the Malian authorities have taken place on charting a path forward and the nature of support that should be offered to local authorities to ensure no void is created when the mission leaves. Interviews conducted highlighted the need for the Resident Coordinator and UNOWAS to help ensure that the UN will continue to play a political role in the country and help promote civilian protection, even without a UN special representative for Mali.⁴³³

The examples above point to the importance of human rights as a “bridge” between different moments and manifestations of the UN system in a particular country.

However, transitions also occur in reverse and mission mandates are subject to change and evolve, which may require human rights functions to adapt based on resources and available support. In Yemen, Afghanistan, and several other SPMs, a small UN field presence will be upscaled when a new SPM or PKO is launched. While missions have a range of start-up capacities and standby arrangements, OHCHR will often have an office with human rights experts undertaking some of the functions that are often incorporated into peace operations. This affords them leverage and insight that becomes essential to planning for a changed field presence and allows for some continuity and a stronger starting point regarding contextual knowledge, data collection and analysis. This can be a catalyst for new mission configurations, which can draw on this expertise in the early phases of deployment.

433 Interview with UNOWAS human rights officer, 7 September 2023, online, (Interview #239).

Summary

As such, in settings where a UN presence is drawing down and reducing its footprint, handing over core responsibilities from one field presence to another or scaling up, as well as having and retaining human rights capacities and initiatives, may be more imperative than ever. The examples above point to the importance of human rights as a “bridge” between different moments and manifestations of the UN system in a particular country.

5.8 Conclusion

As a pillar of the UN system, and as per Human Rights Up Front and the SG’s Call to Action, human rights is a fundamental part of everything that peace missions do, whether explicitly mandated or not. As has been shown, human rights can enable a wide range of cross-cutting functions that are critical to overall mission effectiveness. In particular, HR information, analysis and principles play an essential role in efforts to tackle the root causes of insecurity and cycles of violence and atrocities. Yet, these are not discrete contributions, as most objectives of peace missions are interconnected. In this way, human rights work and actors contribute indirectly to overarching mission objectives. As a result, HR is inherently peacebuilding with essential contributions to sustaining peace sought through a range of different field mission configurations. Furthermore, while some programmatic areas are ephemeral in that they are more important at the start or perhaps at the end of a mission life cycle, human rights and protection concerns endure and, therefore, need to be accounted for in transitions between distinct types of field missions and during handovers to a Country Team.



As part of a feature photo news story, the United Nations Assistance Mission in Afghanistan (UNAMA) accompanied Georgette Gagnon, an international human rights lawyer and Director of Human Rights at UNAMA, on a recent field trip she took to eastern Afghanistan. Ms. Gagnon meets with Sabina Hameedi, the acting head of the local office of the Afghanistan Independent Human Rights Commission (AIHRC) in Nangarhar Province. Photo: UN Photo/Fardin Waezi.

6. Conclusion and recommendations

The violation and abuse of human rights are both a root cause and direct driver of violent conflict around the world. This study has produced and consolidated evidence demonstrating that **UN peace operations efforts to advance human rights contribute to reducing violence levels and to longer-term sustainable peace**. The impact is not always direct – in many cases, the contribution of human rights components is difficult to pin down, let alone establish causation. However, across a wide range of settings, there is a record of human rights efforts improving the early warning, conflict management, and peacebuilding outcomes of peace operations.⁴³⁴

These findings reinforce a growing body of scholarship and internal UN assessments that recognise the significance of human rights activities, norms and principles in peace operations.⁴³⁵ This is a virtuous cycle: human rights activities help peace operations achieve a range of objectives central to their mandates; peace operations are crucial vehicles for improving human rights outcomes in conflict settings. An important finding of this study is that **the positive benefits**

434 The principles and commitment to impartiality that underpin human rights work in missions can provide a level of support for its work that feeds a larger sense of legitimacy and trust in the UN to engage in political dialogue and mediation with parties to a conflict.

435 See, for example, Day, A. & Hunt, C.T. (2021). “Protecting Together: Lessons from Mali and South Sudan on Coherence Between Human Rights and Military Components in UN Peace Operations”; OHCHR. (2013). “United Nations Peace Operations Guidance Note: Integrating Human Rights in United Nations Military Components: Good Practices and Lessons Learned”; Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”; UN. (2020). “Integrating Human Rights into Peace Operations Brings Missions Closer to People, Advances Inclusive Development, High Commissioner Tells Security Council”. 7 July. SC/14242. <https://www.un.org/press/en/2020/sc14242.doc.htm>

of human rights work accrue across different kinds of missions and at different moments in conflicts. Whether a small envoy's office or a large, multidimensional peacekeeping mission, human rights-based engagement can enable more effective operations. Moreover, whether deployed at the earliest onset of violent conflict or well after the height of hostilities, human rights efforts within UN missions have a unique and tangible value added.

UN peace operations efforts to advance human rights contribute to reducing violence levels and to longer-term sustainable peace.

As the UN system – in particular the Security Council and General Assembly – takes up the New Agenda for Peace's call to reflect on the limits and future of peacekeeping, human rights will need to be kept front and centre.⁴³⁶ Indeed, if the future of UN peace operations is headed toward smaller, lighter-footprint missions, then the imperative to employ all available tools beyond the use of force may provide further impetus for upscaling and prioritising human rights. This includes the independent monitoring functions of OHCHR and the work to strengthen national human rights institutions. Furthermore, as the larger missions transition out of some of the worst conflict-affected settings, **human rights-focused presences may be one of the most crucial bridges to prevent relapse into war.**

Across a wide range of settings, there is a record of human rights efforts improving the early warning, conflict management, and peacebuilding outcomes of peace operations.

At the same time, this study also highlights several challenges in pursuing a rights-based approach by UN operations. In some settings, the promotion of human rights is viewed with suspicion as an outside and intrusive agenda and/or a risk to a fragile peace process. In a distortion of the purpose of the UN Charter, human rights are sometimes characterised as an imposition on state sovereignty. Within missions, there can be a tendency to sideline human rights-focused efforts as a distraction from delicate political processes or a burden on already stretched operational needs. The findings in this study suggest that this is indeed a “false dichotomy” – in the overwhelming majority of cases, human rights components enable better outcomes in political processes, POC, delivery of humanitarian assistance, and improving the governance functions of conflict-affected states. **Human rights activities are sovereignty-enhancing.**

436 UN. (2023). “A New Agenda for Peace: Our Common Agenda, Policy Brief 9”. <https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf>, p. 24.

The positive benefits of human rights work accrue across different kinds of missions and at different moments in conflicts. Whether a small envoy's office or a large, multidimensional peacekeeping mission, human rights-based engagement can enable more effective operations. Moreover, whether deployed at the earliest onset of violent conflict or well after the height of hostilities, human rights efforts within UN missions have a unique and tangible value added.

These findings come at an important juncture for the broader human rights discourse, including the 75th anniversary of the Universal Declaration. At a moment of unprecedented geopolitical fracture and a “significant global retrenchment of human rights”,⁴³⁷ the downward pressure on the UN's peace and security work is stronger than ever. Indeed, the scepticism by many Member States concerning the role of human rights in peace operations may well result in a reduction of capacity at precisely the moment when many mission settings are facing some of their greatest challenges.⁴³⁸ Attempts by some Member States to cut funding for human rights components within budgeting processes via the Fifth Committee of the General Assembly are growing stronger by the year, while many Member States are shifting emphasis towards more militarised actions. The findings of this study point in the opposite direction: **If peace operations are to become more effective presences on the ground, capable of addressing both the immediate causes of violence and the deeper drivers of instability, they will need to be capacitated with robust human rights mandates and components and strong support by the broader UN architecture and Member States.**

As the larger missions transition out of some of the worst conflict-affected settings, human rights-focused presences may be one of the most crucial bridges to prevent relapse into war.

On this basis, the following recommendations offer specific and concrete actions that the UN Security Council, host governments, UN Secretariat, Member States, and mission leadership can take to ensure they are harnessing human rights for the maximum impact in conflict settings.

437 Ibid, p. 7.

438 International Crisis Group. (2023). “Ten Challenges for the UN in 2023–2024”. Special Briefing No. 11, 14 September. <https://www.crisisgroup.org/global/sb11-ten-challenges-un-2023-2024>. See also: Gowan, R. & Forti, D. (2023). “What Future for UN Peacekeeping in Africa after Mali Shatters Its Mission?” International Crisis Group, 10 July. <https://www.crisisgroup.org/global-mali/what-future-un-peacekeeping-africa-after-mali-shatters-its-mission>.

6.1 For the UN Security Council

1. Frame human rights principles, capacities and activities as enablers for mission mandates

Often, mandates silo human rights into a discrete set of activities and outcomes, contributing to a perception that rights are a standalone mission function. While it is important for human rights to receive targeted attention, this report suggests that a rights-based approach could also be worked across more mission mandate areas, including political processes, local conflict resolution, POC, and humanitarian engagement. The term “rights-based approach” is not well-defined in the peace operations context, and perhaps an initial step would involve a Security Council discussion – supported by the Secretariat – to develop a common understanding of the concept.

2. Leverage human rights actors as a bridge for mission transitions

As some of the largest missions begin to transition out of volatile settings, there is a risk that large-scale conflict may return. In particular, as missions reduce their static footprint and related early warning capabilities, the UN may be poorly positioned to anticipate new signals of escalation and/or carry out POC work. Ensuring that human rights actors are able to maintain a strong footprint and mandates on the ground, and considering how rights can form one of the backbones of mission transition planning, could help the Security Council reduce relapse risks. The dual role that the OHCHR can play – reporting both within UN missions and as an independent actor – can be especially important in transitional moments.

3. Protect human rights from downward pressures

There is a clear link between mandate language and the ability of missions to maintain critical functions in the face of downward budgetary pressure. The Security Council can buttress human rights components against this pressure by maintaining specific mandate language, benchmarks, and core capacities related to human rights in peace operations. Specific in-briefings organised by the Security Council for incoming E-10 Members and focused on the value of human rights to peace operations could help build a positive culture across the Council.

4. Reaffirm human rights as a point of consensus

The Security Council remains deeply divided, and there is a risk that negative dynamics amongst Council Members will undermine much-needed political support for UN peace operations. At the same time, all Members of the Council have agreed on the UDHR, and there is a strong track record of Council Members reaching consensus on human rights language across its work.

This could be built upon by taking steps including dedicated sessions reaffirming the importance of human rights to the Council's work, informal sessions amongst Council Members to explore consensus issues on rights, and a dedicated discussion on the role of human rights in the "reflection" called for by the New Agenda for Peace.

6.2 For Host Governments

Policy reports seldom have a section of recommendations dedicated to host governments, but we believe the findings of this report warrant three recommendations in particular:

1. Lean into human rights

Across the cases, governments that expressed a willingness to work directly on and in support of human rights issues gained a wide range of benefits, including: (1) positive visibility with donors; (2) increased capacity building support; (3) a greater likelihood of receiving resources for key processes like elections; and (4) a positive narrative with the Security Council. The risks of ignoring human rights are also significant, allowing other actors to shape the approach and leading to a potential decreased willingness of donors to engage. Governments can reap immediate benefits through: (1) ratification and compliance with international human rights treaties' obligations and mechanisms; (2) budget allocations to support national human rights institutions and their activities, including the Justice Chain Actors and the NHRIs; and (3) public statements on the importance of human rights to the work of UN missions in country.

2. Embrace the HRDDP

The HRDDP is a powerful tool to build human rights capacity of national military and police and for increasing accountability, even in the absence of strong state institutions. In addition to advocating for human rights promotion and protection, the HRDDP can be instrumental in strengthening weak governance capacities by identifying and reducing risks, incentivising behaviour improvement, and garnering positive donor support for security sector reform. Indeed, the HRDDP can help channel resources to a wide range of governance activities related to non-UN security forces and relevant governance structures, adding much-needed support to states with weak infrastructure and institutional capacity.

3. Build more clarity on mission plans, approaches and goals from the outset

A recurring challenge in peace operations is a difference in view between the UN and host governments about the core purpose of a mission. This lack of common understanding is an especially acute problem in large missions with broad mandates and can result in disagreements

around the role of human rights, in particular. Host governments can take a proactive role by seeking greater granularity on mission plans, approaches, and goals from the outset. How the UN sees its human rights mandate unfolding over time and at key moments (for example, in elections or in the case of an escalation into violence) is something governments should actively seek to understand early on in a mission. This could even take the form of a “compact” between the mission and host government, setting out agreed areas of work and avoiding the misunderstandings that have existed in the past.⁴³⁹

6.3 For the UN Secretariat

1. *Develop a clear narrative on the contributions of human rights to UN peace operations*

As this study has shown, there is ample evidence demonstrating the important contributions that human rights make to UN peace operations, including tangible results that improve the lives of people in conflict-affected settings. The UN Secretariat could helpfully promote the concept of human rights as a problem-solving, conflict management tool, including in areas of work that are traditionally seen by some as more difficult, such as the pursuit of justice and accountability for past crimes. This may help address the longstanding concern amongst some, including those in the so-called Global South, that human rights represent a Western agenda or an intrusive set of interventions into the domestic affairs of states. Reframing the human rights agenda as an enabler of improved governance, a capacitor of the Sustainable Development Goals, and an integral part of sustainable peace, could help shift the narrative. This could be part of a broader effort to define a “rights-based approach”.

This value proposition could include a series of simple, empirically-backed statements, echoing core New Agenda for Peace messages such as:

- Protecting civil, political, economic, social and cultural rights has a direct impact on stability and the risks of violent conflict.⁴⁴⁰
- Serious violations of human rights are a direct driver of large-scale violent conflict, meaning addressing human rights results in reduced conflict risks.⁴⁴¹

439 Similar suggestions have included an MoU, to be established by the Council with the main conflict parties prior to authorising a peace operation, which would “serve to codify political consent and outline key points of agreement, including the intended core purpose and objectives of the mission”. See Gregory, J. & Sharland, L. (2023). “Host-Country Consent in UN Peacekeeping”. Washington, DC: Stimson Center, p. 42.

440 Pathfinders for Peaceful, Just and Inclusive Societies. (2021). “From Rhetoric to Action Delivering Equality & Inclusion, Flagship Report – September 2021”. NYU Center on International Cooperation. <https://s42831.pcdn.co/wp-content/uploads/sites/3/2023/03/From-Rhetoric-to-Action-Flagship-Report-2021-WEB.pdf>.

441 Cingranelli, D., Mark, S., Gibney, M., Haschke, P., Wood, R., & Arnon, D. (2019). “Human Rights Violations and Violent Internal Conflict”. *Social Sciences*, 8(2), 41. <https://doi.org/10.3390/socsci8020041>.

- Protecting human rights is one of the most important ways a country can end cycles of violence.⁴⁴²
- Access to justice reduces the risks of violent conflict in a wide range of settings.⁴⁴³
- Peace agreements with strong human rights aspects are more durable and effective.⁴⁴⁴
- Dealing with legacies of serious human rights violations and addressing communities' grievances and justice demands helps stabilise society, build trust, and foster social cohesion and reconciliation.⁴⁴⁵

2. *Support flexible approaches by missions*

In many of the missions covered, human rights discourse can act as a lightning rod that may sour relations with host governments or other important partners. Overly vocal or visible human rights approaches in these situations may undermine other mission priorities or even the ability of missions to carry on in country. However, there is positive practice in a range of mission settings where human rights issues are pursued under the radar or under the rubric of broader thematic agendas. One example is the work of UNMHA in Yemen, conducted under the theme of international humanitarian law, but also producing positive human rights impacts. The work of RoLSIS in South Sudan has also achieved significant gains in capacitating institutions against impunity, much of which has not been explicitly framed as human rights *per se*. As one expert suggested, some of the best human rights work is about “doing it without saying it”.

Here, the UN Secretariat (IOTs in particular) can support missions by providing flexible support that allows maximum freedom for mission leadership to change directions when needed. Rather than demanding New York-centric mandate implementation plans, delegating greater authority to missions to use resources as they see fit may allow for this kind of creative approach in more settings. Experiences in missions like MONUSCO – which has developed its own mission concept and POC implementation plans – offer good examples of the benefits of giving missions autonomy and flexibility.

442 Shay, C. W. (2023). “Swords into ploughshares? Why human rights abuses persist after resistance campaigns”. *Journal of Peace Research*, 60(1), 141-156. <https://doi.org/10.1177/00223433221140432>.

443 Andersson, D. (2023). “Rising to the challenge: Building peaceful, just, equal, and inclusive societies in a divided world”. Pathfinders for Peaceful, Just and Inclusive Societies. https://www.sdg16.plus/wp-content/uploads/sites/3/2023/07/Rising-to-the-Challenge_FINAL_7Jul23.pdf.

444 Pospisil, J. (2022). “Peace Accords and Human Rights”. In R. Mac Ginty, & A. Wanis-St. John (Eds.), *Contemporary Peacemaking: Peace Processes, Peacebuilding and Conflict*. London: Palgrave Macmillan (pp. 427-445). https://doi.org/10.1007/978-3-030-82962-9_21.

445 UN. (2023). “Guidance Note of the Secretary-General: Transitional Justice A Strategic Tool for People, Prevention and Peace”. https://www.ohchr.org/sites/default/files/documents/issues/transitionaljustice/sg-guidance-note/2023_07_guidance_note_transitional_justice_en.pdf.

3. Strengthen peace operations' capacities on economic, social and cultural rights

As the landmark UN-World Bank Pathways for Peace report underscored, horizontal inequalities amongst groups are some of the most important drivers of violent conflict.⁴⁴⁶ Nevertheless, the term “horizontal inequality” is a euphemism: most people in conflict settings experience inequality as violations of their rights to assembly, livelihoods, and development. The tendency of UN peace operations to focus almost entirely on political and civil rights means this basket of rights is often overlooked, despite being critical to sustainable peace. Indeed, field missions are seldom mandated or equipped to engage on socio-economic issues beyond fairly light cooperation with UNCT in some settings.

This is a missed opportunity and could be addressed by using the human rights infrastructure to understand and respond to social and political concerns. As the OHCHR Office Plan suggests, addressing horizontal inequality is already a top priority. Bringing this priority more centrally into the work of peace operations could create a positive knock-on effect. Such a shift would also clearly align with the emphasis on the political economy of conflict highlighted in the New Agenda for Peace.

4. Align human rights more directly with peace and security outcomes

Human rights engagement and peace and security outcomes in UN peace operations should be explicitly aligned. Whether reserving the right to issue some sensitive reports in the OHCHR's name only or flexibly publishing some reports around key moments in a country's trajectory (e.g., avoiding elections periods), there are many good practices that help to align the work of the OHCHR and the peace and security outcomes of missions.

This could be made more systematic via additional **joint guidance for the OHCHR and DPO/DPPA** that would go beyond extant guidance⁴⁴⁷ to offer leadership in missions' good practice, key decision considerations, and advice on using human rights effectively.

An even more important step would involve joining the peace and security architecture more directly with the human rights apparatus. Significant effort has gone into building a robust human rights presence in New York, including a strong team that advises UN peace operations at all levels. The same is not true of Geneva, where the DPO, DPPA and Peacebuilding Support Office (PBSO) do not have any presence. **Establishing a small advisory team of DPO/DPPA peace and security experts in Geneva** could help connect the strategic levels of the two pillars of the UN, replicating what has been a very positive initiative by the OHCHR in New York.

446 UN & World Bank. (2018). “Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict”. Washington, DC: World Bank.

447 For instance, the 2008 policy on public reporting and the 2011 policy on integration and other guidance were not technically co-signed by the OHCHR. However, the OHCHR was extensively involved in its development (e.g., the SOPs on accountability for crimes against peacekeepers, and SOPs on detention).

Beyond the immediate positive benefits of adding a peace and security lens to the work of human rights actors in Geneva, this would send a helpful signal that the work of human rights is, at its core, about prevention.

Other actions that could align the human rights architecture with the UN's peace and security work could include:

- Inclusion of the recommendations of HRC mechanisms in conflict analyses and needs assessments for peace operations mandates.
- Formalising the exchange of reports between councils through the SG.
- Involvement of RCs/triple hat DSRSs in country-specific HRC meetings.
- Enhancement of communication and information sharing between the mission and UNCT concerning HRDDP.
- Strengthen the mandate of Human Rights Advisors of Special Envoys' offices, including by ensuring they are part of the Envoys' Senior Management Team and have a double reporting line to the OHCHR.

5. Be a strong backbone for human rights

One of the most important roles the UN Secretariat can play is to support mission leadership in their human rights stance. Especially when governments place strong pressure on human rights issues (e.g., the expulsion of MINUSMA's head of HRD in early 2023), it is all the more critical that leadership is given visible, vocal support. This does not mean overly strident public comments, but it does mean sending **a strong message that human rights engagement is non-negotiable** and that missions have an integral mandate to pursue a human rights agenda. Indeed, having strong top-cover from HQ is often crucial to allowing field-based actors to conduct quieter human rights work.

There is a real risk in the coming years that some governments may seek to remove human rights activities from the mandates and capacities of UN presences that follow from outgoing peace operations. The pressure from some Security Council members to put human rights "first on the chopping block" for mission downsizing is a worrying trend. From the SG down, the message should be clear: UN peace operations are founded on human rights, and mission leadership has the unwavering support of HQ. Indeed, in some cases, the strongest human rights messages may need to come from New York (particularly from Council Members), leaving more flexibility for SRSGs to operate on the ground. According to a wide range of experts and mission staff, this dynamic has not been the case in recent years.

6. *Drive rights-based mission transitions*

As missions transition out or undergo major reconfigurations, there are often higher risks of relapse into open conflict. This “double transition” effect occurs because mission transitions are often concurrent with major changes in country (new governments and/or peace processes). The above cases suggest that human rights components play an indispensable part of mission transitions, maintaining a dynamic field presence and early warning function even as other mission presences leave. Notwithstanding challenges with ensuring that early warning translates into rapid responses, this is particularly important given that some of the most acute risks in transition moments concern a power grab by elites (e.g., the coups in Mali and Sudan), which can lead to large-scale violations of political rights as new governments crackdown on dissidents.

Existing UN guidance already requires that mission transition planning ensures sufficient capabilities to monitor and report on human rights issues. The experience of UNITAMS during Sudan’s coup points to the strategic importance of transition processes having strong human rights monitoring and reporting functions. Our findings strongly support this approach. We would go further, suggesting that a rights-based mission transition approach could help to position follow-on missions more strategically for the issues likely to arise during fragile moments in a country’s own transition. **Specific human rights benchmarks measuring the protection of political space, reduction of abuses, and increases of governance capacities in the areas of rule of law, justice, and policing should be part of transition plans.** Furthermore, clear red lines in the areas of POC – allowing for a pause in transition processes if major changes occur on the ground – would provide the UN with important leverage through transition processes.⁴⁴⁸

On a more technical level, OHCHR should be part of all mission assessment/planning processes, technical assessment missions (TAMs), and strategic assessment missions (SAMs) that inform and shape mission transitions. Furthermore, the OHCHR representatives must be at the right level of seniority to counter the weight of other parts of the UN taking part in the assessment.

Our findings suggest that multidimensional mission transitions pose a specific challenge for maintaining a human rights presence and capacity as an operation leaves a country. Many human rights components rely on mission team sites for their presence and ongoing operations. As those sites draw down, this leaves human rights without a physical base, often meaning the mission loses important eyes and ears at a time when awareness and early warning are crucial (the same problem exists for civil affairs). Part of **future mission transition plans should include a specific effort to maintain the physical presence of human rights capacities beyond the lifespan of military team sites.** Moreover, where no follow-on mission is envisaged, lessons

⁴⁴⁸ There is also a need for the OHCHR to be ready to take over, including through early resource mobilisation, particularly in cases where the establishment of a stand-alone OHCHR presence is: 1) possible and 2) necessary, e.g., in the case of transitions from UN peace operations to UNCT.

can be learned from creative PBF funding to maintain human rights activities beyond the mission's time on the ground.⁴⁴⁹

7. *Adopt a multi-scalar national-regional-international approach*

In recent years, the UN has developed a wide range of regional approaches and capacities, including new regional groupings in UN HQ, regional strategies for most conflict-affected arenas, and the creation of new regional offices (e.g., the Horn of Africa). These offer important forums for advancing the human rights agenda, particularly when the UN faces strong national constraints on its work or where rights concerns have a transnational aspect. **Embedding rights-based analysis and objectives more directly in regional strategies** would help the UN move more fluidly between national, regional, and international levels. In highly contested elections, immediate aftermaths of coups, or moments where authoritarian leaders are limiting political space in country, it can be more beneficial for the UN to engage regional actors on issues of rights abuses. Particularly in the African context, the cases examined demonstrate the crucial role that subregional organisations can play in engaging on delicate issues when the UN is unable to.

8. *Invest in adaptive peace and organisational learning*

Some of the cases studied in this report display an extraordinarily creative set of approaches from mission leaders and staff, often finding innovative ways to pursue a rights-based agenda without following traditional or visible pathways. In South Sudan, a joint special mobile court was created in 2021 by national authorities, with support from the Mission, to enforce a local peace agreement regulating cross-border cattle migration between two neighbouring states in the country, and to respond to past violence.⁴⁵⁰ The court, which works to sentence those convicted and order compensation in alignment with local traditions, has received broad praise from local communities for bringing peace to an area once considered a flashpoint of sub-national violence.

The ability of missions to adapt to new circumstances and creatively deploy their resources often comes up against the strictures of results-based budgeting and the inflexible requirements of New York-driven plans.⁴⁵¹ But as a growing body of scholarship demonstrates, nimble, adaptive forms of peacebuilding can deliver more effective and tailored results, achieving a wider

449 See Liberia, Burundi. See also examples from the forthcoming UNU-CPR Thematic Review on Human Rights and Peacebuilding, specifically the DRC case study which examines four PBF-funded projects with relevant insights for programming in the context of MONUSCO's gradual withdrawal from the country, as well as broader insights for pursuing programming in mission transition settings.

450 UNMISS. (2023). "Joint special mobile court resuming work on cases related to cross-border cattle migration", 10 February. <https://unmiss.unmissions.org/joint-special-mobile-court-resuming-work-cases-related-cross-border-cattle-migration>.

451 Hunt, Charles T. (2016). "Avoiding Perplexity: Complexity-oriented Monitoring and Evaluation for UN Peace Operations", in *Complexity Thinking for Peacebuilding Practice and Evaluation*, edited by Emery Brusset, Cedric de Coning and Bryn Hughes, pp. 79-109. Basingstoke: Palgrave-Macmillan.

range of benefits by responding to the needs of populations on the ground.⁴⁵² Building iterative approaches where theories of change are tested on the ground and where resources follow proven pathways for impact is essential to an adaptive approach.

Our findings align with this scholarship and add an important element to the equation: human rights reporting and analysis are crucial to this learning/adaptation process. Experts across missions pointed to the relevance and timeliness of human rights information, suggesting that it offered some of the most important indicators for how situations were developing, early signals of changing risk landscapes, and some of the most accurate depictions of how local populations were experiencing conflict.

An adaptive, iterative approach to peace operations should draw heavily on human rights components to ensure that it is able to shift resources to the activities most likely to deliver results. This also points to the priority of maintaining a strong human rights component throughout the lifespan of missions.

6.4 For Peace Operations

Across UN peace operations, there was a clear understanding that human rights were, *in principle*, a crucial part of the UN's mandate. However, in practice, some UN staff continued to see human rights components as a largely independent entity, reporting to Geneva more than the SRSG and posing a set of liabilities for the broader mission mandate. This was not a universal view, and our research suggests that human rights are increasingly being accepted as a “force multiplier” for missions. However, it will require continued efforts to build a common sense of synergy across missions. The following recommendations are geared toward this synergy.

1. *The political primacy of human rights*

One of the most common phrases heard in UN peace operations is the need to pursue “political solutions” with “political primacy”. This has become a near-universal mantra.⁴⁵³ In general terms, “political solutions” merely means understanding the whole picture, as well as understanding that there are no purely technical solutions to complex conflict dynamics. Beyond this, the term

452 de Coning, C. (2018). “Adaptive peacebuilding”, *International Affairs*, 94(2). <https://doi.org/10.1093/ia/iix251>.

453 UN Peacekeeping. (2018). “Action for Peacekeeping: Declaration of Shared Commitments on UN Peacekeeping Operations”. <https://peacekeeping.un.org/sites/default/files/a4p-declaration-en.pdf>; High-Level Independent Panel on UN Peace Operations. (2015). “Uniting Our Strengths for Peace: Politics, Partnership and People”. A/70/95-S/2015/446. https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_446.pdf, p. 24.

“political” tends to lose meaning and become a word that is used to describe the various elements of a national-level peace process or high-level engagement.⁴⁵⁴

The cases suggest that a rights-based approach can add much-needed texture and specificity to the concept of political primacy in peace operations. When mission priorities are described in terms of promoting respect for and protecting human rights, this can help to clarify tasks and objectives for mission leaders at all levels. For example, UNMISS’ priority tasks of constitution-making, protection of civic and political space in elections, and strengthening rule of law and accountability mechanisms were all described by senior mission leadership (SML) in terms of human rights protections. According to mission staff and experts, this was a crucial step in providing field-level leadership with clear plans and objectives in a fragile moment for South Sudan.

The cases in this study also suggest that a rights-based approach that affirms the rights of local populations and actively seeks to support them can deliver tangible outcomes and build trust in the UN.⁴⁵⁵ Furthermore, where mission leadership is involved in sensitive negotiations on peace processes, human rights reporting and analysis can provide important leverage with the parties. Of course, not all mission strategies need to announce human rights objectives stridently, but our cases point in the direction of missions gaining leverage, clarity, and strength by framing their strategies in rights-based terms.⁴⁵⁶

2. *The early warning function of human rights.*

Across the missions, there was evidence that human rights reporting and analysis generated important early warning signals of risks, including longer-term risks, of relapse or escalation. This points to the need for missions to integrate human rights directly into their early warning/response structures (most of them do already). Nevertheless, it also suggests that human rights can be a bridge between the short-term protection risks to civilians and the longer-term risks of instability, such as issues of inequality, grievance, governance capacity, and trust between state and citizen. As missions develop their strategic plans, it will be helpful to consider this dual function of human rights and to position rights-based benchmarks and objectives accordingly.

454 Day, A., Gorur, A., Holt, V.K., & Hunt, C.T. (2020). “The Political Practice of Peacekeeping: How strategies for Peace Operations are developed and implemented”. New York: UN University. <https://www.stimson.org/2020/the-political-practice-of-peacekeeping>

455 Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”, p. 26.

456 Russo, J., & Mamiya, R. (2022). “The Primacy of Politics and the Protection of Civilians in UN Peacekeeping”. International Peace Institute, 7 December. <https://www.ipinst.org/2022/12/primacy-of-politics-and-protection-of-civilians-in-un-peacekeeping>

3. *Due diligence as an enabler*

The evidence from the cases is clear: the HRDDP, when properly and strategically applied, can be an enabler of more effective, impactful operations. Strategic use of the HRDDP can develop better relationships with a range of partners, build capacity amongst state security actors, and mitigate some of the worst risks of operating in conflict settings. In settings like MONUSCO – with a long history of using the HRDDP – a practice has developed where SML treats due diligence as a strategic and helpful function. This positive practice is, in part, the result of a concerted effort by the DPO and OHCHR in recent years.⁴⁵⁷

However, in several missions, there was a lingering perception that the HRDDP was a burden that inhibited operational priorities, a “speedbump that slows us down”, as one mission staff remarked.⁴⁵⁸ These views were a clear minority, and there was, in fact, support across missions for the HRDDP (e.g., including in areas of transitional justice and rule of law work in Eastern DRC). This points to the need for mission leadership to send strong and clear messages about the enabling and strategic function of the HRDDP, as well as its utility in mitigating risks. Rather than consider the HRDDP as a “ban on generals flying on our planes”, the policy should be seen as one of the tools that can give missions leverage, build capacity, and deliver impact. Missions should also enhance strategic communication with state authorities in relation to human rights screening and decisions when these are taken. This would aim at mitigating the impact that the implementation of HRDDP might have on relationships with authorities in host states.⁴⁵⁹

4. *Flexible integration of human rights into mission structures*

A cross-case comparison suggests that there is no one-size-fits-all approach to integrating human rights into mission structures and operations. Indeed, any attempt to force missions to adopt strict guidance on integration may reduce their ability to use human rights work flexibly and to its best advantage. However, some clear lessons emerged from the case studies that could feed mission policy and planning:

- **Human rights analysis has clear value to mission planning at all levels.** Human rights information and analysis is a unique and valuable source of information. It is also sometimes the most sensitive information that may require additional security protocols to protect sources and data. According to experts within many missions, bringing human rights actors directly into the mission planning process has had a measurably positive impact.

457 Mamiya, R.H. (2020). “Going Further Together: the contribution of human rights components to the implementation of mandates of United Nations field missions”, p. 30.

458 Interview with MINUSMA official, 19 October 2023, online, (Interview #211).

459 NB: the OHCHR has developed draft operational guidance on HRDDP for PKOs and SPMs.

- **Decision-making should be human rights-informed.** Missions that have brought the human rights division directly into senior leadership and operational decision-making point to the valuable contribution this has had on difficult decisions. In particular, when complex environments present dilemmas (e.g. around immediate protection concerns and longer-term risks), mission leaders have pointed to a rights-based approach as helping them balance interests.
- **Protocols for information-sharing help.** Especially in peacekeeping missions, where the military and police components tend to operate via strict top-down protocols, having clear guidance on information-sharing and integrated analysis has proven helpful in breaking down silos. Here, cross-mission learning may be useful: UNMISS' protocols on information sharing offer a good example for other peacekeeping missions. Furthermore, efforts should be made to improve the harmonisation of databases and sources for databases from HRD and other mission sections on human rights violations and violent events.
- **Focal points and secondments also help.** The practice of establishing human rights focal points and secondments of OHCHR staff into other mission components has grown and become a useful aspect of many missions. This is especially the case in peacekeeping but could be more routinely done in SPMs as well. Missions could also consider “cross-fertilisation”, where staff from other components (e.g., police, civil affairs, political affairs) join human rights divisions for their work.

5. *Towards a culture of human rights across peace operations*

The value proposition of human rights to peace and security is clear and well-supported by a growing body of evidence. However, there is often a lag between the evidence of impact and a shift in organisational culture. While this report points to many positive shifts across UN peace operations – including a sense that mission leadership is generally adopting more of a rights-based approach – a number of steps could accelerate the cultural shift towards human rights as an enabler and core aspect of missions:

- **Human rights literacy as a requirement of leadership recruitment.** While there have clearly been exceptions, the tendency to recruit leaders from a pool of foreign ministry and political class means that many mission leaders are adept in diplomacy but largely ignorant of human rights. They are thus subjected to a sort of “crash course” in rights during induction but may not be as fluent in rights discourse as they should be. The Senior Leadership Appointments Section of the UN can address this by requiring “human rights literacy” as part of mission leadership positions and encouraging Member States to put forward candidates with relevant human rights experience.
- **A human rights “compact” for mission leadership.** Today, SRSGs sign a compact with the SG that defines their responsibilities towards the Organization. While there are human rights aspects to these compacts, the practice could be strengthened and expanded,

with more specific commitments to uphold human rights by both SRSGs and the SG. For example, the SG could commit specifically to supporting SRSGs facing expulsion by governments on the grounds of human rights reporting.

- **Building human rights components beyond technical capacities.** Interviews with a range of human rights officers in missions suggested that many had excellent technical and legal skills, but that their political and strategic skill-set had been under-emphasised. Just as the political leadership of missions needs to become conversant in the language of human rights, the OHCHR should place more emphasis and resources on building a cohort of human rights officers that can meaningfully contribute to the political aspects of peace operations. Training in political economy analysis, power-sharing arrangements, and conflict resolution could be one concrete step forward. Based on interviews conducted, such a push would be welcomed by human rights officers on the ground, many of whom are keen to expand their contributions to missions and avoid the tendency to be siloed as technical experts.
- **An institutional “rolodex”.** Across missions, there was a strong sense that interpersonal relationships mattered a great deal, particularly in the highly sensitive arena of human rights. When mission staff rotate out, this set of relationships is lost, often without any formal system for handing over contact lists. A relatively simple step that could address this would be a requirement for outgoing mission staff to feed into a common “rolodex” of contacts or for missions to put in place sufficient overlap for outgoing staff to introduce incoming colleagues to key contacts.

Annexure 1: Case studies background

A. Multidimensional peacekeeping/stabilisation missions

Democratic Republic of the Congo (DRC) (MONUSCO)

The UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) is the successor of the UN Organization Mission in the Democratic Republic of the Congo (MONUC) deployed in 1999 under UNSC Resolution 1279 to observe the implementation of the Lusaka Ceasefire Agreement and to support the country’s elections in 2006, the first held in the DRC since the presidency of Mobutu Sese Seko. In 2010, MONUC was replaced with MONUSCO under UNSC Resolution 1925 with an extensive mandate to protect civilians, humanitarian personnel and human rights defenders at risk and to support the DRC government in its stabilisation and peace consolidation efforts.⁴⁶⁰

The UN Joint Human Rights Office (JHRO) was established in February 2008 as an integrated component of MONUSCO, merging MONUSCO HRD, founded in 2000, and the country

460 For previous EPON reports on the effectiveness of MONUSCO, see: Novosseloff, A. (2019) “Assessing the Effectiveness of the United Nations Mission in the DRC / MONUC – MONUSCO”. EPON. <https://effectivepeaceops.net/wp-content/uploads/2019/06/EPON-MONUSCO-LowRes.pdf>; Ilunga, Y. (2021). “MONUSCO’s 2021 Mandate Renewal: Transition and exit”. EPON. <https://effectivepeaceops.net/wp-content/uploads/2021/12/EPON-MONUSCO-2021-Mandate-Renewal.pdf>

office of the Office of the UN High Commissioner for Human Rights (OHCHR) in the DRC, established under a memorandum of understanding with the DRC government in 1996.⁴⁶¹ As of December 2023, the UN JHRO has 140 staff members. It operates as an integrated component within the mission's Headquarters in Kinshasa. It is present in ten field offices deployed as part of MONUSCO or the UNCT in areas where the mission has withdrawn.

Currently authorised to deploy more than 18 000 total personnel, including 13 500 military and more than 2 000 police personnel, down from over 21 000 personnel a decade ago, MONUSCO is headquartered in Kinshasa and has field offices and uniformed presences in three of the country's 26 provinces: Ituri, North Kivu and South Kivu. Since 2019, MONUSCO initiated a progressive drawdown from the DRC and transitioned out of 11 provinces. The mission's ongoing transition has been informed by the Joint Strategy, agreed with the Government of the DRC in 2020 and endorsed by the Security Council, as well as a Joint Transition Plan, organised along 18 benchmarks and developed in 2021.⁴⁶² In 2022, the re-emergence of the M23 armed group and escalation of armed violence in Eastern DRC led to the deployment of the East African Community Regional Force (EACRF) at a time when DRC armed forces were already engaged in bilateral initiatives with Uganda and Burundi. The escalation of violence in the East, despite the mission's long-lasting presence, also contributed to a rising criticism of the mission's capacity.⁴⁶³

Following President Felix Tshisekedi's call in August 2022 for the re-evaluation of the Joint Transition Plan, MONUSCO and the DRC government have closely coordinated to reduce the benchmarks of the transition plan from 18 to four – centred on POC; security sector reform; disarmament, demobilisation, reintegration and stabilisation; and the holding of elections – while working towards the mission's accelerated withdrawal from the three conflict-affected provinces where it is still present. Acknowledging this request, the SG issued a special report on options for the future configuration of MONUSCO and UNCT.⁴⁶⁴ In his address to the 78th session of the UN General Assembly in September 2023, President Tshisekedi argued that it is “illusory and counterproductive to continue to cling to the maintenance of MONUSCO to restore peace in the DRC and stabilize it”.⁴⁶⁵ In November 2023, Congolese authorities and MONUSCO co-signed a note on the accelerated, gradual and responsible withdrawal of the mission from the DRC, including a disengagement plan starting in December 2023.

461 UN. (2020). “OHCHR in Democratic Republic of the Congo”. <https://www.ohchr.org/en/countries/democratic-republic-congo/our-presence>.

462 Since 2019, MONUSCO has transitioned out of 11 provinces. More recently, under the Joint Transition Plan, the mission closed its offices in the Kasai region in 2021 and in Tanganyika province in 2022, leaving residual presences for limited periods of time.

463 Interview with civil society representative, 13 September 2023, Kinshasa, (Interview #33).

464 UNSC. (2023). “Report of the Secretary-General on options for adapting the configuration of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the future United Nations configuration in the country beyond the current mandate of the Mission”. S/2023/574. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/217/05/PDF/N2321705.pdf?OpenElement>.

465 Kasongo, A.A. (2023). “Congo President asks UN peacekeepers to start packing up this year”. Reuters, 21 September. <https://www.reuters.com/world/africa/congo-president-asks-un-peacekeepers-start-packing-up-this-year-2023-09-21>.

As the security situation has deteriorated in the Eastern provinces of North Kivu and Ituri, with a sharp increase in attacks on civilians, CRSV, and massive internal displacement,⁴⁶⁶ combined with an even more uncertain security context that could result from the withdrawal of the EACRF initiated in December 2023, the shift away from comprehensive conditions-based indicators toward a time-based and streamlined transition raises serious concerns about the capacity of the Congolese defence and security forces to fulfil their obligations of protecting civilians, while these are among the main perpetrators of human rights. The inclusion of the DRC in this study was motivated by the opportunity it presents to examine how human rights are centrally integrated into the mission's transition process, including aspects related to POC and early warning mechanisms.

Mali (MINUSMA)

The UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was created in 2013 to support political processes in Mali and carry out several security-related tasks. The UNSC mandated the mission to support the transitional Malian authorities in stabilising the country, implementing the transitional roadmap, and protecting civilians. As of 2022/23, MINUSMA has authorised up to 17 172 total personnel.⁴⁶⁷

Since 2013, MINUSMA has had a Human Rights and Protection Division (HRPD) as per its mandate. Over the years, MINUSMA HRPD has regularly monitored human rights issues along four key areas including: i) human rights violations and abuses; ii) conflict-related detentions, including in the context of “counter-terrorism” operations; iii) the fight against impunity; and iv) the establishment of transitional justice mechanisms.⁴⁶⁸ The HRPD Director also represents the OHCHR in Mali. The HRPD promotes and protects human rights throughout Mali, as set out in successive UN Security Council resolutions on MINUSMA's mandate.⁴⁶⁹ To achieve its goals, the HRPD has offices in five regions in Central and Northern Mali (Gao, Kidal, Ménaka, Mopti and Timbuktu) and a Bamako-based office covering the Southern regions (Kayes, Koulikoro, Sikasso and District of Bamako). Over the last ten years, the types of violations and abuses recorded by the mission have included illegal detentions, torture and

466 Doctors Without Borders. (2023). “RDC: MSF alerte sur l'explosion des violences sexuelles dans les sites de déplacés autour de Goma”, 9 May. <https://www.msf.fr/communiqués-presse/rdc-msf-alerte-sur-l-explosion-des-violences-sexuelles-dans-les-sites-de-deplaces-autour-de-goma>.

467 For previous EPON reports on the effectiveness of MINUSMA, see: van der Lijn, J. (2019). “Assessing the Effectiveness of the United Nations Mission in Mali (MINUSMA)”. EPON. <https://effectivepeaceops.net/wp-content/uploads/2019/11/EPON-MINUSMA-Report.pdf>; Boutellis, A. (2021). “MINUSMA's 2021 Mandate Renewal in uncertain times”. EPON. <https://effectivepeaceops.net/wp-content/uploads/2021/05/EPON-MINUSMA-II-Report.pdf>.

468 At the request of the Transitional Government of Mali, the Security Council terminated MINUSMA's mandate under resolution 2640 (2022) on 30 June. As per resolution 2690 (2023), MINUSMA immediately ceased its operations and, at the time of the field research, focused on the transfer of its tasks as well as the orderly and safe drawdown and withdrawal of its personnel, with the objective of completing this process by 31 December 2023.

469 Most recently, UNSC. (2022). S/RES/2640.

ill-treatment, extrajudicial executions, enforced disappearances, the recruitment of child soldiers, sexual violence, and violations by omission.

For this case, the research team was originally interested in the role of human rights as related to the use of force by the mission, UN-mandated parallel forces and host government partners (including the presence of external private military and security companies), work and activities in a terrorism-affected environment, and the POC. However, because of the withdrawal of MINUSMA requested and confirmed by the Council during the planning for the fieldwork, the team shifted focus particularly – though not exclusively – on how the HRPD and the mission as a whole are addressing human rights considerations in the context of MINUSMA's withdrawal process. It is worth acknowledging that the mission's human rights functions and reporting were the main reasons for the Malian government withdrawing its consent for MINUSMA and requesting its departure. Whether the government would accept a follow-on human rights presence following the mission's departure is, as in other contexts, highly unlikely.

South Sudan (UNMISS)

At the time of writing, the UN Mission in South Sudan (UNMISS) is the largest and most expensive of the UN's peacekeeping missions, with 21 928 authorised total personnel at an annual cost of over USD 1.1 billion.⁴⁷⁰ The promotion and protection of human rights has been an important pillar of the UN's engagement in South Sudan since 2005. The original UNMISS mandate instructed its peacekeepers to “contribute towards the protection of human rights”⁴⁷¹ and mandated “monitoring, investigating, verifying, and reporting regularly on human rights and potential threats against the civilian population as well as actual and potential violations of international humanitarian and human rights law”.⁴⁷² Human rights concerns were also implicit in UNMISS' statebuilding mandate, with efforts to reform South Sudan's security agencies, particularly focused on transforming them into rights-respecting and ideally protecting institutions. However, when an outbreak of violence in 2013 between political factions splitting largely along ethnic lines and leading to widespread violence and violations against civilians brought human rights to the fore, monitoring and reporting on HRVs became, and have since remained, one of the mission's four strategic priorities.⁴⁷³

470 For previous EPON reports on the effectiveness of UNMISS, see: Day, A., Hunt, C. T., Yin, H. & Kumalo, L. (2019). “Assessing the Effectiveness of the United Nations Mission in South Sudan (UNMISS)”. EPON, <https://effectivepeaceops.net/wp-content/uploads/2019/04/EPON-UNMISS-Report-LOWRES.pdf>; Day, A. Tchie, A. & Kumalo, K. (2022). “UNMISS 2022 Mandate Renewal: Risks and Opportunities in an Uncertain Peace Process”. EPON. <https://effectivepeaceops.net/wp-content/uploads/2022/01/EPON-UNMISS-Mandate-Renewal-2022.pdf>.

471 UNSC. (2005). S/RES/1590.

472 UNSC. (2011). S/RES/2640, 3.(b)(iii), p. 4.

473 Since UNSC. (2014). S/RES/2155, monitoring and reporting on human rights has been a priority alongside POC, support to the political process, and facilitation of humanitarian assistance.

UNMISS has maintained a large HRD with a core team at mission Headquarters in Juba as well as human rights officers stationed in all ten field offices, comprising a total of 104 national and international HRD staff members across South Sudan. The HRD also represents the OHCHR in South Sudan. Its core activities include monitoring, investigating, verifying and reporting on human rights violations and abuses, as well as violations of international humanitarian law, including CRSV.⁴⁷⁴ HRD is also mandated to engage in capacity building with government authorities (e.g., national human rights institutions) and civil society to empower local communities to identify, assert and demand the protection of their rights.⁴⁷⁵

At the time of writing, UNMISS' strategic priorities were: (a) protection of civilians (POC); (b) facilitating the delivery of humanitarian assistance; (c) support for the political process; and (d) monitoring, investigating, and reporting on violations of international humanitarian law and violations and abuses of human rights.⁴⁷⁶ HRVs by both conventional conflict parties and community-based militia/civil defence groups continue and are increasing in some areas.⁴⁷⁷ Mission priorities include supporting the implementation of key features of the peace agreement, including constitution-making, transitional justice and security and justice sector reform, while providing support to general elections scheduled for 2024.

B. Special Political Missions (SPMs)

Afghanistan (UNAMA)

Human rights has always been a central feature of the UN Assistance Mission in Afghanistan (UNAMA) mandate since its creation in 2002.⁴⁷⁸ By 2005/2006, monitoring, analysis, investigation and reporting of human rights violations in Afghanistan by distinct human rights officers was ongoing, with increasing attention to rising reports of civilian casualties and other protection issues. From 2007, the unit produced annual reports. From 2009, semi-annual reports were produced, and from 2016, quarterly POC reports.⁴⁷⁹ From 2011, UNAMA focused significant monitoring, reporting, and advocacy activity around issues of torture and ill-treatment in

474 For a repository of UNMISS HRD reports, see: <https://unmiss.unmissions.org/human-rights-reports>.

475 UNMISS. (n.d.). "Human Rights". <https://unmiss.unmissions.org/human-rights>.

476 UNSC. (2023). S/RES/2677.

477 UNMISS HRD. (2022). "Annual brief on violence affecting civilians, January-December 2022". https://unmiss.unmissions.org/sites/default/files/annual_brief_on_violence_affecting_civilians_in_south_sudan_2022.pdf; UNMISS HRD. (2023). "Brief on violence affecting civilians, January-March 2023". https://unmiss.unmissions.org/sites/default/files/230616_q1_2023_brief_on_violence_affecting_civilians.pdf.

478 UNSC. (2002). S/RES/1401 established UNAMA and its mandate. The Report of the Secretary-General of 18 March 2002 (A/56/875-S/2002/278) highlighted that "human rights and gender issues will be central to the purposes and functions of the mission", para. 103, p. 17. See also UNAMA. (n.d.). "OHCHR in Afghanistan". <https://www.ohchr.org/en/countries/afghanistan/our-presence>

479 For UNAMA reports on POC in armed conflict, see: <https://unama.unmissions.org/protection-of-civilians-reports>

detention facilities in Afghanistan.⁴⁸⁰ By 2009, the Human Rights Unit had a nationwide presence, with national and/or international human rights officers in all regions and in many provincial sub-offices. Since then, UNAMA has built a strong human rights monitoring and reporting presence in the country, including through its consistent human rights and civilian casualty documentation, and has engaged with a panoply of actors, including military and civilian representatives of the NATO mission, Afghan authorities, and other national and international civil society interlocutors on human rights issues.⁴⁸¹

The Human Rights Service (HRS)⁴⁸² currently has 84 human rights officers working in eight regional and three provincial offices across Afghanistan, as well as Headquarters in Kabul. It also serves as the presence of OHCHR in Afghanistan. As mandated by UNSC Resolution of 2626 (2022), UNAMA HRS leads the mission's work in monitoring, reporting on civil, political, social, economic and cultural rights, advocating on the human rights situation in Afghanistan, and engaging with "all stakeholders at the national and subnational levels and civil society and international non-governmental organisations in the protection and promotion of the human rights of all Afghans".⁴⁸³ Its work has focused on several priority areas, including POC, women's rights, detainees' rights, children and armed conflict, the right to life, liberty and physical integrity, and fundamental freedoms.⁴⁸⁴ More than two years after the Taliban takeover of Afghanistan in August 2021, UNAMA's human rights mandate has remained the same.⁴⁸⁵ Despite serious concerns about the state of governance and the protection of rights in Afghanistan, particularly women and girls' rights,⁴⁸⁶ HRS has managed to continue its reporting and dialogue with the *de facto authorities* largely thanks to its longstanding legacy of engagement and human rights work in Afghanistan, not least on issues such as torture and detention.⁴⁸⁷ However, the increasingly restrictive nature of the current Taliban leadership as it relates to human rights and the dissolving of state and local rule of law institutions since August 2021, including the AIHRC, has rolled back UNAMA's previous capacity building work and posed limitations on UNAMA's current capacity building activities.

480 UNAMA published its first reports on the treatment of conflict-related detainees in Afghan custody in 2011 and 2013 (available at: https://unama.unmissions.org/sites/default/files/october10_2011_unama_detention_full-report_eng.pdf and https://www.ohchr.org/sites/default/files/Documents/Countries/AF/UNAMA_treatment_of_conflict_detainees.pdf, respectively). For all detention reports, see: <https://unama.unmissions.org/treatment-conflict-related-detainees-afghan-custody>.

481 Interview with Afghanistan expert, 29 September 2023, online, (Interview #208). For UNAMA's latest human rights reports and thematic reports on the treatment of detainees, violations against former government officials and former armed force members, and the impact of IEDs on civilians, see: <https://unama.unmissions.org/human-rights-monitoring-and-reporting-0>.

482 The UNAMA Human Rights Service (HRS) was first used in UNAMA's public reporting in its 2017 Quarterly POC Report, previously referred to as UNAMA Human Rights Unit.

483 UNSC. (2022). S/RES/2626 reaffirmed and extended in UNSC. (2023). S/RES/2678.

484 UNAMA. (n.d.). "Human Rights". <https://unama.unmissions.org/human-rights>.

485 UNSC. (2022). S/RES/2626 resolution has rolled over in the last two years. UNSC. (2023). S/RES/2678 is up for renewal in 2024, which includes the mission's human rights mandate.

486 See UN independent assessment on Afghanistan, November 2023, available at: <https://www.passblue.com/wp-content/uploads/2023/11/231109-SG-letter-of-8-November-Afghanistan.pdf>.

487 Interview with former UNAMA official, 28 September 2023, online, (Interview #207); Interview with Afghanistan expert, 29 September 2023, online, (Interview #208).

UNAMA offers important lessons for understanding the role and value of human rights components within SPMs, specifically the contribution of reporting on human rights violations and abuses, including civilian casualty documentation, to broader mission goals. For example, the experience of UNAMA offers important reflections on how UN missions carry out POC work in the context of SPMs, in the absence of accompanying UN peacekeeping forces. The mission also offers valuable insights for the contribution of human rights work to mission effectiveness across a longstanding period of time. Furthermore, UNAMA offers insights into the value of the legacy of human rights components for maintaining space for human rights advocacy in the context of dramatic political changes, as with the Taliban takeover of Afghanistan in August 2021.

Yemen (UNMHA and OSESGY)

The UN Mission to Support the Hudaydah Agreement (UNMHA) was created in January 2019 with a UN Security Council mandate primarily focused on monitoring and facilitating the implementation of the Hudaydah Agreement, which aimed to de-escalate the conflict in Yemen, particularly in and around the port city of Hudaydah.⁴⁸⁸ UNMHA's mandate does not have a specific human rights monitoring or enforcement role. However, human rights concerns were certainly part of the broader context in Yemen's conflict, and the UN and other bodies have expressed concerns about human rights violations and the impact of the conflict on the civilian population. The inclusion of UNMHA in this study allows for the examination of an SPM with a narrow focus compared to others.

The UN Office of the Special Envoy of the Secretary-General for Yemen (OSESGY) was established by an exchange of letters between the SG and the President of the UNSC and resolutions of the UNSC⁴⁸⁹ mandating it to support a peaceful, inclusive, orderly and Yemeni-led political transition process meeting the legitimate demands and aspirations of the Yemeni people, including women, for peaceful change and meaningful political, economic and social reform, as set out in the 2011 Gulf Cooperation Council Initiative, its Implementation Mechanism, and the outcomes of the National Dialogue Conference of 2013-2014. While OSESGY does not have an explicit HR mandate, section or dedicated human rights officers, human rights are mainstreamed across its major mandated activities, including promoting an inclusive political process as well as its efforts to support transitional justice and security sector reform, while working on gender issues and engaging with civil society. Including OSESGY in this study allows for the examination of a UN Office of Special Envoys (OSE) with a single country focus compared to the regional mandate of the OSEs for the Great Lakes region and the Horn of Africa. This case

488 UNSC. (2019). S/RES/2452.

489 See the exchanges of letters between the Secretary-General and the President of the Security Council (S/2012/469 and S/2012/470; S/2018/126 and S/2018/127) and Security Council resolutions 2014 (2011), 2051 (2012), 2140 (2014), 2201 (2015), 2204 (2015), 2216 (2015), and 2451 (2018).

also allows for a focus on how human rights and protection issues are addressed in the context of a small field presence with various UN entities working in concert.

Including Yemen as a country case study further enables analysis of a country featuring two different SPMs, neither with an explicit HR mandate but directed to work in tandem on issues with significant HR dimensions, including the participation and inclusion of women and children in the political process, transitional justice, and elements of security sector reform.

Special Envoys of the Secretary-General

OSESG for the Horn of Africa (Addis Ababa)

The UN Office of the Special Envoy of the Secretary-General for the Horn of Africa (OSE-HOA) was established by an exchange of letters between the UNSG and the President of the UNSC.⁴⁹⁰ OSE-HOA is an SPM with a sub-regional mandate focused on conflict prevention and mediation. Its mandate is anchored in the framework for cooperation signed between the UN and IGAD in 2015.⁴⁹¹ The SPM's coordination mandate is implemented through the five-year UN Comprehensive Regional Prevention Strategy for the Horn of Africa, first promulgated in 2019.⁴⁹² While the original strategy does not explicitly reference human rights as part of its priority pillars, human rights is viewed as a structural conflict prevention approach, especially in the third pillar centred on inclusive and responsive governance. In response to an evolving political and security landscape, OSE-HOA revised the strategy in 2023 with a view to aligning it with IGAD's priorities, maximising the Office's comparative advantages and prioritising impact. In the new iteration, the focus on human rights is more explicit, with the first pillar on regional peace, security and governance prioritising a focus on human rights and addressing hate speech. The strategy also prioritises joint analysis with IGAD, with one of the focus areas being the linkages between peace, human rights and development. Further, the focus on human rights is also explicitly referenced regarding the promotion of inclusion and the eradication of all forms of discrimination as part of the OSE-HOA's resilience-building pillar of work. Human rights is cross-cutting but also fundamental to the third pillar of the strategy on inclusive and responsive governance.

The OSE-HOA provides an opportunity to examine how the good offices role can promote human rights concerns at a transnational level through a comprehensive, sub-regional conflict prevention strategy that has mainstreamed HR across its pillars and included HR-focused elements.⁴⁹³

490 See UNSC. (2011). S/2011/474, and UNSC. (2011). S/2011/475.

491 ReliefWeb. (2015). "IGAD and the UN Sign a Joint Framework for Cooperation on Peace and Security", 17 November. <https://reliefweb.int/report/world/igad-and-un-sign-joint-framework-cooperation-peace-and-security>.

492 At the time of research, a new strategy was undergoing approval where it is expected that the governance and peace/security pillars would be merged.

493 Inclusive governance under pillar 3.

OSESG for the Great Lakes region (Nairobi)

The UN Office of the Special Envoy of the Secretary-General for the Great Lakes region (OSESG-GL) was established by the UN Security Council to accompany the implementation of the Peace, Security and Cooperation (PSC) Framework for the Democratic Republic of the Congo and the region, signed in February 2013. Through good offices, strongly informed by the extensive documentation and analysis delivered by UN human rights offices in the region,⁴⁹⁴ the OSESG-GL promotes the reinforcement of peaceful relations between the signatories of the agreement, with strategic coordination of international support for its implementation, including through funding and aligning positions and efforts of regional actors such as the AU or the ICGLR.⁴⁹⁵ The OSESG for the Great Lakes region has the mission to ensure that the fundamental principles of the UN, deeply rooted in human rights, are not neglected, as demonstrated by the first person who took office in this position, former UN High Commissioner for Human Rights Mary Robinson. A key aspect of this commitment is the transversal implementation by the OSESG-GL of the WPS agenda at all stages of the conflict resolution process.⁴⁹⁶

Regional prevention offices

The UN's regional prevention offices are deployed to areas where countries span a spectrum ranging from full-scale conflict to post-conflict, fragile, and developing states.

UN Office for West Africa and the Sahel (Dakar)

The UN Office for West Africa and the Sahel (UNOWAS) holds responsibility for preventive diplomacy, good offices and political mediation and facilitation efforts in West Africa and the Sahel.⁴⁹⁷ UNOWAS also works to prevent conflict, election- and transition-related tensions, sustain peace and consolidate peacebuilding efforts and political stability, based on the rule of law, in partnership with regional and subregional entities and other actors, as relevant.⁴⁹⁸ UNOWAS works closely with the Economic Community of West African States (ECOWAS) and engages in preventive diplomacy and conflict prevention in the region to support the implementation of the UN Integrated Strategy for the Sahel. In aiming to ensure sub-regional peace and security, UNOWAS has mainstreamed human rights into its Office's work. UNOWAS works with

494 Interview with MONUSCO official, 23 September 2023, online, (Interview #79); Interview with UN official, 27 October 2023, online, (Interview #80).

495 Interview with UN official, 29 August 2023, online, (Interview #19); Interview with UN official, 27 October 2023, online, (Interview #80).

496 Interview with UN official, 29 August 2023, online, (Interview #19); Interview with MONUSCO official, 15 September 2023, Kinshasa, (Interview #39).

497 UNOWAS. (n.d.). "UNOWAS Mandate". <https://unowas.unmissions.org/unowas-mandate>.

498 Ibid.

Member States in the region to advance the rule of law and good governance, while promoting human rights and the participation of women and youth in political and peace processes.

UN Office for Central Africa (Libreville)

The UN Office for Central Africa (UNOCA) was established on 1 January 2011. Its mandate, detailed in a letter to the Security Council on 11 December 2009 (S/2009/697), is to work with the Economic Community of Central African States (ECCAS) and Member States to engage in preventive diplomacy to help promote human rights in the region. Although UNOCA's priorities include countries that do not have OHCHR offices, the Office engages in capacity building of human rights institutions and CSOs, with human rights considered a cross-cutting issue. Promoting human rights is, therefore, an integral part of UNOCA's mandate.⁴⁹⁹

⁴⁹⁹ Interview with HRO of UNOCA, 7 September 2023, online, (Interview #237).

Annexure 2: The Effectiveness of Peace Operations Network (EPON) Project summary

Peace operations are among the most important international mechanisms for contemporary conflict management. However, their effectiveness remains the subject of confusion and debate in both the policy and academic communities. Various international organizations conducting peace operations, including the United Nations (UN), the African Union (AU), and the European Union (EU), have come under increasing pressure to justify their effectiveness and impact. Although various initiatives are underway to improve the ability to assess the performance of peace operations, there remains a distinct lack of independent, research-based information about the effectiveness of such operations.

To address this gap, the Norwegian Institute of International Affairs (NUPI), together with over 40 partners from across the globe, have established an international network to jointly undertake research into the effectiveness of peace operations. This network has developed a shared methodology to enable the members to undertake research on this topic. This will ensure coherence across cases and facilitate comparative research. The network produce a series of reports that are shared with stakeholders including the UN, AU, and EU, interested national government representatives, researchers, and the general public. All the EPON reports are available via <https://effectivepeaceops.net>. The network is coordinated by NUPI. Many of the partners fund their own participation. NUPI has also received funding from the Norwegian Research Council and the Norwegian Ministry of Foreign Affairs to support the Network and its research, including via the UN Peace Operations project (UNPOP) and the Training for Peace (TfP) programme.

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Over the past three decades, UN peace operations have increasingly integrated robust human rights mandates, recognizing their vital role in conflict prevention and management, especially concerning the protection of civilians and governance deficits in fragile, conflict-affected areas. However, growing resistance to human rights language in peace operation mandates in recent years, coupled with diminishing host state consent and heightened political sensitivities, pose increasing challenges to the UN's prioritization of human rights. These challenges are exacerbated in a context of downward pressure on large peace operations and the indispensable need for core human rights capacities during transitions or withdrawals.

This study assesses the impact of UN human rights efforts across various peace operations, including peacekeeping missions, special political missions, and regional prevention offices. Drawing on a year of empirical research and case study findings from ten mission sites, it explores how UN engagement with human rights enhances peace operation effectiveness, particularly in safeguarding civilians, and how peace operations contribute to improved human rights outcomes. Through comparative analysis, the study offers empirically supported insights into how human rights efforts within missions enhance early warning systems, civilian protection, peacebuilding among other mission activities and objectives, contributing to overall effectiveness across diverse mission types and conflict stages. Recommendations target the UN Security Council, host governments, the UN Secretariat, member states, and mission leadership, urging concrete actions to maximize human rights impact in conflict settings. Overall, the report underscores the indispensable role of human rights in shaping effective peace operations in these challenging times and in light of the future.



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