



Lesson 2.2

Human Rights in UN Peacekeeping: Roles and Responsibilities of UNMO

Content



-
- UNMO responsibilities and roles in protection and promotion of Human Rights
 - Protection orientated mandates in UN Peace Operations
 - The UN Policy framework pertaining to Human Rights and the Protection of Civilians
 - The Human Rights Due Diligence Policy (HRDDP) and Human Rights limits to UN Peacekeeping-Intelligence (UN PK-I)



Learning Outcomes

- Explain UNMO roles in promoting and safeguarding Human Rights in UNPKO
- Describe how UNMO integrate Human Rights and Protection of Civilians responsibilities into their daily operations
- Explain how UNMO use UN policies to uphold Human Rights in interactions with local forces and communities



UN Peacekeeper Responsibilities

- International Human Rights Law
- International Humanitarian Law (IHL)
- International Refugee Law
- International Criminal Law

UN Charter Principles:

- Conformity with International Law
- Encourage respect for Human Rights



UNMO Roles in Human Rights Protection



- Protect human rights by monitoring the security situation and reporting on violations
- Assess and verify compliance with peace agreements and monitor potential threats, helping create safer conditions for civilians
- Through de-escalation and conflict resolution, facilitate peaceful outcomes and support the return of refugees and IDPs
- On instructions by HQ, collaborate with local governments, NGOs, and community groups to promote respect for human rights



Protection-Oriented Mandates

- **Human Rights**
 - Addresses everyone and all human rights, not only physical integrity
 - Involves advocacy & capacity-building
- **Protection of Civilians**
 - Protect civilians from physical violence
 - Three tiers of PoC work, including use of force as last resort
- **Child Protection**
 - Built around six grave violations against children in armed conflict
- **Conflict-related Sexual Violence**
 - Prevention and response to CRSV
 - Focuses on women, girls, boys & men



Whole-of-mission responsibilities

UNMO Responsibilities on Violations of Human Rights and IHL



- Proactively **identify** concerns
- Diligently **record** information
- **Report** to chain of command, human rights component, POC coordinator (based on SOPs)
- Keep sensitive information **confidential**
- **Refer** victims to **urgent support**
- Make appropriate **intervention to protect**
- Continue to **follow** the situation

Must read documents:

- **Guidelines on UNMEM in Peacekeeping Operations**
- **Policy on Human Rights in Peace Operations**

Learning Activity: Identifying Violations



Scenario:

A UNMO patrol is deployed in a region experiencing significant armed group activity. The area is characterised by ongoing conflict, with reports of civilian populations being adversely affected.

As the patrol navigates through this volatile environment, they encounter various situations that may involve potential violations of international law.

- Based on the information provided in the following slides, **identify possible violations** of:
 - International human rights law
 - International humanitarian law
 - International criminal law
 - International refugee law

Learning Activity Part 1 – Civilians Attacked



“Militias raided our village, stealing livestock and shooting anyone who resisted. We fled into the swamps, hiding with our children. We survived on wild plants and swamp water, but not everyone made it back.”

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Violations to consider:

- Intentional attack against civilians (or) indiscriminate attack
- Endangering vulnerable populations
- Looting & pillaging
- Forced displacement
- Right to housing & freedom of movement
- Human rights to food, water & health



Protected Persons under IHL



- Civilians not directly participating in hostilities
- Medical and religious personnel of armed forces
- Wounded, sick or otherwise incapacitated “*hors combat*”
- Prisoners of war
- Peacekeepers unless directly participating in hostilities



Learning Activity Part 2 – No Help



“When we finally returned, aid workers came to help, but the army banned them from giving us food, fearing it would reach the rebels. Now children are starving, and malnutrition is rising, but no one dares to speak out.”

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Violations to consider:

- Rapid and unimpeded passage of humanitarian relief for civilians in need
- Human rights to food, including freedom from hunger
- No discrimination on grounds of ethnicity or affiliation
- War crime of intentional starvation of civilians

Right to Humanitarian Assistance



- Authorities must ensure humanitarian essentials, including by requesting international humanitarian aid
- Authorities & conflict parties must not divert assistance or discriminate between populations in need
- Authorities & conflict parties facilitate free & safe passage of humanitarian aid & access to populations in need
- Intentional starvation of civilians is a war crime

Learning Activity Part 3 – Loyalty



“With no options left, young people here are forced to join the rebels. The rebels target teenagers, leaving them no choice. My cousin, only 14, was given a gun and ordered to shoot anyone they considered disloyal. ”



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Violations to consider:

- Grave violation of children's rights: recruitment and use
- War crime of murder
- Summary execution
- Human rights to life, integrity and education

Six Grave Violations against Children in Armed Conflict (UNSC Resolution 1612)



For all UN Peacekeeping personnel, a child is any person under the age of 18 years



- Killing or maiming
- Recruitment or use
- Abduction of children
- Sexual violence
- Attacks on schools & hospitals
- Denial of humanitarian access

Learning Activity Part 4 – No Escape



"When the armed fighters took control of our village, they also began attacking women and girls, dragging them from their homes and subjecting them to rape and other acts of sexual violence. Families are powerless to protect them, and those who survive are left with deep scars and nowhere to seek help."

Learning Activity Part 4 – No Escape



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Violations to consider:

- *Grave child rights violation: sexual violence*
- *Conflict-related sexual violence: rape & sexual enslavement*
- *Freedom from torture*

Conflict-Related Sexual Violence



Incidents or patterns of sexual violence **in conflict or post-conflict** situations, including rape, sexual slavery, forced prostitution, forced pregnancy, enforced sterilisation, trafficking, or any other form of sexual violence of comparable gravity against **women, men, girls, or boys.**



UN Policy Framework: DPO-DOS Policies

- The Protection of Civilians in United Nations Peacekeeping Policy (2023)
- Policy on Preventing and responding to Conflict-Related Sexual Violence (2019)
- Human Rights Due Diligence Policy on UN Support to non-UN Security Forces (2013)
- Human Rights Screening of United Nations Personnel Policy (2012)
- Human Rights in United Nations Peace Operations and Political Missions Policy (2011)

Compliance with UN policy is mandatory for all peacekeepers

UN Policy Framework: SG Bulletins, Guidelines and SOPs



- Handling of Detention in United Nations Peacekeeping Operations and Special Political Missions SOP (2020)
- UN Military Observers in Peacekeeping Operations Guidelines (2016)
- Secretary-General's Bulletin on the Observance by United Nations forces of international humanitarian law (1999)

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Human Rights Due Diligence Policy on UN Support to non-UN Security Forces



UN cannot provide support to non-UN Security Forces:



- if real risk of the receiving entities committing **grave violations** of international humanitarian, human rights or refugee law, and
- relevant authorities fail to take the necessary **corrective or mitigating measures**

Protects UN reputation and impartiality



Application of HRDDP



- Applies to **all types of support** to states and regional security forces (exceptions for human rights, mediation work & CASEVAC/MEDEVAC)
- Supporting entity must initiate risk assessment & **monitor** compliance
- **Risk mitigation & engagement**, not blunt conditionality
- Suspension or withdrawal of support is **last resort**



Case Study: Planned attack



UNMO are approached by host state security forces seeking to share intelligence on suspected insurgents planning a possible attack on the UN base.



However, reports by the UN indicate that state security forces have used torture and arbitrary arrests to obtain information, raising serious concerns.

How should UNMO respond to this offer?
Can these information be used by the mission considering their importance?

Limits to UN Peacekeeping-Intelligence



- Must fully respect human rights
- No clandestine activities
- No exposure of sources to harm
- Must remain independent
- Cooperation with states and the host nation subject to conditions



Learning Activity: Limits to UN Peacekeeping-Intelligence



Q&A
Plenary

UNMO want to find out more about an armed group that controls part of their sector.

Are the ideas below in line with the UN legal framework?

Total Time: 4 min

1- Ask UNMO's language assistant to infiltrate the armed group as a recruit

Preparation: 2 min

2- Pay children who already cook for the armed group to secretly gather information

Discussion : 2 min

Learning Activity: Limits to UN Peacekeeping-Intelligence



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**Prohibited clandestine activity.
Places assistant at risk of serious harm**

Preparation: 2 min

2- Pay children who already cook for the armed group to secretly gather information

No child recruitment for military intelligence activities

Discussion : 2 min

Learning Activity: Limits to UN Peacekeeping-Intelligence



Q&A
Group Discussion

Total Time: 4 min

Preparation: 2 min

Discussion : 2 min

UNMO want to find out more about an armed group that controls part of their sector.

Are the ideas below in line with the UN legal framework?

3- Ask the notorious state intelligence agency, which is known to “break its detainees”, to share testimony from captured armed group fighters

4- In return for receiving information from state intelligence, UNMO will share information on opposition politicians hiding in the area

Learning Activity: Limits to UN Peacekeeping-Intelligence



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3- Ask the notorious state intelligence agency, which is known to “break its detainees”, to share testimony from captured armed group fighters

May incite unlawful interrogation and make UN complicit to torture

4- In return for receiving information from state intelligence, UNMO will share information on opposition politicians hiding in the area

**May make UN complicit to arbitrary arrest & torture.
Contrary to HRDDP**



Summary of Key Messages

- UNMO are essential in promoting and safeguarding human rights through their monitoring, reporting, and advisory functions within UNPKO
- Familiarity with the UN's policy framework enables UNMO to effectively implement human rights standards and practices
- UN policies such as the HRDDP guides UNMO in interacting with local actors, preventing complicity in violations and ensuring adherence to international norms
- UN PK-I must fully respect human rights

Optional Learning Activity: Case Study



- The UN Mission in Carana is mandated to take “**all necessary measures to protect civilians from physical violence, within capabilities and without prejudice to the responsibility of the host state to protect its population.**”
- During a routine patrol in the south of Carana, UNMO receive reports of a volatile situation in the town of Mabenga. Upon arriving, they observe that a local community has detained **three 16-year-old boys** accused of **being fighters** of the notorious Blue Cobra armed group.
- The mayor of Mabenga, fearing escalating tensions, informs the UNMO that the situation is critical. Community members are **threatening to lynch the teenagers, and riots are imminent.**
- Despite their efforts to monitor the situation and gather information, the **security environment rapidly deteriorates.**
- Recognizing the increasing risk to the three boys and the broader community, the UNMO request immediate support from the mission to address the tensions and prevent violence.

Optional Learning Activity: Case Study



Group discussion

Total Time: 15 min

Preparation: 8 min

Discussion : 7 min

- 1- What should UNMO do in line with their mandate and UN policies to respond effectively to the situation?**
- 2- What actions is the mission legally entitled to take under its PoC mandate?**