

Lesson 1.4



Legal Framework for United Nations Peacekeeping

Lesson at a Glance

Aim

To explain the legal framework for UN peacekeeping operations and emphasize parts of international law important to peacekeeping personnel.

Relevance

As peacekeeping personnel, you are an **“ambassador” of the UN** and your country in everything you do. You are also a **role model**.

As a UN ambassador you are deployed to represent the UN and carry out its important responsibilities. As a role model you must be a good example for others to copy or imitate.

As an ambassador and a role model, it is important for you to **know what you “should” and “should not” do**. The legal framework provides such knowledge.

This lesson focuses on international law as an important part of the legal framework. **You must not violate international human rights law or international humanitarian law.** Under no circumstances should you be involved in sexual violence or the exploitation of women, children or the local population.

Learning Outcomes

Learners will:

- List key documents included in the legal framework for UN peacekeeping operations
- Explain human rights and list examples in International Human Rights Law (IHRL)
- Identify who is protected by International Humanitarian Law (IHL)
- Explain why all armed UN peacekeeping personnel must know the rules of engagement (ROE) or directive on use of force (DUF)

Lesson Map

Recommended Lesson Duration: 45 minutes total

1-2 minutes per slide

Use short option learning activity

The Lesson	Pages 3-27
Starting the Lesson	Intro Slides
Learning Activity 1.4.1: Experiences of Rules and Laws	
Importance of the Legal Framework	Slide 1
The Legal Framework for UN Peacekeeping Operations	Slide 2
The UN Charter	Slide 3
Learning Activity 1.4.2: IHRL	
International Human Rights Law	Slides 4-8
International Humanitarian Law	Slides 9-13
Learning Activity 1.4.3: IHL – Who should be Protected?	
Learning Activity 1.4.4: Use of Force at Home	
Rules of Engagement (ROE) and Directive on Use of Force (DUF)	Slide 14-15
Additional Aspects of the Legal Framework	Slide 16
Summary	Pages 28-29
Learning Evaluation	Pages 30-32
OPTIONAL: Additional Learning Activities	See Resource
Learning Activity 1.4.5: Peacekeeping Mandates and the UN Charter	
Learning Activity 1.4.6: Definitions – “Mandate, “Resolution”...	

The Lesson



Starting the Lesson

Introduce the following (using the Introductory Slides):

- Lesson Topic
- Relevance
- Learning Outcomes
- Lesson Overview

The topic and language can be daunting for learners. As you move through the lesson remind learners of the relevance of this lesson. Review the definitions of key words for the lesson. A suggestion is to present each key word and its definition on individual sheets of different coloured paper and post on the wall for learners to easily refer to during the course of the training.

You may wish to print out examples of international law which will be repeated in subsequent lessons. Print out the titles on individual sheets of paper. These include the UN Charter, the Geneva Conventions and their Additional Protocols, as well as the International Bill of Human Rights. Refer to these as the basis of mandated tasks which will be covered in Module 2.

Learning Activity

1.4.1

Experiences of Rules and Laws

METHOD

Visuals, brainstorm

PURPOSE

To understand the importance of International Law

TIME

5 minutes

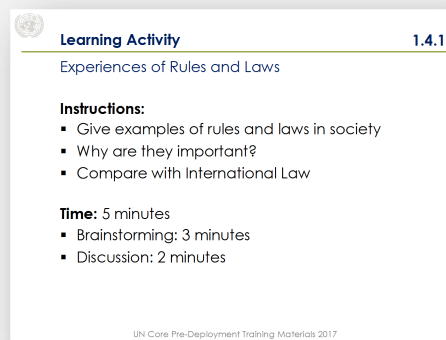
- Brainstorming: 3 minutes
- Discussion: 2 minutes

INSTRUCTIONS

- Give examples of rules and laws in society
- Why are they important?
- Compare with International Law

RESOURCES

- Learning Activity instructions



The thumbnail shows a slide titled "Learning Activity" with the sub-title "Experiences of Rules and Laws" and the identifier "1.4.1". The slide content includes the following instructions and time breakdown:

Instructions:

- Give examples of rules and laws in society
- Why are they important?
- Compare with International Law

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

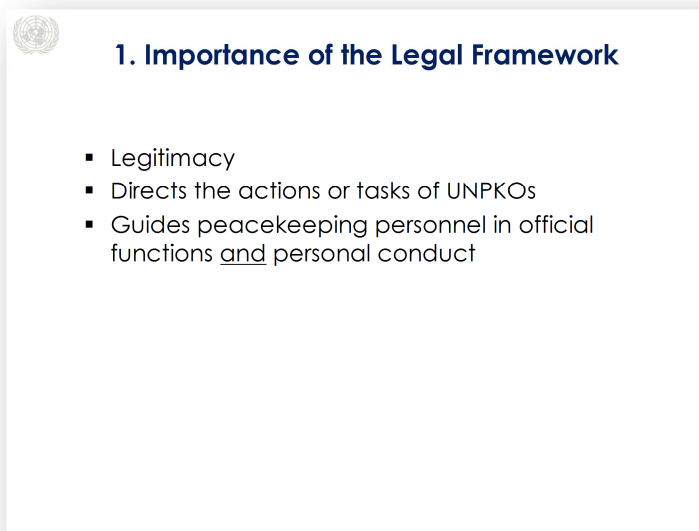
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Importance of the Legal Framework



Remind learners that the Basic Principles provide a navigational aid or a compass for UN peacekeeping, and inform them that the legal framework is an additional source, indicating how UN peacekeeping “should” be practiced.

Slide 1



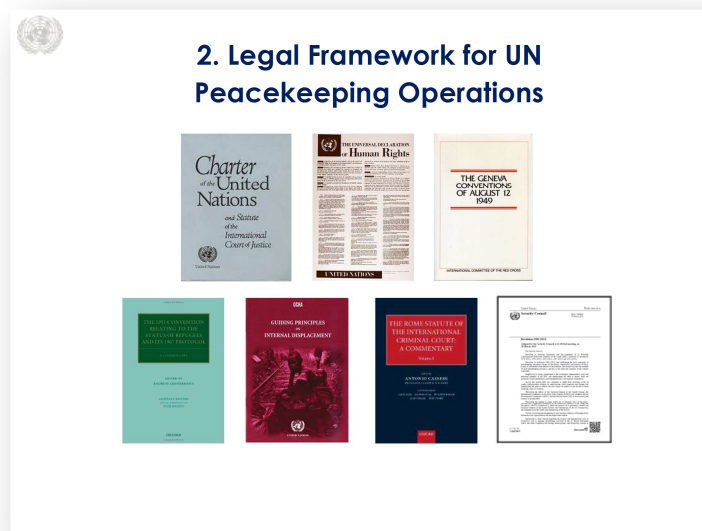
Key Message: The legal framework is the set of rules or laws that influence the actions, tasks and conduct of the peacekeeping operation and its personnel.

The legal framework is important because:

- **It gives legitimacy.** The UN does not undertake any peacekeeping operation without clear authority to do so – in other words, without the “power” or “right”.
- **It directs the actions or tasks of the peacekeeping operation.** UN peacekeeping operations are directed to promote and protect human rights and other international law. Respect for human rights has positive effects on peace. Peacekeeping personnel have a responsibility to ensure special protection of certain groups who are vulnerable or who suffer discrimination, such as women, minorities, children, refugees and internally displaced persons (IDPs).
- **It guides peacekeeping personnel in their official functions and personal conduct.** The UN expects the same high standards in the private behaviour of peacekeeping personnel as in professional life. Authorities deal with cases of misconduct firmly, fairly and quickly. This includes cases of serious misconduct such as sexual exploitation and abuse.

Legal Framework for UN Peacekeeping Operations

Slide 2



Key Message: The legal framework for UN peacekeeping operations includes:

- International Law, including the UN Charter, International Human Rights Law, International Humanitarian Law, International Refugee Law and International Criminal Law
- Security Council mandate
- National law of the host country
- Memorandum of Understanding (MOU) between the UN and the Troop/Police Contributing Countries (TCCs/PCCs)
- Status of Mission Agreement (SOMA) or Status of Force Agreement (SOFA)
- Convention on the Privileges and Immunities of the United Nations of 1946
- UN Internal Rules, Regulations and Guidance
- Rules of Engagement (ROE) and Directive on the Use of Force (DUF)



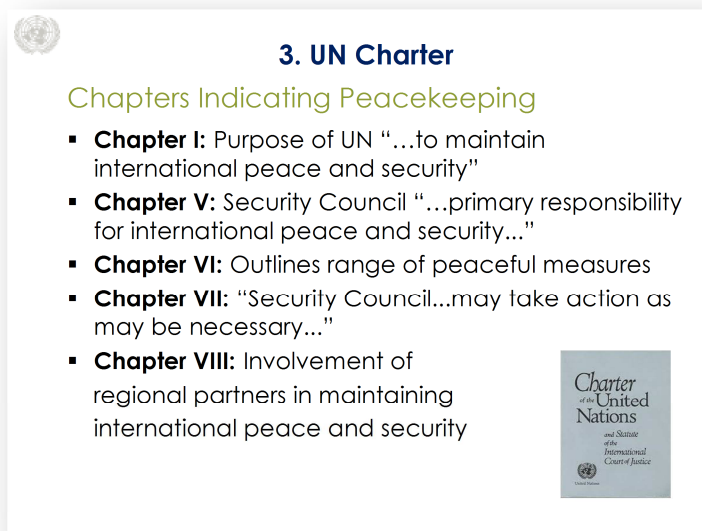
The list makes reference to “international law”. Learners may benefit from a quick reminder about what this means. Be ready to quickly clarify and move on.

UN Charter



Remind learners that the UN Charter is the foundation for all UN work and is a source of authority and legitimacy for UN peacekeeping.

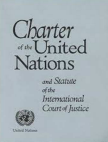
Slide 3

A slide titled '3. UN Charter' with a sub-heading 'Chapters Indicating Peacekeeping'. It lists five chapters with their purposes. A small image of the UN Charter cover is in the bottom right corner.

3. UN Charter

Chapters Indicating Peacekeeping

- **Chapter I:** Purpose of UN "...to maintain international peace and security"
- **Chapter V:** Security Council "...primary responsibility for international peace and security..."
- **Chapter VI:** Outlines range of peaceful measures
- **Chapter VII:** "Security Council...may take action as may be necessary..."
- **Chapter VIII:** Involvement of regional partners in maintaining international peace and security



Key Message: The UN Charter is a source of authority and legitimacy for UN peacekeeping. It does not use the word "peacekeeping". Some articles and chapters link to it. The legal basis for UN peacekeeping is in chapters VI and VII.

The UN Charter chapters linked to UN peacekeeping include Chapters I, V, VI, VII and VIII.

Chapter I is "Purposes and Principles" of the UN. Article 1 says that **one purpose of the UN is "to maintain international peace and security"**.

Chapter V covers "The Security Council". The **Security Council has "...primary responsibility for the maintenance of international peace and security.** "...The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII..."

Chapter VI deals with "Pacific Settlement of Disputes". This chapter outlines **peaceful measures** available to the UN for settling disputes and dealing with armed conflict.

Chapter VII provides for "Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression." "...The Security Council ... **may take such action by**

air, sea or land forces as may be necessary to maintain or restore international peace and security...”. This chapter outlines **coercive measures**.

Chapter VIII deals with “Regional Arrangements”. It provides for involving **regional partners** in maintaining international peace and security, consistent with the Charter’s principles and purposes.

Chapters VI and VII of the UN Charter

Traditional peacekeeping operations have been called “Chapter VI” missions. Multi-dimensional operations, which are oriented towards the use of force, have been called “Chapter VII” missions. These references to chapters are inaccurate and misleading. The UN discourages their use.

When the Security Council authorizes a peacekeeping operation, it does not have to refer to a specific chapter of the UN Charter.



As the instructor, you may have to dispel misperceptions that a peacekeeping operation’s authority to use force is linked primarily to an explicit reference to Chapter VII of the UN Charter in the Security Council mandate. Some TCCs may feel that reference to Chapter VII by the Security Council provides important political and legal cover within the context of their domestic jurisdictions for the use of force by their military personnel deployed to a UN peacekeeping operation.

The Security Council has begun to refer to Chapter VII of the UN Charter when authorizing robust peacekeeping operations in volatile post-conflict settings. This shows the political commitment of the Security Council. It also reminds UN Member States and parties to a conflict of their obligation to Security Council resolutions.

A peacekeeping operation’s authority to use force is not linked primarily to an explicit reference to Chapter VII of the UN Charter in the Security Council mandate. No matter which Chapter is referenced, an appropriately worded Security Council mandate provides the true basis for the legitimate use of force by personnel serving in a UN peacekeeping operation.

The authority to **use force** in certain situations is also guided by:

- **The Mission’s Concept of Operations (CONOPs)**
- **The Rules of Engagement (ROE)**
- **The Directive on the Use of Force (DUF)**

Referring to a UN peacekeeping operation as a “Chapter VI” or “Chapter VII” operation is inaccurate. It is also misleading. Peacekeeping personnel should avoid these references to prevent misunderstanding.



International Humanitarian Law also determines how force is to be used within the mandate. There will be additional information on International Humanitarian Law and on the Rules of Engagement and Directive on the Use of Force in this lesson.

Learning Activity

1.4.2

International Human Rights Law

METHOD

Brainstorm

PURPOSE

To establish basic knowledge of a) what human rights are and b) examples of human rights as part of international law as it applies to peacekeeping

TIME

Short option: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

Longer option: 20 minutes

- Brainstorming: 12 minutes
- Discussion: 8 minutes

INSTRUCTIONS

- What are “human rights”?
- Give examples
- List examples of international human rights law

RESOURCES

- Learning Activity instructions
- Activity Material
- Photos

1.4.2

Learning Activity

International Human Rights Law

Instructions:


- What are “human rights”?
- Give examples
- List examples of international human rights law

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

Learning Activity 1.4.2

Image 1



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International Human Rights Law

Slide 4



4. International Human Rights Law

What are Human Rights?

- **“Human rights”** are rights inherent to all human beings, whatever our nationality, place of residence, sex, sexual orientation and gender identity, national or ethnic origin, colour, religion, language or any other status
- We are all equally entitled to our human rights without discrimination



Key Message: UN peacekeeping seeks to promote and protect human rights. **Human rights are universal.**

“Human rights” are rights inherent to all human beings, whatever our nationality, residence, sex, sexual orientation and gender identity, national or ethnic origin, colour, religion, language or any other status. We are all equally entitled to our human rights without discrimination.

These **rights are universal**, which means that every person holds them, and they are **indivisible**, which means that different rights support each other and cannot be separated. No one can take away a person's human rights.

Slide 5




Examples of Human Rights

Examples of **civil and political rights** include the right to:

- Life
- Freedom from torture
- Protection from discrimination
- Freedom of expression
- A fair trial
- Not be held in slavery

Key Message: Examples of human rights include civil and political rights.

Slide 6



Examples of Human Rights

Examples of **economic, social and cultural rights** include the right to:

- Join a trade union
- Education
- Food
- Housing and medical care
- Social security and work
- Equal pay for equal work

Key Message: Examples of human rights include economic, social and cultural rights.

Slide 7



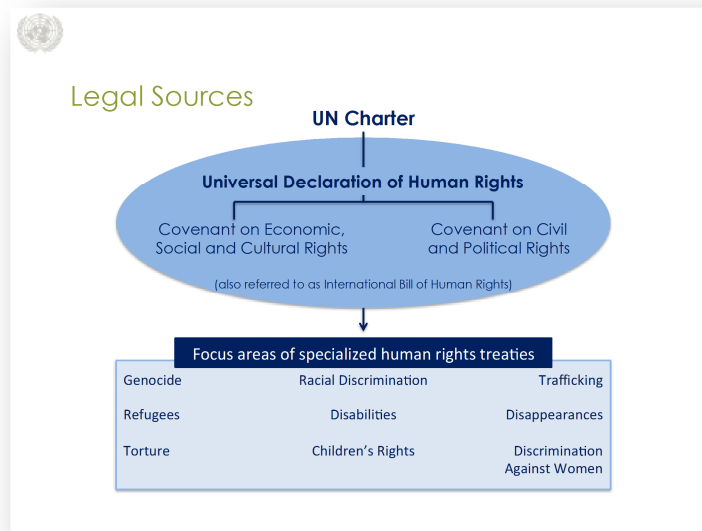
Key Message: International Human Rights Law (IHRL) is international law that protects the fundamental human rights of every individual, always, including in armed conflict. It applies to all human beings in war and peace.

IHRL protects certain types of human rights and groups of people who may need special protection because they are vulnerable or suffer discrimination. Women and children are two groups with special protection measures.

Vulnerable groups include:

- **Refugees**
- **Internally displaced persons** – people who have fled from their homes because of armed conflict, persecution, human rights violations or natural disasters
- **Minorities** - groups with common ethnicity, religion or language different from the majority population
- **Detainees** - persons in detention, awaiting trial or serving a judicial sentence
- **Persons with disabilities** - people injured or maimed, or with physical or mental disabilities
- **Migrant workers**
- **Women, children and the elderly**

Slide 8



Key Message: IHRL is in the UN Charter and other international treaties and conventions.

The International Bill of Human Rights is the cornerstone document for human rights. It is made up of:

1. **The Universal Declaration of Human Rights (UDHR) - adopted in 1948**
2. **The Covenant on Economic, Social and Cultural Rights**
3. **The Covenant on Civil and Political Rights**

The UN Charter and the International Bill of Human Rights, together, underscore that human rights and fundamental freedoms are universal, guaranteed to everybody. All human beings are:

- Born free and equal
- Endowed with reason and conscience
- To act towards one another in a spirit of brotherhood

The Charter commits all Member States to promote, respect and follow human rights and fundamental freedoms for all, without distinction by race, sex, language or religion (Articles 1 and 55).

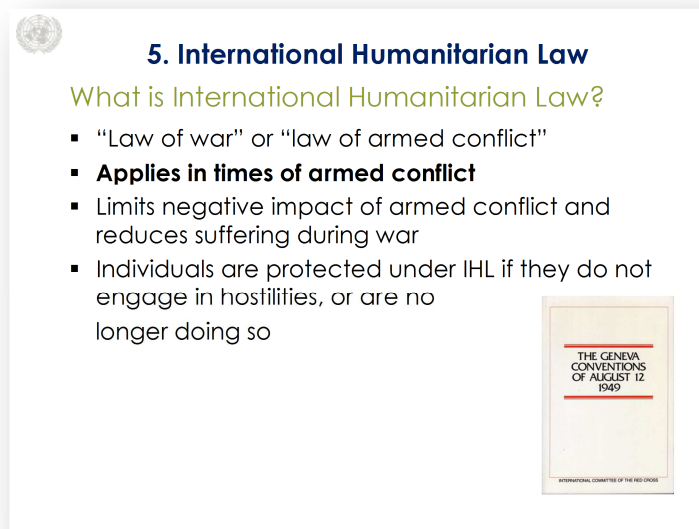
Other human rights treaties supplement the International Bill of Human Rights. These focus on specialized areas, for example the prevention of genocide and torture and protection of vulnerable groups.

Examples of human rights instruments that address specific issues are:

- International Convention on the Elimination of All Forms of Racial Discrimination (1965)
- Convention on the Elimination of All Forms of Discrimination against Women (1979)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)
- Convention on the Rights of the Child (1989)
- International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990)

International Humanitarian Law

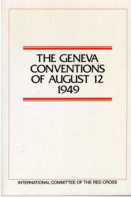
Slide 9



5. International Humanitarian Law

What is International Humanitarian Law?

- “Law of war” or “law of armed conflict”
- **Applies in times of armed conflict**
- Limits negative impact of armed conflict and reduces suffering during war
- Individuals are protected under IHL if they do not engage in hostilities, or are no longer doing so



THE GENEVA CONVENTIONS OF AUGUST 12 1949

INTERNATIONAL COMMITTEE OF THE RED CROSS

Key Message: International Humanitarian Law (IHL) is known as the “law of war” or the “law of armed conflict”. The goal is to limit the negative impact of armed conflict and to lessen suffering during war. It applies in times of armed conflict.

“Armed conflict” refers to **both international and non-international armed conflicts**. **International armed** conflict involves two or more opposing states. **Non-international** or **internal armed conflict** involves one or more states against organized non-state armed groups, or conflict between such groups.



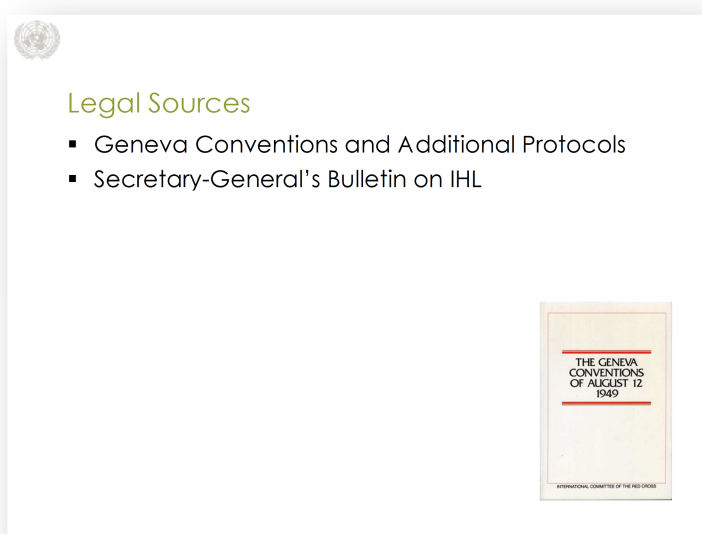
Remind learners of the terms “inter-state conflict” and “intra-state conflict”. Point out similarity of these terms with the terms “international armed conflict” and “non-international or internal armed conflict”, which are specific to IHL.

IHL protects those who do not engage in hostilities, or who are no longer doing so. This includes civilians, the wounded, prisoners, medical personnel and humanitarian workers. It **upholds fundamental rights** of civilians, victims and non-combatants in an armed conflict.

IHL also restricts the means and methods of warfare. IHL does not allow use of certain weapons because they cause undue suffering. An example is incendiary weapons – weapons that cause fire. IHL outlaws certain methods of warfare, such as pretending to be a Red Cross or Red Crescent humanitarian worker to trick enemies.

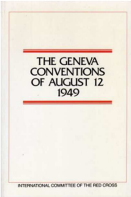
Rules of IHL bind all parties to a conflict. IHL applies only in armed conflict. It does not cover internal tensions or disturbances such as isolated acts of violence. The law applies when a conflict starts, and then equally to all sides, regardless of who started fighting.

Slide 10

A slide titled "Legal Sources" with a list of two items: "Geneva Conventions and Additional Protocols" and "Secretary-General's Bulletin on IHL". There is a small image of the Geneva Conventions cover in the bottom right corner.

Legal Sources

- Geneva Conventions and Additional Protocols
- Secretary-General's Bulletin on IHL



Key Message: The main rules of IHL are in the Geneva Conventions of 1949 and two Additional Protocols of 1977, as well as in rules regulating means and methods of combat.

The Geneva Conventions lay out points of agreement about how states and people will behave in times of war and conflict.

IHL also contains conventions and treaties on protection of cultural property and the environment during armed conflict.

IHL is complex. Principles and rules that apply to UN peacekeeping personnel are collected in one document. This is *The Secretary-General's Bulletin on the Observance by United Nations Forces of International Humanitarian Law* of 6 August 1999 (ST/SGB/1999/13).



Particularly for training with contingent commanders, instructors should consider providing participants with a copy of this Secretary-General's bulletin.

Learning Activity

1.4.3

International Humanitarian Law – Who should be Protected?

METHOD

Visuals

PURPOSE

To deepen learner understanding of how IHL is used to protect civilians in armed conflict, focusing on the principle of distinction between a) combatants and civilians and b) civilian objects and military objectives.

TIME

Short option: 10 minutes

- Group work: 5 minutes
- Discussion: 5 minutes

Longer option: 30 minutes


- Group work: 15 minutes
- Discussion: 15 minutes

INSTRUCTIONS

- Consider the images
- Identify “civilians” and “combatants”
- Who should be protected? Why?

RESOURCES

- Learning Activity instructions
- Responses to discussion questions
- Activity Material
- Photos

 **Learning Activity** 1.4.3

International Humanitarian Law – Who should be Protected?

Instructions:

- Consider the images
- Identify “civilians” and “combatants”
- Who should be protected? Why?

Time: 10 minutes

- Group work: 5 minutes
- Discussion: 5 minutes


 **Learning Activity 1.4.3**

Image 1



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Slide 11




Essential Rules of IHL

1. Civilian targets cannot be attacked. Attacks only against military objectives.
2. Civilians and anyone no longer taking part in hostilities must be respected and treated humanely.
3. Anyone who surrenders or stops fighting (e.g., wounded) cannot be killed.
4. Torture is prohibited at all times and in all circumstances.

Key Message: These are the Essential Rules of IHL.

Slide 12



Essential Rules of IHL (cont.)

5. Captured combatants and civilians must be respected and protected.
6. It is forbidden to use weapons or methods of warfare that are likely to cause excessive injury or unnecessary suffering.
7. Wounded and sick must be collected and cared for.
8. Medical personnel and medical establishments, transport and equipment must be respected and protected.

Key Message: These are the Essential Rules of IHL.

Slide 13



Essential Rules of IHL (cont.)

9. The Red Cross, Red Crescent and Red Crystal emblems are signs of protection and must be respected.
10. Prevention and prosecution of war crimes covers attacking civilians, recruiting children as soldiers, torturing prisoners and sexual violence.



INTERNATIONAL COMMITTEE
OF THE RED CROSS

Key Message: These are the Essential Rules of IHL.



The rules make reference to the “Red Cross, Red Crescent and Red Crystal emblems”. Depending on the knowledge of the learners, they may benefit from a quick reminder about what this means. Be ready to quickly clarify details on the International Red Cross and Red Crescent Movement and the emblems.

Learning Activity

1.4.4

Use of Force at Home

METHOD

Brainstorm

PURPOSE

To deepen understanding of legal restrictions to the use of force in UN peacekeeping

TIME

Short option: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

Longer option: 30 minutes

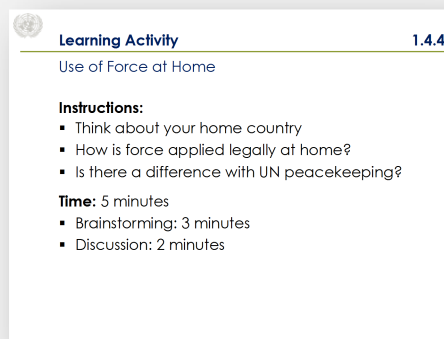
- Brainstorming: 15 minutes
- Discussion: 15 minutes

INSTRUCTIONS

- Think about your home country
- How is force applied legally at home?
- Is there a difference with UN peacekeeping?

RESOURCES

- Learning Activity instructions
- Responses to discussion questions
- Activity Material
- Examples of ROE and DUF



The thumbnail shows a page titled 'Learning Activity' with the sub-title 'Use of Force at Home' and the reference number '1.4.4'. It contains the following text:

Instructions:


- Think about your home country
- How is force applied legally at home?
- Is there a difference with UN peacekeeping?

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes


Rules of Engagement and Directive on the Use of Force

Slide 14



6. Rules of Engagement (ROE) & Directive on Use of Force (DUF)

- Guide use of force
- ROE for military personnel, DUF for police personnel
- Guidance in accordance with mandate, UN Charter, International Law



Key Message: The Rules of Engagement (ROE) and Directive on the Use of Force (DUF) guide the use of force according to the UN Charter and the Security Council mandate. They also comply with IHL and IHRL. They are legally binding documents internal to the UN.

The ROE is for the military component and the DUF is for the police component, where Formed Police Units (FPUs) are authorized to carry arms.

The ROE and DUF:

- Apply specifically to military and police personnel
- Detail how and when to use force – details include constraints and latitudes (scope) in using force and the right of self-defence
- Clarify different levels of force to use in different circumstances
- Provide practical guidance to commanders, including on needed authorizations
- Are mission-specific documents that apply to a particular mission and mandate


ROE:

- Outlines the authority of armed UN military personnel to use force in mandate implementation
- States when force may not be used by armed UN military personnel
- Applies to all armed military personnel and units in the mission

DUF:


- Indicates whether UN police are armed
- States when they have legal authority to use force
- Applies to all armed police personnel and units (such as FPU) in the mission

Slide 15



The Importance

- Use of force specific to mission and its mandate
- Differs from national legal restrictions
- Robust for volatile and potentially dangerous environments



Key Message: Armed UN military and police must be very clear on the rules for use of force. They need to know the ROE and DUF. The use of force may differ from national legal restrictions.

It is important to **clearly understand** the ROE and DUF because:

- The **use of force is specific to the mission and its mandate**, and armed military and police personnel **must be aware of how such force should be applied in the field**.
- Contemporary peacekeeping operations are often deployed to **volatile and potentially dangerous environments**. The ROE and DUF will be robust enough for a UN peacekeeping operation to a) retain credibility and b) have freedom of action to implement the mandate.
- Troop and Police contributing countries (TCCs/PCCs) may have **national legal restrictions on the use of force**. They must inform DPKO and the military/police commander of restrictions to avoid problems.

Mission leadership ensures that all relevant personnel in a mission know the ROE and DUF and apply them uniformly. UN military and police commanders are responsible for all personnel under their command knowing the ROE or DUF.

DPKO briefs TCCs/PCCs. It provides key documents (the Concept of Operations (CONOPS), ROE, DUF) through Permanent Missions in New York. Permanent Missions are diplomatic representatives of a country to the UN.

Additional Aspects of the Legal Framework



Depending on the particular group of learners who form your audience also make a decision on the level of detail to which you want to discuss the following material. Conduct and Discipline is covered in later lessons.

Slide 16



7. Additional Aspects of the Legal Framework

- International Law – International Refugee Law, Guiding Principles on Internal Displacement, International Criminal Law
- Security Council mandate
- National law of host country
- MOU between UN and T/PCCs
- SOMA or SOFA
- The Convention on the Privileges and Immunities of the UN of 1946
- UN Internal Rules, Regulations and Guidance

Key Message: Additional legal documents include:

- Additional International Law – International Refugee Law, Guiding Principles on Internal Displacement and International Criminal Law
- Security Council mandate
- National law of the host country
- Memorandum of Understanding (MOU) between the UN and the TCC/PCC
- Status of Mission Agreement (SOMA) or Status of Force Agreement (SOFA)
- The Convention on the Privileges and Immunities of the UN of 1946
- UN Internal Rules, Regulations and Guidance – including conduct and discipline

International Refugee Law: International Refugee Law defines a “refugee” as a person who has:

- Fled his or her country
- Crossed an international border
- Lives in a different country and
- Cannot return home because of probable persecution – based on race, religion, nationality, political opinion or membership in a particular group

International Refugee Law guarantees the human rights of refugees and spells out states' obligations to protect refugees living in their territory.

The Guiding Principles on Internal Displacement: “Internally displaced persons” (IDPs) have also fled their homes and cannot return, but they have not crossed an international boundary. The Guiding Principles of Internally Displaced Persons identify rights and guarantees for protection of IDPs.

International Criminal Law: International Criminal Law governs prosecution of individuals for international crimes. The Rome Statute of the International Criminal Court (ICC) came into force on 1 July 2002, and defines the most serious crimes of international concern – genocide, crimes against humanity, war crimes and the crime of aggression.

- “War crimes” are serious violations of IHL, committed as part of a plan or policy on a large scale. These occur in international and non-international armed conflict. War crimes include:
 - Murder
 - Torture or inhumane treatment
 - Taking of hostages
 - Intentionally directing attacks against the civilian population
 - Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historical monuments or hospitals
 - Pillaging – in other words, robbery using violence
 - Rape, sexual slavery, forced pregnancy or any other form of sexual violence
 - Conscripting or enlisting children under the age of 15 years into armed forces or armed groups to participate in hostilities
- “Crimes against humanity” are serious crimes committed as part of a widespread or systematic attack against civilians where the perpetrator has knowledge of the attack. Crimes against humanity occur in and out of armed conflict. Crimes against humanity include:
 - Murder
 - Torture
 - Rape or other sexual violence

- Enforced disappearances
- Extermination
- Slavery
- Forced transfer of populations
- “Genocide” refers to any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group:
 - Killing members of the group
 - Causing serious bodily or mental harm to members of the group
 - Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
 - Imposing measures intended to prevent births within the group
 - Forcibly transferring children of the group to another group

The Rome Statute also set up the ICC. The ICC is a permanent, treaty-based, international criminal court. It complements the state’s obligation to prosecute individuals for international crimes of genocide, crimes against humanity and war crimes. It has the mandate to prosecute perpetrators of these most serious crimes if they occurred after 1 July 2002. The ICC is a court of last resort.



Learners may require clarification on the difference between the UN and the UN principal organ, the International Court of Justice (ICJ). Be prepared to explain the difference.

Security Council Mandate:

- A Security Council mandate gives international legitimacy to the presence of a peacekeeping operation in a country
- The mandate is the legal basis for all actions or tasks the operation undertakes, including use of force
- The mandate sets out the tasks of a UN peacekeeping operation and the total number of personnel for completing the tasks
- Mandated tasks link with international law and peace agreements

National law of the host country: It is important that peacekeeping personnel respect and follow the national laws of the host country, as well as local customs and culture.

MOU between the UN and the TCC/PCC: The MOU is a legal agreement. It details:

- How the UN will reimburse governments for troops, FPU or equipment loaned to a peacekeeping operation
- The obligations of contributing governments to ensure appropriate quality personnel and equipment
- Obligations of TCCs/PCCs, commanders, troops and police for prevention of sexual exploitation and abuse in UN peacekeeping operations (since 2007)

Status of Mission Agreement (SOMA) or Status of Force Agreement (SOFA):

- In peacekeeping operations with armed personnel, the UN has a SOFA with the host country. SOFA applies to all military, civilian and police.
- For UN peacekeeping operations (or SPMs) with only unarmed personnel, the UN has a SOMA, which also applies to all mission personnel.
- These legal agreements give “functional immunity” to all peacekeeping personnel on the basis of the *Convention on the Privileges and Immunities of the UN*. They cover military and police who are not technically known as “UN staff”.
- The agreements define the legal status and arrangements for:
 - The UN's use of facilities, transportation and other equipment and communications
 - Freedom of movement in the country
- They include a mechanism to resolve disagreements on these issues between the host country and the UN

The Convention on the Privileges and Immunities of the UN of 1946:

- The *Convention on the Privileges and Immunities of the UN of 1946* gives legal status to the UN and subsidiary bodies. It provides certain privileges and immunities to the UN and its officials to fulfil the Organization's purpose and allow personnel to do their jobs without interference.
- The Convention covers immunity from the legal process for words spoken or written and actions taken in an official capacity. It also covers immunity from personal arrest or detention.
- Privileges and Immunities are granted in the interests of the UN, not for personal benefit of individuals.
- The Secretary-General has the right and the duty to waive the immunity of any official or expert in any case where, in her or his opinion, the immunity would impede the course of justice and could be waived without prejudice to the interests of the UN. There are serious consequences to all involved when it comes to misconduct.

UN Internal Rules, Regulations and Guidance:

- More detailed guidance to peacekeeping personnel is in UN and mission directives and rules. These include UN rules and regulations on conduct and discipline of peacekeeping personnel.

Summary

The legal framework for UN peacekeeping operations includes International Law: the UN Charter, IHRL and IHL

- The legal framework for UN peacekeeping operations includes:
 - International Law, including the UN Charter, International Human Rights Law (IHRL), International Humanitarian Law (IHL), International Refugee Law and International Criminal Law
 - Security Council mandates
 - National law of the host country
 - MOU between the UN and the TCCs/PCCs
 - SOMA or SOFA
 - Convention on the Privileges and Immunities of the United Nations of 1946
 - UN Internal Rules, Regulations and Guidance
 - Rules of Engagement (ROE) and Directive on the Use of Force (DUF)

Human rights are universal

- “Human rights” are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.

Examples of human rights include “civil and political rights” and “economic, social and cultural rights

- Human rights protected under IHRL include civil, political, economic, social and cultural rights.
- Examples of civil and political rights include the right to:
 - Life
 - Freedom from torture
 - Protection from discrimination
 - Freedom of expression
 - A fair trial
 - Not to held in slavery

(Cont.)

(Summary cont.)

- Examples of economic, social and cultural rights include the right to:
 - Join a trade union
 - Education
 - Food
 - Housing and medical care
 - Social security and work
 - Equal pay for equal work

Individuals are protected under IHL if they do not engage in hostilities, or are no longer doing so

- IHL protects those who do not engage in hostilities, or who are no longer doing so. This includes civilians, the wounded, prisoners, medical personnel and humanitarian workers. It upholds fundamental rights of civilians, victims and non-combatants in an armed conflict.

All armed peacekeeping personnel must know the ROE and DUF because the use of force is specific to the mission's mandate, may be robust and may be different from national legal restrictions

- The Rules of Engagement (ROE) and Directive on the Use of Force (DUF) guide armed UN military and police on the use of force.
- The ROE and DUF:
 - Detail how and when to use force; details include constraints and latitudes (scope) in using force and the right of self-defence
 - Clarify different levels of force to use in different circumstances
 - Provide practical guidance to commanders, including on needed authorizations
- It is important to **clearly understand** the ROE and DUF because the use of force:
 - Is specific to the mission and its mandate
 - May be robust for volatile and potentially dangerous environments
 - May differ from national legal restrictions on the use of force

Evaluation

Notes on Use: An example of learning evaluation questions for this lesson may be found below.

There are different types of learning evaluation questions for the instructor to choose from (See Options). Types of learning evaluation questions are:

- 1) True-False
- 2) Narrative
- 3) Fill in the blank/sentence completion
- 4) Call-and-Response/Mix-and-Match

Combine in different ways for pre-assessment and post-assessment. Each evaluation type covers different content. No sub-set covers all learning outcomes. Make sure you include learning evaluation questions for each learning outcome when you combine them.

Three main uses of evaluation questions are: a) informally ask the whole group, b) semi-formally assign to small groups or c) formally give to individuals for written responses.

Evaluation Questions for Lesson 1.4	
Questions	Answers
True-False	
1. International human rights law and international humanitarian law cover the same content.	False. Both are international law, but: <ul style="list-style-type: none"> ▪ International human rights law protects the fundamental human rights of every individual, always – in times of armed conflict and peace ▪ International humanitarian law protects those who do not engage in hostilities, or who are no longer doing – in times of armed conflict only
2. International human rights law applies in times of war and in peace.	True. International human rights law protects fundamental human rights of every individual at all times – in times of armed conflict and peace. International humanitarian law applies in times of armed conflict.
3. International humanitarian law (IHL) only applies to international conflicts.	False. IHL applies in times of armed conflict, both international and non-international (or internal) conflicts.

Narrative	
<i>Note: Frame narrative evaluations as questions, requests or directions.</i>	
4. Who does international human rights law protect?	Every person is protected by international human rights law – human rights are universal, and indivisible (they apply to everyone, and they cannot be divided).
5. Name as many examples of human rights as you can.	<p>EXAMPLES OF CIVIL AND POLITICAL RIGHTS</p> <p>Right to life Right to be free from torture Right to be protected from discrimination Right to freedom of expression Right to a fair trial Right not to be held in slavery</p> <p>EXAMPLES OF ECONOMIC SOCIAL AND CULTURAL RIGHTS</p> <p>Right to join a trade union Right to education Right to food Rights to housing and medical care Rights to social security and to work Right to equal pay for equal work</p>
6. Name at least three of five kinds of international law that apply to UN peacekeeping operations.	<ol style="list-style-type: none"> 1. UN Charter 2. International Human Rights Law 3. International Humanitarian Law 4. International Refugee Law 5. International Criminal Law <p>Learners may name specific legal instruments, such as the International Bill of Human Rights.</p>
7. Who does international humanitarian law (IHL) mainly protect?	<p>IHL protects those who do not engage in hostilities, or who are no longer doing so.</p> <ul style="list-style-type: none"> ▪ Civilians ▪ Wounded ▪ Prisoners ▪ Medical personnel ▪ Humanitarian workers <p>It upholds fundamental rights of civilians, victims and non-combatants in an armed conflict.</p>

Sentence Completion	
<p>8. The right to life, to freedom of expression, to be protected from discrimination, to education, food, equal pay for equal right are examples of _____.</p>	<p>Human rights.</p> <p>Specifically, the right to life, to freedom of expression, to be protected from discrimination are examples of civil and political rights. Other civil and political rights include to a fair trial, to be free from torture, and not to be held in slavery.</p> <p>The right to education, food, equal pay for equal rights are examples of economic, social and cultural rights. Other economic, social and cultural rights are rights to join a trade union, to housing and medical care, social security and to work.</p>
<p>9. Law of war or law of armed conflict is known as _____. Its goal is to limit negative impact of armed conflict and lessen suffering during war.</p>	<p>International humanitarian law.</p>
<p>10. _____ guides use of force for the military in peacekeeping. _____ guides use of force for police.</p>	<ul style="list-style-type: none"> ▪ The Rules of Engagement (ROE) guide use of force for the military component. ▪ Directive on the Use of Force (DUF) guides use of force for police, where Formed Police Units (FPUs) are armed. <p><i>Make sure participants know which document guides use of force for which component.</i></p>

Commonly Asked Questions and Key Words

Key Words or phrases for this lesson:

Key Word or Phrase	Definition
International law	International law is the body of rules governing the relationships between states and between individuals. It grants specific rights to individuals. It imposes duties and obligations on states, individuals, and groups. International law is globally recognized and accepted.
Treaties	Treaties are binding instruments by which governments can be held accountable. International treaties have different designations, such as covenants, charters, protocols, conventions, accords, agreements. A state can become a party to a treaty by ratification, accession or succession.
Customary international law	Customary international laws are rules that come from a general practice accepted as law and that exist independent of treaty law. For example, while the Universal Declaration of Human Rights is not itself a binding treaty, some of its provisions have the character of customary international law. Slavery, extra-judicial killing, torture, prolonged arbitrary detention, genocide are examples of Customary International Laws that are also covered by formal international laws.
Civilian	The term ' civilian ' refers to any person who is not or is no longer directly participating in hostilities or other acts of violence.

Commonly asked questions from participants:

Possible Questions	Possible Responses
<p>What do the red cross, red crescent and red crystal emblems represent?</p>	<p>Against a white background, the red cross, red crescent and red crystal symbols or “emblems” represent the impartial humanitarian assistance provided to those who suffer. The emblems are generally used to protect:</p> <ol style="list-style-type: none"> 1. the medical services of the armed forces 2. civilian hospitals in war time 3. the sick and wounded 4. The International Red Cross and Red Crescent Movement – which includes National Red Cross or Red Crescent Societies, the International Federation of Red Cross and Red Crescent Societies, and the International Committee of the Red Cross (ICRC). <p>These emblems are immediately recognised by people throughout the world. Use of the emblems is protected by IHL. The use of the emblems to hide or shelter combatants or military equipment during armed conflict is a war crime. In order to introduce a symbol that is not considered to have a religious connotation, the “red crystal” was adopted in 2005.</p>
<p>What is the difference between a Chapter VI and a Chapter VII peacekeeping mission?</p>	<p>Chapter VI of the UN Charter deals with the "Pacific Settlement of Disputes" and Chapter VII contains provisions related to "Actions with Respect to Peace, Breaches of the Peace and Acts of Aggression". United Nations peacekeeping operations have traditionally been associated with Chapter VI of the Charter. However the Security Council does not need to refer to a specific chapter of the Charter when passing a resolution that authorizes the deployment of a UN peacekeeping operation. Only once has it named Chapter VI in a resolution authorizing a mission - for the UN Mission for the Referendum in Western Sahara (MINURSO), in Resolution 1495 (2003). In recent years the Security Council has invoked Chapter VII as a statement of firm political resolve and a means of reminding the parties to a conflict of their obligation to give affect to Security Council decisions. However, what is of critical importance on the ground are the specific mandates of the mission, <i>Rules of Engagement and Directive on the Use of Force</i>. A peacekeeping operation's authority to use force is NOT linked primarily to an explicit reference to Chapter 7 of the UN Charter in the Security Council mandate.</p>
<p>Is the International Criminal Court (ICC) part of the United Nations?</p>	<p>No. The International Criminal Court is an independent international organization and it is not part of the United Nations system. Its seat is at The Hague in the Netherlands. Although the Court's expenses are funded primarily by</p>

	States Parties to the Rome Statute, it also receives voluntary contributions from governments, international organisations, individuals, corporations and other entities.
How is the ICC different from the international criminal tribunals set up for Rwanda and the former Yugoslavia?	The International Criminal Court is the product of a multilateral treaty, whereas the Tribunals for the former Yugoslavia and Rwanda were created by the United Nations Security Council. These tribunals were created in response to specific situations and will be in existence for a limited time period.
What is the difference between the ICC and the International Court of Justice?	The International Court of Justice (ICJ) does not have criminal jurisdiction to prosecute individuals. It is a civil tribunal that deals primarily with disputes between States. The ICJ is the principle judicial organ of the United Nations, whereas the ICC is independent of the UN.
What do the red cross, red crescent and red crystal emblems represent?	Against a white background, the red cross, red crescent and red crystal symbols or “emblems” represent the impartial humanitarian assistance provided to those who suffer. The emblems are generally used to protect: <ul style="list-style-type: none"> 5. the medical services of the armed forces 6. civilian hospitals in war time 7. the sick and wounded 8. The International Red Cross and Red Crescent Movement – which includes National Red Cross or Red Crescent Societies, the International Federation of Red Cross and Red Crescent Societies, and the International Committee of the Red Cross (ICRC). <p>These emblems are immediately recognised by people throughout the world. Use of the emblems is protected by IHL. The use of the emblems to hide or shelter combatants or military equipment during armed conflict is a war crime.</p>

Reference Materials

Below are materials which are a) referenced in this lesson, and b) required reading for instructor preparations:

- [Charter of the United Nations, 1945](#)
- [United Nations Peacekeeping Operations Principles and Guidelines, also known as the Capstone Doctrine, 2008](#)
- Review peacekeeping mission mandates (See 'Additional Resources')
- [The Geneva Conventions and their Additional Protocols, 1949](#)
- [International Bill of Human Rights](#)
- [Universal Declaration of Human Rights, 1948](#)
- [International Covenant for Civil and Political Rights \(ICCPR\), 1966](#)
- [International Covenant on Economic, Social and Cultural Rights \(ICESCR\), 1966](#)
- [Secretary General's Bulletin Observance by United Nations forces of international humanitarian law \(ST/SGB/1999/13\)](#)
- [Convention relating to the Status of Refugees, 1951](#)
- [Guiding Principles on Internal Displacement, 1998](#)
- [Rome Statute of the International Criminal Court \(ICC\), 1998](#) (came into force in 2002)
- [Model Memorandum of Understanding \(MOU\) between the United Nations and Troop Contributing Countries \(A/C.5/60/26\)](#)
- [Subsequent amendments to the Model MOU between the United Nations and Troop Contributing Countries \(A/61/19/REV.1 \(SUPP\)\)](#)
- [Model Status of Forces Agreement for United Nations Peacekeeping Operations \(A/45/594\)](#)
- [Convention on the Privileges and Immunities of the United Nations, 1946](#)
- [Security Council Resolution 1894 \(2009\) on the protection of civilians in armed conflict \(S/RES/1894\)](#)
- [Security Council Resolution 2150 \(2014\) on prevention and fight against genocide and other serious crimes under international law \(S/RES/2150\)](#)
- [DPKO-DFS Guidelines on Use of Force by Military Components in UN Peacekeeping Operations, 2017](#)

Additional Resources

UN Information

The website for UN peacekeeping: <http://www.un.org/en/peacekeeping/>

Original Security Council Resolutions on peacekeeping mission mandates: <http://www.un.org/en/sc/documents/resolutions/>

(You must know the start year, country and resolution reference details for the mission you wish to search for. For this information, identify the name of the mission using the following links: <http://www.un.org/en/peacekeeping/operations/current.shtml>; <http://www.un.org/en/peacekeeping/operations/past.shtml>)

UN Documents

UN documents can be found on: <http://www.un.org/en/documents/index.html>(Search by document symbol, e.g. A/63/100)

DPKO and DFS Guidance

The repository for all official DPKO and DFS guidance is the Policy and Practice Database: <http://ppdb.un.org> (only accessible from the UN network). Official peacekeeping guidance documents are also accessible through the Peacekeeping Resource Hub: <http://research.un.org/en/peacekeeping-community>

Instructors are encouraged to check for the latest guidance.

UN Films

UN films can be found on YouTube: <https://www.youtube.com/user/unitednations>

Additional Information

Human rights information on the situation in a country from the website of the Office of the High Commissioner for Human Rights (OHCHR):

<http://www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx>

Latest human rights reports issued by the UN Secretary-General, the UN High Commissioner for Human Rights and to identify key human rights violations:

<http://www.ohchr.org/EN/Countries/Pages/PeaceMissionsIndex.aspx>

(Click on the appropriate link for countries with peace operations).

Country-specific information on the international humanitarian response:

<http://www.reliefweb.int>

Inter Agency Standing Committee (IASC) Guidelines and References for Complex Emergencies, January 2009:

<https://docs.unocha.org/sites/dms/Documents/Civil-Military%20Guidelines%20and%20Reference,UN-IASC,%2021%20Oct%2008,English.pdf>

OHCHR, The Core International Human Rights Treaties:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>

OHCHR, New Core International Human Rights Treaties:

<http://www.ohchr.org/Documents/Publications/newCoreTreatiesen.pdf>

Additional Training Resources

UN Peacekeeping Operations: An Introduction

<http://portals.unssc.org/course/index.php?categoryid=24>

For further technical advice on training on ROE or DUF, they may contact DPKO's Integrated Training Service (ITS) at: peacekeepingtraining@un.org

Module 1: An Overview of United Nations Peacekeeping Operations

Lesson 1.4



Legal Framework for United Nations Peacekeeping



Relevance

Peacekeeping personnel:

- “Ambassadors” of the UN
- Role models, a good example
- Know what you “should” and “should not” do
- Must not violate International Human Rights Law (IHRL) or International Humanitarian Law (IHL)



Learning Outcomes

Learners will:

- List key documents in International Law
- Explain human rights and list examples in International Human Rights Law (IHRL)
- Identify who is protected by International Humanitarian Law (IHL)
- Explain why all armed UN peacekeeping personnel must know the rules of engagement (ROE) or directive on use of force (DUF)



Lesson Overview

1. Importance of the Legal Framework
2. Legal Framework for UN peacekeeping operations (UNPKOs)
3. UN Charter
4. IHRL
5. IHL
6. ROE & DUF
7. Additional Aspects of the Legal Framework



Learning Activity

1.4.1

Experiences of Rules and Laws

Instructions:

- Give examples of rules and laws in society
- Why are they important?
- Compare with International Law

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

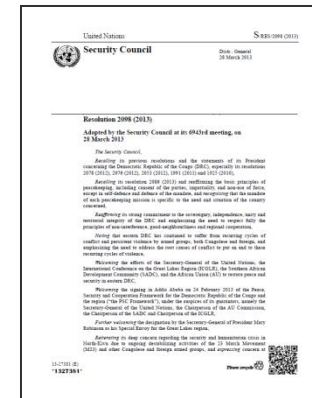
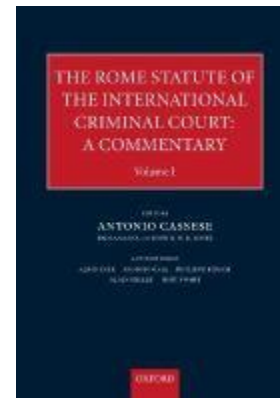
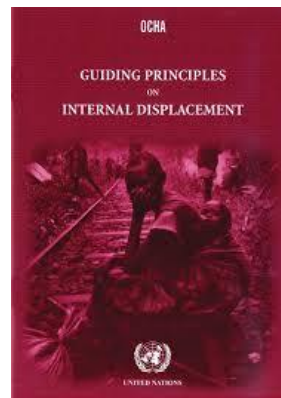
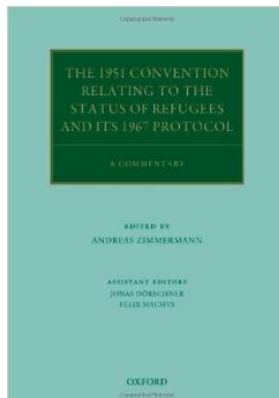
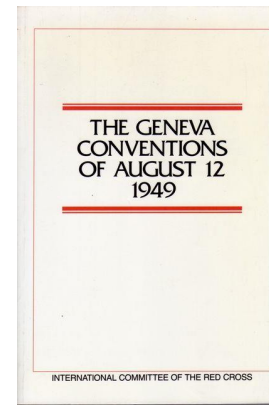
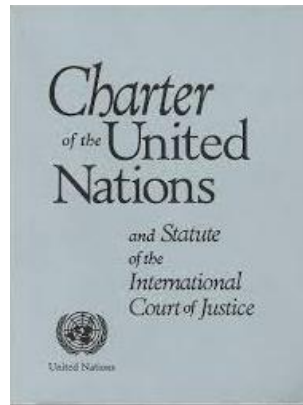


1. Importance of the Legal Framework

- Legitimacy
- Directs the actions or tasks of UNPKOs
- Guides peacekeeping personnel in official functions and personal conduct



2. Legal Framework for UN Peacekeeping Operations

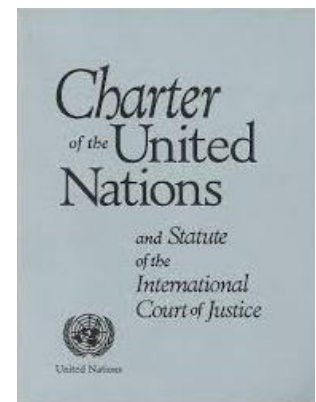




3. UN Charter

Chapters Indicating Peacekeeping

- **Chapter I:** Purpose of UN “...to maintain international peace and security”
- **Chapter V:** Security Council “...primary responsibility for international peace and security...”
- **Chapter VI:** Outlines range of peaceful measures
- **Chapter VII:** “Security Council...may take action as may be necessary...”
- **Chapter VIII:** Involvement of regional partners in maintaining international peace and security





Learning Activity

1.4.2

International Human Rights Law

Instructions:

- What are “human rights”?
- Give examples
- List examples of international human rights law

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes



4. International Human Rights Law

What are Human Rights?

- **“Human rights”** are rights inherent to all human beings, whatever our nationality, place of residence, sex, sexual orientation and gender identity, national or ethnic origin, colour, religion, language or any other status
- We are all equally entitled to our human rights without discrimination





Examples of Human Rights

Examples of **civil and political rights** include the right to:

- Life
- Freedom from torture
- Protection from discrimination
- Freedom of expression
- A fair trial
- Not be held in slavery



Examples of Human Rights

Examples of **economic, social and cultural rights** include the right to:

- Join a trade union
- Education
- Food
- Housing and medical care
- Social security and work
- Equal pay for equal work



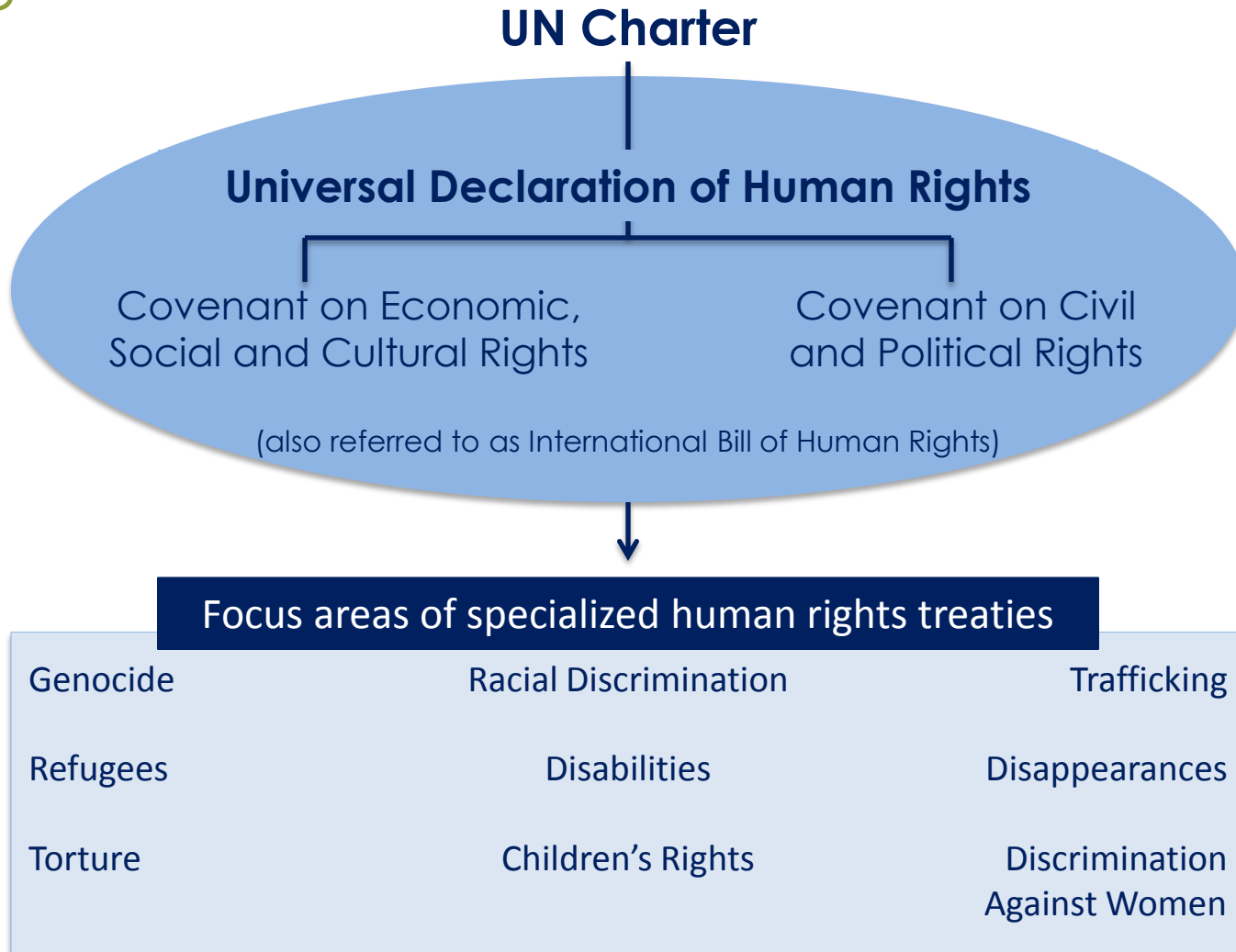
What is International Human Rights Law?

- International Law protecting fundamental human rights of every individual at all times
- **Applies both in war and peace, to all human beings**





Legal Sources

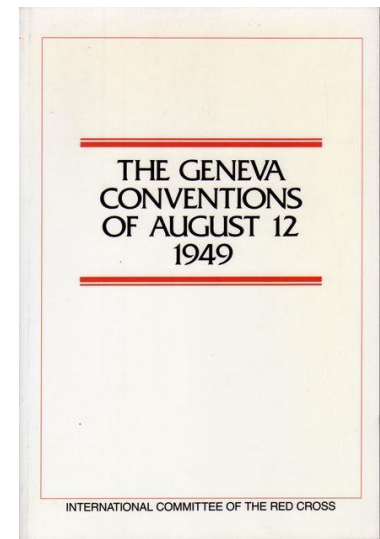




5. International Humanitarian Law

What is International Humanitarian Law?

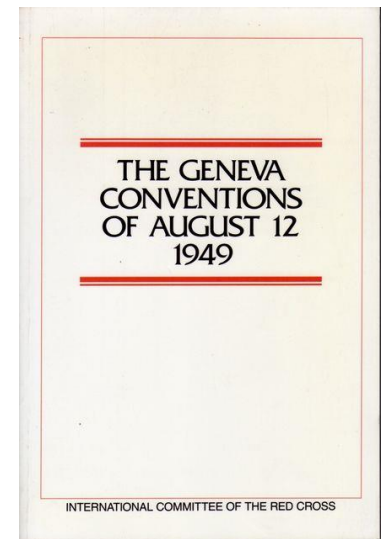
- “Law of war” or “law of armed conflict”
- **Applies in times of armed conflict**
- Limits negative impact of armed conflict and reduces suffering during war
- Individuals are protected under IHL if they do not engage in hostilities, or are no longer doing so





Legal Sources

- Geneva Conventions and Additional Protocols
- Secretary-General's Bulletin on IHL





Learning Activity

1.4.3

International Humanitarian Law – Who should be Protected?

Instructions:

- Consider the images
- Identify “civilians” and “combatants”
- Who should be protected? Why?

Time: 10 minutes

- Group work: 5 minutes
- Discussion: 5 minutes



Essential Rules of IHL

1. Civilian targets cannot be attacked. Attacks only against military objectives.
2. Civilians and anyone no longer taking part in hostilities must be respected and treated humanely.
3. Anyone who surrenders or stops fighting (e.g., wounded) cannot be killed.
4. Torture is prohibited at all times and in all circumstances.



Essential Rules of IHL (cont.)

5. Captured combatants and civilians must be respected and protected.
6. It is forbidden to use weapons or methods of warfare that are likely to cause excessive injury or unnecessary suffering.
7. Wounded and sick must be collected and cared for.
8. Medical personnel and medical establishments, transport and equipment must be respected and protected.



Essential Rules of IHL (cont.)

9. The Red Cross, Red Crescent and Red Crystal emblems are signs of protection and must be respected.
10. Prevention and prosecution of war crimes covers attacking civilians, recruiting children as soldiers, torturing prisoners and sexual violence.





Learning Activity

1.4.4

Use of Force at Home

Instructions:

- Think about your home country
- How is force applied legally at home?
- Is there a difference with UN peacekeeping?

Time: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes



6. Rules of Engagement (ROE) & Directive on Use of Force (DUF)

- Guide **use of force**
- ROE for military personnel, DUF for police personnel
- Guidance in accordance with mandate, UN Charter, International Law





The Importance

- Use of force specific to mission and its mandate
- Differs from national legal restrictions
- Robust for volatile and potentially dangerous environments





7. Additional Aspects of the Legal Framework

- International Law – International Refugee Law, Guiding Principles on Internal Displacement, International Criminal Law
- Security Council mandate
- National law of host country
- MOU between UN and T/PCCs
- SOMA or SOFA
- The Convention on the Privileges and Immunities of the UN of 1946
- UN Internal Rules, Regulations and Guidance



Summary of Key Messages

- Legal framework includes International Law – UN Charter, IHRL, IHL
- Human rights are universal – “civil and political rights”, “economic, social and cultural rights”
- Individuals are protected under IHL if they do not engage in hostilities, or are no longer doing so
- Know ROE, DUF – use of force is mission-specific, different from national legal restrictions, may be robust



Questions



Learning Activity

Learning Evaluation

Learning Activities

Detailed instructions for each learning activity may be found below. Here is an overview of learning activities for the instructor to choose from:

Number	Name	Methods	Time
1.4.1	Experiences of Rules and Laws	Visuals, brainstorm	5 minutes
1.4.2	International Human Rights Law	Brainstorm	5-20 minutes
1.4.3	International Humanitarian Law – Who Should Be Protected?	Visuals, discussion	10-30 minutes
1.4.4	Use of Force at Home <i>(Note: particularly important for Commanders)</i>	Brainstorm, guided discussion	5-30 minutes
1.4.5	Peacekeeping Mandates and the UN Charter	Mix and match exercise	15 minutes
1.4.6	Definitions – “mandate”, “resolution”...	Guided group discussion, pooling group knowledge	10-30 minutes, depending on number of definitions <i>(may do in parts)</i>

Learning Activity

1.4.1

Experiences of Rules and Laws

METHOD

Visuals, brainstorm

PURPOSE

To understand the importance of International Law

TIME

5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

INSTRUCTIONS

- Give examples of rules and laws in society
- Why are they important?
- Compare with International Law

RESOURCES

- Learning Activity instructions

Preparation

- Decide on the small groups. The activity is short, so table groups are good because they are formed and in place.
- Consider which pictures can be used. Collect many examples of these.
- Decide on the order of the images / photos. Decide whether the images will be projected or handed out on sheets of paper. This activity is better delivered to the group as a whole – consider distributing printed copies amongst smaller groups.

Instructions

1. Introduce the activity. The purpose of the exercise is to connect what the group already knows about how legal frameworks regulate behaviour.
2. Ask participants to brainstorm answers to the following questions:
 - a) What are examples of rules and laws that exist in society?
 - b) Why are they important?
 - c) What would happen if we did not have any rules or laws?
 - d) How does this compare with international law?
3. Project the images to prompt responses.
4. Begin the brainstorming yourself. Transfer to the flip-chart and record the following examples of rules and laws that exist in everyday life: stop at traffic lights, wear seat belts, do not steal, do not murder.
5. Highlight the importance of rules and laws to:
 - a) Regulate behavior
 - b) Protect human rights and freedoms – including protecting life
 - c) Bring order to society
 - d) Rule of law – for example, the constitution
 - e) Keep people in authority or with power accountable
 - f) Make sure people get what they are entitled to – for example, justice, services from the State
6. Ask participants to reflect on how legal frameworks regulate behavior between individuals, different actors within a society, and behaviour between states. Draw comparisons between national and international law. Link to Learning Activity 1.2.1 on Experiences of Conflict.
7. Use the results of the brainstorming to introduce the Lesson 1.4 on Legal Framework for UN Peacekeeping. Key messages:
 - a) Rules and laws exist to help regulate behaviour.
 - b) These include rules and laws for conduct in violent conflict.
 - c) The UN Charter and International Law are examples.
 - d) All are accountable to these rules and laws – including peacekeeping personnel.

Learning Activity

1.4.2

International Human Rights Law

METHOD

Brainstorm

PURPOSE

To establish basic knowledge of a) what human rights are and b) examples of human rights as part of international law as it applies to peacekeeping

TIME

Short option: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

Longer option: 20 minutes

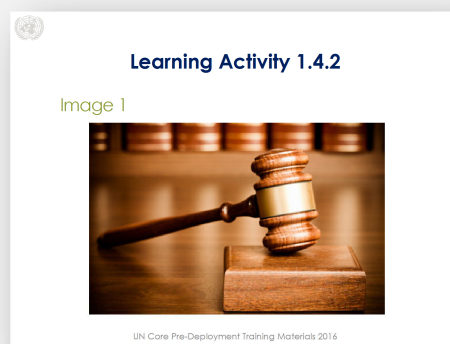
- Brainstorming: 12 minutes
- Discussion: 8 minutes

INSTRUCTIONS

- What are “human rights”?
- Give examples
- List examples of international human rights law

RESOURCES

- Learning Activity instructions
- Activity Material
- Photos



Note on Use: Lesson 2.3 in Module 2 covers more depth on human rights. Specific points in this introduction in Module 1 link to human rights law, part of international law, as it applies to peacekeeping. This exercise is short. It can start a lesson or be an interactive break part-way through the lesson, to keep people engaged. It can summarize a lesson, and help assess learning.

Preparation

- Prepare flip chart sheets for the exercise. Put the sheets on flip chart stands at the front of the room.
- Write “Human Rights” at the centre of one flip-chart sheet. Write “Examples” in the centre of another, and “Human Rights Law” on a third.
- You may want to refer back to “hurricane thinking” brainstorming.

Instructions

1. Introduce the activity. People have different ideas about human rights. The purpose of the exercise is to start the coverage of human rights law with what the group already knows. The brainstorming follows a sequence of three questions.
 - a) What are human rights?
 - b) What are examples of human rights?
 - c) What is human rights law?
2. Start with the first question: *What are human rights?* Prompt the group if needed. If people give *examples* of human rights, identify them as examples and write them on that flip-chart, then draw attention back to *defining what they are*. This is not easy. Move to the second question when the group has no more input.
3. The second question: *What are examples of human rights?* Be ready to prompt. *What about ... ?* Few groups will be able to identify all human rights.
4. The third question: *What is international human rights law?*
5. Do not debrief the brainstorm right away. Present the information in Lesson 1.4.
6. After the presentation, come back to the brainstormed points on flipcharts. Ask people what they can add. Use a different colour of pen to add new points. (Additional points should cover specifics on the Universal Declaration of Human Rights, the two Covenants; specialized human rights treaties. It may help learning to check understanding and explain key words and terms, such as covenants, treaties.)
7. Ask a fourth question: How does international human rights law apply to peacekeeping? Reinforce two main points:
 - a) international human rights law applies in war, in peace and applies to all human beings;
 - b) all peacekeepers need to know about human rights and apply that understanding when they are deployed.
8. Close the exercise and the session. Emphasize the point that **human rights are every UN staff person’s responsibility**. They are not distant from peacekeepers. Human rights influence many parts of their work: later lessons go into more detail. Refer participants to the Universal Declaration of Human Rights: <http://www.un.org/en/documents/udhr/>

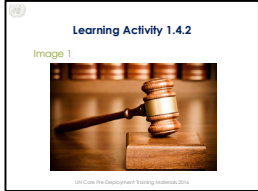

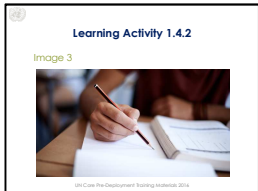

1.4.2 Learning Activity Material: International Human Rights Law

<p>Human rights</p>	<ul style="list-style-type: none"> ▪ Inherent to all human beings – all people are equally entitled to human rights without discrimination ▪ Apply across all considerations: nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or <i>any other status</i> ▪ Universal – every person holds them ▪ Indivisible – they cannot be separated: different rights support each other ▪ Always apply – no-one can take away a person's human rights (i.e. people may violate a person's human rights, but they are committing a crime)
<p>Examples of human rights</p>	<p>CIVIL AND POLITICAL RIGHTS</p> <ul style="list-style-type: none"> ▪ Right to life ▪ Right to be free from torture ▪ Right to be protected from discrimination ▪ Right to freedom of expression ▪ Right to a fair trial ▪ Right not to be held in slavery <p>ECONOMIC, SOCIAL AND CULTURAL RIGHTS</p> <ul style="list-style-type: none"> ▪ Right to join a trade union ▪ Right to education ▪ Right to food ▪ Rights to housing and medical care ▪ Rights to social security and to work ▪ Right to equal pay for equal work
<p>International human rights law</p>	<ul style="list-style-type: none"> • International law that protects fundamental human rights of every individual, at all times • Applies in war and peace, and to all human beings • Protects vulnerable groups – refugees, internally displaced persons, minorities, detainees, persons with disabilities, migrant workers, women children and the elderly • International Bill of Human Rights, cornerstone of human rights, is made up of: <ol style="list-style-type: none"> 1. Universal Declaration of Human Rights (UDHR); plus 2. Two covenants – Covenant on Economic, Social and Cultural Rights and Covenant on Social and Political Rights • Many specialized human rights treaties – on genocide, refugees, torture, racial discrimination, children's rights, trafficking, disappearances, discrimination against women • UN Charter and UDHR reinforce that human rights are universal

Application to peacekeeping	<ul style="list-style-type: none">• International human rights law apply in peace and in conflict. No situation exists where these do not apply.• Violations of human rights need to be reported. Different missions manage human rights violations in different ways. In-mission briefing will cover this.• As ambassadors of the United Nation, peacekeepers need to keep high standards of respect for human rights.• This respect applies to personal behaviour as well as on the job of peacekeeping. The UN expects the same high standards 24 hours a day, in private and professional life.
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1.4.2 Photos: International Human Rights Law

Available as slides for the learning activity.

Photo Number	Description
<p>1.</p>  <p><small>Learning Activity 1.4.2 Image 1</small></p>	<p>Example of civil and political rights: A fair trial</p> <p>Source of photo: http://www.jstudentboard.com/reporter/community-and-school/valencia-high-school-heads-to-mock-trial-tournaments/</p>
<p>2.</p>  <p><small>Learning Activity 1.4.2 Image 2</small></p>	<p>Example of civil and political rights: Not to be held in slavery</p> <p>Source of photo: http://www.nationalreview.com/article/420807/slavery-didnt-cause-todays-black-problems-welfare-did</p>
<p>3.</p>  <p><small>Learning Activity 1.4.2 Image 3</small></p>	<p>Example of economic, social and cultural rights: Education</p> <p>Source of photo: http://www.greenwichedgroup.com</p>
<p>4.</p>  <p><small>Learning Activity 1.4.2 Image 4</small></p>	<p>Example of economic, social and cultural rights: Food</p> <p>Source of photo: http://www.innerself.com/content/living/health/food-and-nutrition/14994-what-is-the-environmental-cost-of-a-loaf-of-bread.html</p>

Learning Activity

1.4.3

International Humanitarian Law – Who should be Protected?

METHOD

Visuals

PURPOSE

To deepen learner understanding of how IHL is used to protect civilians in armed conflict, focusing on the principle of distinction between a) combatants and civilians and b) civilian objects and military objectives.

TIME

Short option: 10 minutes

- Group work: 5 minutes
- Discussion: 5 minutes

Longer option: 30 minutes

- Group work: 15 minutes
- Discussion: 15 minutes

INSTRUCTIONS

- Consider the images
- Identify “civilians” and “combatants”
- Who should be protected? Why?

RESOURCES

- Learning Activity instructions
- Responses to discussion questions
- Activity Material
- Photos



Note on Use: This learning activity is also relevant for the Lesson 2.5 on the Protection of Civilians (POC) in Module 2.

Preparation

- Select images / photos and videos to use for this exercise. See Part A and B below to decide on which ones. Examples are included in these instructions.
- Decide on the order of the images / photos and videos. Decide whether the images will be projected or handed out on sheets of paper. This activity is better delivered to the group as a whole – consider distributing printed copies amongst smaller groups. Review the 10 Essential Rules of IHL listed in Lesson 1.4.
- Decide how you will deliver this exercise. Choose whether you will deliver the exercise in its short or long form. Also decide on whether you will deliver in small groups or to the group as a whole.
- If necessary, make sure you have copies of materials. You may decide to project the images, or provide them as handouts. If you choose the longer version of this exercise, make sure that copies of the discussion questions are available for participants to refer to.
- Review the 'principle of distinction': https://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter1_rule1

Instructions

1. Project the images, first for Part A, and then for Part B of this activity.
2. Short option: Select a few images. Ask participants the following questions.
 - a) Who are the "civilians"?
 - b) Who are the "combatants"?
 - c) Who should be protected? Why?
3. Longer option: Ask participants questions to generate discussion on the images under Part A, and then Part B. These are questions focusing on the principle of distinction, to distinguish civilians and civilian objects. Prompt responses if they do not come naturally.
4. Emphasise the Essential Rules of IHL.
5. In closing, ask the question: "Why is it important for those involved in fighting to follow the Essential Rules of IHL?" Learners may come up with moral and ethical arguments as to why these rules should be followed, focusing on the protection of civilians.
6. End with these key messages:
 - (a) Making rules which require those involved in fighting to distinguish between combatants and civilians, and civilian objects and military objectives, will protect and limit the suffering of civilians (the principle of distinction).
 - (b) IHL protects those who do not engage in hostilities, or who are no longer doing so. This includes civilians, the wounded, prisoners, medical personnel and humanitarian workers. It upholds fundamental rights of civilians, victims and non-combatants in an armed conflict.
 - (c) The nature of warfare today means that the distinction between civilian and combatant is not self-evident or stable. In case of doubt whether a person is a civilian, that person should be considered a civilian.
7. Invite participants to share observations about international humanitarian law as it applies to current events.

1.4.3 Responses to Discussion Questions: International Humanitarian Law – Who Should Be Protected?

PART A: Protecting Civilians

Photo numbers: 1-10

1. Who are the civilians? Who are the combatants? How do you distinguish between civilians and combatants?

- Discuss use of uniforms and clearly displaying weapons, etc. Combatants may wear uniforms and carry their arms openly. They may be armed with guns, tanks, and other weapons. The nature of warfare has changed, with different armed actors. Combatants include trained soldiers, as well as insurgents or guerrillas. Ask whether it is easy to identify combatants and civilians in all cases, referring to pictures with non-uniformed individuals carrying arms (issue of civilians armed for self-defense). Also note the sex and maturity of combatants.
- The term 'civilian' refers to any person who is not or is no longer directly participating in hostilities or other acts of violence. This definition implies that civilians may be in the possession of arms, without necessarily having a status of 'combatant'. Under IHL, civilians who are in the possession of arms for example for the purpose of self-defence and/or the protection of their property but who have not been, or are not currently engaged in 'hostilities' are entitled to protection.
- Civilians are only protected as long as they do not participate in hostilities. Civilians lose their protection from attack for as long as they participate in hostilities.
- Distinction between civilians and combatants is difficult, especially when insurgents or guerrillas live among the civilian population, or are used as "human shields" (i.e. when civilians or other protected persons are used to shield military objects). In case of doubt whether a person is a civilian, that person should be considered a civilian.

2. What might be the consequences of the distinction between civilians and combatants not being clear?

- Where fighters hide among civilians and pretend to be civilians, they put the civilian population at risk of attack.
- In a situation where civilians are attacked, the combatants that carry out that attack bear responsibility for this violation of IHL and can be criminally prosecuted for it. However, one must remember the fighters hiding among the civilian population are abusing the protection civilians enjoy and, therefore, also bear a degree of responsibility for any civilian casualties.

3. Why is it important to protect civilians?

- During armed conflict, civilians are often unintentionally wounded or killed (civilian casualties). Civilians are harmed by accident, as an unintended consequence of the chaos of hostilities, but they are also increasingly deliberately targeted. Civilians are victims of war and need to be protected.
- Discuss vulnerable individuals and groups. Peacekeepers must pay specific attention to the protection needs of individuals or groups most vulnerable to, or most likely to be the target of violence. These tend to include girls and boys, women, minority groups (e.g. ethnic or religious), refugees, internally displaced, persons with disabilities, the wounded and the elderly.
- Targeting civilians is a war crime.

4. Should combatants be protected in certain situations?

- Discuss combatants who are injured, unable to fight and requiring medical attention. Discuss prisoners and detainees who are in the hands of the party they were just fighting.
- All combatants have a right to protection once they are “out of the fight”. This could be when they are wounded, surrendering or taken prisoner, and they abstain from participation in hostilities or attempts to escape.
- Well-known symbols and signs used to express an intention to surrender or negotiate include placing your hands up or using the white flag.

In Part A, emphasise these specific Essential Rules of IHL:

1. Civilian targets cannot be attacked. Attacks are to only be against military objectives.
2. Civilians and others no longer taking part in hostilities must be respected and treated humanely.
3. Anyone who surrenders or stops fighting, or is wounded, cannot be killed.
4. Torture is prohibited at all times and in all circumstances.
5. Captured combatants and civilians must be respected and protected.
6. Weapons or methods of warfare likely to cause excessive injury or unnecessary suffering are prohibited.
10. Prevention and prosecution of war crimes covers attacking civilians, recruiting children as soldiers, torturing prisoners and sexual violence.

PART B: Protecting Humanitarian Activities (medical facilities and personnel)

Photo numbers: 11-20

1. What are the emblems? Why are the emblems on the vehicles/buildings?

- Against a white background, the red cross, red crescent and red crystal symbols or “emblems” represent the impartial humanitarian assistance provided to those who are suffering.
- The emblems are generally used to protect:
 - the medical services of the armed forces
 - civilian hospitals in war time
 - the sick and wounded
 - The International Red Cross and Red Crescent Movement – which includes National Red Cross or Red Crescent Societies, the International Federation of Red Cross and Red Crescent Societies, and the International Committee of the Red Cross (ICRC).
- Protection covers medical personnel, establishments, transportation and equipment.

2. Why should humanitarian activities be protected in armed conflict?

- Break down this general question into specific ones: Why should ambulances and vehicles carrying the wounded be protected? Why should medical personnel such as doctors and nurses be protected?
- From an ethical point of view, it is reasonable to want to protect those who are wounded in general. Civilians are protected under IHL so ambulances carrying them and hospitals should also be protected. Once wounded, injured or having surrendered, combatants are “out of the fight” and may no longer be made the object of attack (provided they do not participate further in hostilities).
- Ambulances and medical personnel need to be able to gain access to conflict areas to carry out their humanitarian activities, so it is especially important that they are protected from attack. This includes military medical personnel. Medical personnel are there to alleviate the suffering of the wounded. Targeting them would be inhumane and would serve no military purpose.
- Members of the Red Cross and Red Crescent Movement and the International Committee of the Red Cross (ICRC) who are giving humanitarian aid or otherwise helping in a country must also be protected.
- According to IHL, it is a war crime to knowingly fire at a medic wearing a clear emblem during armed conflict.
- Peacekeepers are tasked to create a safe and secure environment within which humanitarian actors can operate.

3. Why is it important to not misuse the emblems, for example, to ambush soldiers?

- The red cross, red crescent and red crystal emblems are used to protect humanitarian activities, including the wounded, medical facilities, and medical personnel.
- It must be possible for civilians and combatants to trust the neutrality and impartiality of the emblems. For this reason, unauthorised use is forbidden under both international and national law. Misuse of the emblems is punishable as a war crime.
- The role of medical personnel is to help people and not to fight in the conflict. Misuse of the emblems puts those offering assistance (such as Red Cross personnel and medical personnel) at risk.
- If the wounded can be helped, then suffering as a result of armed conflict can be limited. Misuse of the emblems also puts civilians who are suffering at risk.

4. What else should be protected?

- Examples of civilian objects to be protected under IHL include medical facilities (e.g. hospitals), other facilities necessary for the survival of the civilian population (e.g. foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies, and irrigation works), objects that contain dangerous forces (i.e. if attacked, might cause excessive harm to the civilian population such as nuclear and chemical plants, dams etc.), and cultural property (e.g. schools, historic monuments, buildings dedicated to religion, art, science, or charitable purposes).

In Part B, emphasise these specific Essential Rules of IHL:

7. Wounded and sick must be collected and cared for.
8. Medical personnel and medical establishments, transport and equipment must be respected and protected.
9. The Red Cross, Red Crescent and Red Crystal emblems are signs of protection and must be respected.

Acknowledgement:

Adapted from Red Cross Teaching Resource:

British Red Cross, "Justice and Fairness: Exploring justice and fairness as part of international humanitarian law" – Module 2: Conflict Lines

<http://www.redcross.org.uk/~media/BritishRedCross/Documents/What%20we%20do/Teaching%20resources/Teaching%20packages/Justice%20and%20fairness/Modulesp2sp-spconflictsplines.pdf>

1.4.3 Learning Activity Material: International Humanitarian Law – Who Should Be Protected?

Discussion Questions

PART A: Protecting Civilians


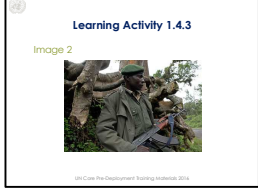
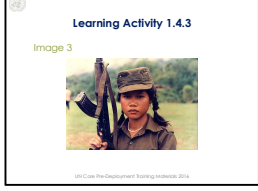
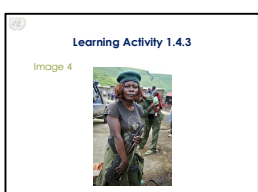
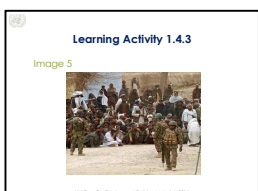
1. Who are the civilians? Who are the combatants? How do you distinguish between civilians and combatants?
2. What might be the consequences of the distinction between civilians and combatants not being clear?
3. Why is it important to protect civilians?
4. Should combatants be protected in certain situations?

PART B: Protecting Humanitarian Activities (medical facilities and personnel)

1. What are the emblems? Why are the emblems on the vehicles/buildings?
2. Why should humanitarian activities be protected in armed conflict?
3. Why is it important not to misuse the emblems, for example, to ambush soldiers?
4. What else should be protected?




1.4.3 Photos: International Humanitarian Law – Who Should Be Protected?

Available as slides for the learning activity.

Photo Number	Description
<p>1.</p>  <p>The image shows a woman in a purple headscarf holding a young child. They are surrounded by other people in a crowded setting, likely a refugee camp. The text 'Learning Activity 1.4.3' and 'Image 1' is visible above the photo.</p>	<p>Syrian refugee.</p>
<p>2.</p>  <p>The image shows a soldier in a green military uniform and helmet, holding a rifle. The text 'Learning Activity 1.4.3' and 'Image 2' is visible above the photo.</p>	<p>Congolese soldier.</p>
<p>3.</p>  <p>The image shows a young girl wearing a military cap and holding a rifle. The text 'Learning Activity 1.4.3' and 'Image 3' is visible above the photo.</p>	<p>Female child soldier in Myanmar.</p>
<p>4.</p>  <p>The image shows a woman in military uniform and a beret, holding a rifle. The text 'Learning Activity 1.4.3' and 'Image 4' is visible above the photo.</p>	<p>Female soldier in the government army of the Democratic Republic of Congo.</p>
<p>5.</p>  <p>The image shows a group of people, including soldiers and civilians, in an outdoor setting. The text 'Learning Activity 1.4.3' and 'Image 5' is visible above the photo.</p>	<p>Soldiers and civilians in Afghanistan.</p>

<p>6.</p> 	<p>Afghani child soldier.</p>
<p>7.</p> 	<p>Lord Resistance Army (LRA) rebels.</p>
<p>8.</p> 	<p>Liberian combatant.</p>
<p>9.</p> 	<p>Child soldiers released in South Sudan.</p>
<p>10.</p> 	<p>Women fighters turning in mortar shells during Liberia's disarmament and demobilization process.</p>
<p>11.</p> 	<p>UN peacekeeper and ICRC medical personnel, Port-au-Prince Prison, Haiti.</p>

<p>12.</p>  <p>Learning Activity 1.4.3 Image 12</p>	<p>Members of the International Red Cross and Red Crescent Movement distributing aid in Cote D'Ivoire.</p>
<p>13.</p>  <p>Learning Activity 1.4.3 Image 13</p>	<p>Red cross emblem at the front of a hospital, medical personnel with red cross emblem, and a wounded person.</p>
<p>14.</p>  <p>Learning Activity 1.4.3 Image 14</p>	<p>Ambulance and medical personnel with red crescent emblem in Syria.</p>
<p>15.</p>  <p>Learning Activity 1.4.3 Image 15</p>	<p>Medical personnel with red crescent emblem, carrying a wounded person.</p>
<p>16.</p>  <p>Learning Activity 1.4.3 Image 16</p>	<p>Members of the International Red Cross and Red Crescent Movement with red cross, red crystal and red crescent emblems.</p>
<p>17.</p>  <p>Learning Activity 1.4.3 Image 17</p>	<p>Air ambulance, medical personnel with red cross emblem, and a wounded person.</p>

<p>18.</p> <p>Learning Activity 1.4.3</p> <p>Image 18</p>  <p>UN DPKO/DFS Development Training Materials 2017</p>	<p>An ambulance with red crescent emblem fills with tear gas shot into it during a demonstration in the Al Ram East Jerusalem neighbourhood.</p>
<p>19.</p> <p>Learning Activity 1.4.3</p> <p>Image 19</p>  <p>UN DPKO/DFS Development Training Materials 2017</p>	<p>Medical personnel with red cross emblem treating an amputee in a hospital.</p>
<p>20.</p> <p>Learning Activity 1.4.3</p> <p>Image 20</p>  <p>UN DPKO/DFS Development Training Materials 2017</p>	<p>Norwegian medical personnel with red cross emblem during an exercise.</p>

Learning Activity

1.4.4

Use of Force at Home

METHOD

Brainstorm

PURPOSE

To deepen understanding of legal restrictions to the use of force in UN peacekeeping

TIME

Short option: 5 minutes

- Brainstorming: 3 minutes
- Discussion: 2 minutes

Longer option: 30 minutes

- Brainstorming: 15 minutes
- Discussion: 15 minutes

INSTRUCTIONS

- Think about your home country
- How is force applied legally at home?
- Is there a difference with UN peacekeeping?

RESOURCES

- Learning Activity instructions
- Responses to discussion questions
- Activity Material
- Examples of ROE and DUF

Note on Use: The activity can be used to consolidate learning on the use of force from previous lessons. Guidance on the use of force can be connected to the basic principle of “non-use of force, except in self-defence and defence of the mandate” in Lesson 1.3 on the Principles of UN Peacekeeping. Guidance can also be connected to IHL in Lesson 1.4 on the Legal Framework, and the Protection of Civilians (POC) in Module 2. The activity focuses on “guidance” more than on the specifics of POC. You may wish to recall elements from Learning Activity 1.4.5 on the Essential Rules of IHL, particularly the principle of distinction between civilians and combatants. This activity is particularly important for Commanders who are the primary users of the ROE/DUF. All other personnel only require a briefing on the documents. Tailor the lesson for the specific component – DUF for the police component, and ROE for the military component.

Preparation

- Select a generic example of ROE or DUF.
- Decide how you will deliver this exercise. Choose whether you will deliver the exercise in its short or long form.
- Decide on whether you will divide participants into the small groups. If you decide to deliver the short version, the activity will be short. In this case, you may not wish to divide the group. You may also wish to deliver the short version to the group as a whole as a guided group discussion.
- Prepare enough copies for all participants. If you decide to deliver the longer version, make sure you have copies of the materials needed – especially the ROE or DUF. The longer version of this exercise also requires participants to have copies of the discussion questions.
- Finalize the questions to guide the discussion. Choose from the questions below.
- Instructors may wish to read the Report of the Office of Internal Oversight Services (OIOS) on the “Evaluation of the Implementation and Results of Protection of Civilians Mandates in United Nations Peacekeeping operations”, 7 March 2014 (A/68/787)
https://oios.un.org/resources/ga_report/a-68-787-dpko.pdf

Instructions

1. Introduce the activity. Stress its particular importance for Commanders if they are in the group.
2. Short option: Ask participants to brainstorm the following questions.
 - a) Think about your home country
 - b) How is force applied legally at home?
 - c) Is there a difference with UN peacekeeping?
3. Longer option: Distribute the generic example of ROE/DUF. Let participants know that such UN documents are “confidential”. Give people enough time to read it over (5-10 minutes). Discussion will be 20-25 minutes. Ask participants questions to generate discussion. The purpose of the discussion is to understand the importance of guidance for the use of force, through discussion of a generic example of ROE/DUF
4. Prompt responses if they do not come naturally.

5. Review and discuss the elements that guide use of force. Ask the group selected questions.
6. Summarize key points.
7. End with these key messages:
 - a) One of the basic principles of UN peacekeeping is the non-use of force, except in self-defence and defence of the mandate.
 - b) In using force, the UN peacekeeping mission must consider the effects or impact.
 - c) UN peacekeeping personnel have a right to self-defence and a duty to protect civilians. They must also comply with International Humanitarian Law (IHL).
 - d) The Rules of Engagement (ROE) and Directive on the Use of Force (DUF) provide guidance on the use of force.
 - e) Commanders are to make decisions on how and when to use force in the field based on the guidance in the ROE/DUF.
 - f) Armed UN military and police must be very clear on the rules for use of force.

1.4.4 Responses to Discussion Questions: Use of Force at Home

Question 1: When should peacekeeping personnel use force?

Responses

- One of the basic principles of UN peacekeeping is the non-use of force, except in self-defence and defence of the mandate.
- “Self-defence” is understood to be defence of UN personnel and property.
- A robust mandate authorizes “use (of) all necessary means” to defend the mandate – including the use of force. The Security Council gives missions robust mandates when militias, criminal gangs and other spoilers try to undermine a peace process or threaten civilians. The Security Council must always authorize use of force.
- In using force, the UN peacekeeping mission must consider the effects or impact. UN peacekeeping personnel have a right to self-defence and a duty to protect civilians. They must also comply with International Humanitarian Law (IHL). Commanders are to make decisions on how and when to use force in the field based on the guidance in the ROE/DUF.

Question 2: What are the negative effects in using armed force?

Responses

- The negative effects of the use of force include: Casualties and loss of human life, including civilians; and damage to and destruction of property, land and buildings.
- Other considerations for the UN peacekeeping mission in the use of force are the negative effects on the following:
 - political implications,
 - mission capability,
 - public perceptions (local and international),
 - humanitarian impact,
 - force protection,
 - safety and security of personnel
 - effect on national and local consent for the mission.
- The negative effects may be minimal for peacekeepers due to the basic principle of non-use of force, except in self-defence and defence of the mandate. In addition, UN peacekeeping personnel must follow International Law and guidance in the ROE/DUF.

Question 3: How should armed peacekeeping personnel use force differently from combatants?

Responses

- Even with a robust mandate, a UN peacekeeping operation only uses force as a last resort, when all other methods of persuasion have failed.
- The aim of the use of force is to influence and deter spoilers working against the peace process or seeking to harm civilians or the UN personnel and property. The aim is not military defeat.
- The peacekeeping operation must: exercise restraint in the use of force; ensure its use is precise, proportional and appropriate for the local context; and be mindful of the need for early de-escalation of violence and return to non-violent means of persuasion.
- Minimum use of force is to be applied to achieve the desired tactical result, still sustaining consent for the mission and its mandate.

Question 4: What is the document for?

Response

- The Rules of Engagement (ROE) and Directive on the Use of Force (DUF) provides guidance on the use of force.

Question 5: Who is the document for?

Response

- The ROE is for the military component. The DUF is for the police component, where Formed Police Units (FPUs) are authorized to carry arms.

Question 6: What specific information does the document give?

Responses

- Note the following:
 - ROE/DUF are mission-specific documents which apply to a particular mission and mandate. At times they are revised and updated.
 - ROE/DUF are legally binding documents internal to the United Nations. They are confidential documents.
- Discuss the different sections in the documents – including the annexes which would be attached. Highlight specific sections.
- Point to sections in the ROE/DUF which:
 - Detail how and when to use force. Details include constraints and latitudes (scope) in using force, and the right of self-defence.
 - Clarify different levels of force to use in different circumstances.
 - Provide practical guidance to commanders, including on needed authorizations.

1.4.4 Learning Activity Material: Use of Force at Home

Discussion Questions

1. When should peacekeeping personnel use force?
2. What are the negative effects in using armed force?
3. How should armed peacekeeping personnel use force differently from combatants?
4. What is the document for?
5. Who is the document for?
6. What specific information does the document give?

1.4.4 Generic Example of ROE: Use of Force at Home

RULES OF ENGAGEMENT FOR THE MILITARY COMPONENT OF THE UNITED MISSION IN COUNTRY X

INTRODUCTION

1. This document, including all of its Annexes (A-E), constitutes the entire Rules of Engagement (ROE) for the United Nations Mission in Country X (UNMIX).
2. This document provides the authority for the use of military force and explains policies, principles, responsibilities and definitions of the ROE.
3. These ROE are directions to operational commanders, which delineate the parameters within which force may be used by the military component of UNMIX, while executing its mandated activities. They are based on Security Council Resolution XXXX (Year), as well as subsequent resolutions of the Security Council on UNMIX. Where issued as prohibitions, they are orders not to take specific actions. Where issued as permissions, they are the authority for commanders to take certain specific actions if they are judged necessary to achieve the aim of the Mission. While remaining predominantly defensive in nature, the ROE allow for the offensive action, if necessary, in order to ensure the implementation of the tasks assigned to UNMIX's military component. The ROE also provide a definition of the circumstances under which the use of force by UNMIX military personnel may be justified.
4. In addition to the main document, the key elements are attached as follows:
 - a. Annex A Authorised Numbered ROE for the military members of the military component of UNMIX;
 - b. Annex B Definitions;
 - c. Annex C Supporting directions and procedures, including those for challenging, warning shots, search and apprehension;
 - d. Annex D Weapon States;
 - e. Annex E ROE Aide-Memoire.

MANDATE

5. The powers and authority of UNMIX is derived from Security Council Resolution XXXX (Year) and subsequent resolutions. They must be exercised in a manner consistent with UNMIX's mandate.

MISSION

6. Relevant provisions of Security Council Resolution XXXX (Year) as well as subsequent resolutions are set out in Annex A – “Authorised Numbered ROE for the military component of UNMIX”.

EXECUTION OF ROE

7. Principles
 - a. General
 - 1) The conduct of peacekeeping operations is guided by the purposes of the Charter of the United Nations and relevant principles of International Law (IL), including the Law of Armed Conflict (LOAC).

- 2) UNMIX military personnel must operate within the framework of this document that has been formulated in accordance with the parameters set out by Security Council Resolution XXXX (Year) and subsequent relevant Security Council resolutions.
 - 3) The UNMIX ROE provide direction to commanders at all levels governing the use of force within the Mission Area. They define the degree of force that may be used and the manner in which it may be applied. They are designed to ensure that the application of force is controlled and legal. The ROE inform commanders of the constraints imposed and the degrees of freedom they have, in the course of carrying out their mission.
 - 4) The ROE are to be translated in a clear and concise way into the language(s) of each participating nationality. Throughout the conduct of military operations, where armed force is to be used, UNMIL military personnel must comply with international legal principles of proportionality, the minimum use of force and the requirement to minimize the potential collateral damage.
 - 5) While the ROE may restrict the manoeuvre and operation of specific weapons system, they do not:
 - i. Describe specific doctrine, tactics and procedures;
 - ii. Address safety-related restrictions.
- b. International Law including Law of Armed Conflicts. Military personnel are required to comply with IL, including the LOAC, and to apply the ROE in accordance with those laws.
- c. Self-Defence
- 1) Nothing in these ROE negates a commander's right and obligation to take all necessary and appropriate action for self-defence. All personnel may exercise the inherent right of self-defence.
 - 2) Pre-emptive self-defence against an anticipated attack must be supported by credible evidence or information that justifies a reasonable belief that hostile units or persons are about to launch an immediate attack.
 - 3) Self-defence against a hostile force(s) may be exercised by individuals or those individual units under attack, or in danger of being attacked, as well as by other UN forces, that are able to assist those individuals, or individual units. Potentially hostile forces, which are beyond the range of their known weapon systems, or which are not closing on friendly forces, are not to be attacked without authority from a superior commander or clear and credible evidence or information that justifies a reasonable belief that a hostile act from those forces is imminent.
- d. Military Necessity. The principle of military necessity authorizes the use of only that force which is required to achieve the authorized objective. Military necessity does not authorize acts otherwise prohibited under IL, including the LOAC.
- e. Alternatives to the Use of Force. Whenever the operational situation permits, every reasonable effort must be made to resolve a potential hostile confrontation by means other than use of force (e.g. through negotiations or assistance from local authorities).
- f. Duty to Challenge and Warn. Before resorting to the use of force, every reasonable step must be taken to deter a party or person from committing a hostile act. The Procedure required by the UN to challenge and warn is given in Annex C.

- g. Duty to Observe Fire – Target Identification. Positive identification of hostile parties or persons is required before opening fire. All fire must be aimed and controlled, and only the minimum number of rounds necessary is to be fired. See Annex C.
 - h. Duty to Use Minimum and Proportional Force
 - 1) Any force must be limited, in its intensity and duration, to that which is necessary to achieve the authorized objective. In some circumstances operational urgency may dictate the immediate use of deadly force.
 - 2) The use of force must be commensurate with the level of the threat. However, the level of response may have to be higher than the level of the threat in order to minimize UN casualties and civilian casualties.
 - 3) Commanders should, where appropriate, consider the use of alternatives to the use of physical force, such as deception, psychological methods, and other non-lethal means, including the deployment or manoeuvre of larger forces in order to demonstrate resolve and intent.
 - i. Avoidance of Collateral Damage. When force is used, all feasible precautions are to be taken with a view to avoiding and in any event minimizing collateral damage.
 - j. Duty to report. Each and every confrontation resulting in a detention, or involving the use of deadly force, is to be reported through the chain of command as soon as possible, whether it results in casualties or not. More details are included in Annex C.
 - k. Right to Maintain Position. UNMIX military personnel may maintain their position, personnel or equipment when confronted with a hostile act or intent. In such circumstances, they may also use such force as is necessary to maintain their position and equipment, as authorized in these ROE.
 - l. Use of Force other than Self-Defence
 - 1) The use of force beyond self-defence may only be applied in the circumstances set out in paragraph 2 of Annex A and is subject to the conditions set out in these ROE.
 - 2) The Force Commander, or the commander to whom the authorization has been delegated, retains direct control over use of force in these circumstances.
8. Applicability. The ROE set out in this document apply to all national military personnel assigned to the military component of UNMIX as authorized by the Security Council.
9. Responsibility of Force Commander and Subordinate Commanders
- a. The implementation of these ROE is a command responsibility. These ROE are addressed to the Force Commander, who is then responsible for issuing them to all subordinate commanders. The Force Commander is ultimately responsible for the enforcement of these ROE.
 - b. The Force Commander and his/her subordinate commanders are not permitted to exceed these ROE, but may, when and as appropriate, authorize more restrictive limits on the actions of assigned forces, subject to United Nations Headquarters' (UNHQ) approval. A commander may issue these ROE as received from UNHQ, any add additional guidance or amplification, or may incorporate them into appropriate orders of instructions.
 - c. All commanders have an obligation to seek clarification if these ROE are considered to be unclear or inappropriate for the military situation.
 - d. It is the responsibility of the commanders of all National Contingents to ensure that all those under their command understand these ROE. To assist in this process, they must

issue the ROE Aide-Memoire (Blue Card), translated, where necessary, into the language(s) appropriate for their own contingent, to each individual under their command. This is to be done before the contingent can be considered to be operational.

- e. Training in the application of ROE is the responsibility of commanders at all levels. ROE training sessions should be conducted on a regular basis and, at a minimum, once per month and whenever UNMIX military personnel, including individual replacements or reinforcements as authorized by the Security Council, are deployed into the Mission area.
10. ROE Contravention. The following procedures apply in dealing with ROE contravention:
- a. Any ROE contravention is to be reported to the Department of Peacekeeping Operations (DPKO) at UNHQ through the UN chain of command, by the quickest possible means.
 - b. Flanking and subordinate commands should be informed where the consequences are likely to affect them.
 - c. Remedial measures, including training, should be taken to avoid reoccurrence.
 - d. Any contravention must be subject to formal investigation. The Force Commander is to convene a Board of Inquiry (BOI), which is to forward its findings together with the Head of Mission's (HoM) review/comments to the Under-Secretary General for Peacekeeping Operations as soon as possible. The findings will also be forwarded to the Troop Contributing Countries for follow-up and disciplinary action.
11. Security Classification. The ROE are classified as UN CONFIDENTIAL.
12. ROE Changes. These ROE can only be amended or changed with the authority of the Under-Secretary-General for Peacekeeping Operations.

Annex A	Authorised Numbered Rules of Engagement for UNMIX (ROE)
Annex B	Definitions
Annex C	Security Council supporting directions and procedures
Annex D	Weapon States
Annex E	Aide-Memoire

Annex A

AUTHORISED NUMBERED RULES OF ENGAGEMENT (ROE) FOR THE MILITARY MEMBERS OF THE MILITARY COMPONENT OF UNMIX

SECURITY COUNCIL RESOLUTIONS

1. The mandate of the United Nations Mission in Country X (UNMIX) is set out in Security Council Resolution XXXX (Year), as well as subsequent relevant Security Council Resolutions.

Authorisation of UNMIX Personnel to Use Force

2. Acting under Chapter VII of the Charter and in pursuance of its mandate, UNMIX Military Personnel are authorized to take all necessary measures within the Mission's capabilities and in its area of operations, including the use of force:
 - a) To provide security at key government installations, in particular ports and airports, and other vital infrastructure;
 - b) To protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of United Nations personnel and, without prejudice to the efforts of the government, to protect civilians under imminent threat of physical violence, within its capabilities;
 - c) To facilitate the provision of humanitarian assistance, including by helping to establish the necessary security conditions; and
 - d) Within its capabilities to support the voluntary return of refugees and internally displaced persons.

SPECIFIC RULES OF ENGAGEMENT FOR UNMIX:

The following ROE have been authorized for use by military armed personnel serving in UNMIX:

Rule 1 – Level of Force

- Rule No. 1.1 Use of force, up to and including deadly force, to defend oneself, or other UN personnel against a hostile act or a hostile intent, is authorised.
- Rule No. 1.2 Use of force, up to and including deadly force, to defend other personnel as designated by the Head of Mission in consultation with the Force Commander, against a hostile act or a hostile intent, is authorised.
- Rule No. 1.3 Use of force, up to and including deadly force, to resist attempts to abduct or detain oneself, or other UN personnel, is authorised.
- Rule No. 1.4 Use of force, up to and including deadly force, to resist attempts to abduct or detain other personnel as designated by the Head of Mission in consultation with the Force Commander, is authorised.
- Rule No. 1.5 Use of force, up to and including deadly force, to protect UN facilities, installations, equipment, areas or goods designated by the Head of Mission in consultation with the

Force Commander, against any hostile act or hostile intent that involves a grave threat to life or serious bodily injury, is authorised.

- Rule No. 1.6 Use of force, up to and including deadly force, to protect key facilities, installations, areas or goods designated by the Head of Mission in consultation with the Force Commander, against a hostile act or a hostile intent that involves a grave threat to life or serious bodily injury, is authorised.
- Rule No. 1.7 Use of force, excluding deadly force, to protect UN facilities, installations, equipment, areas or goods designated by the Head of Mission in consultation with the Force Commander, against any hostile act or hostile intent that does not involve a grave threat to life or serious bodily injury, is authorised.
- Rule No. 1.8 Use of force, excluding deadly force, to protect key facilities, installations, areas or goods designated by the Head of Mission in consultation with the Force Commander, against a hostile act or a hostile intent that does not involve a grave threat to life or serious bodily injury, is authorised.
- Rule No. 1.9 Use of force, up to and including deadly force, to protect civilians in danger, against any hostile act or hostile intent that involves a grave threat to life or serious bodily injury, when competent local authorities are not in a position to render immediate assistance, is authorised.
- Rule No. 1.10 Use of force, up to and including deadly force, against any person or group that, through the use or threat of use of armed force, limits or intends to limit the freedom of movement of members of UN personnel, is authorised.
- Rule No. 1.11 Use of force, up to and including deadly force, against any person or group that, through the use or threat of use of armed force, limits or intends to limit the freedom of movement of humanitarian workers and other international personnel designated by the Head of Mission in consultation with the Force Commander, is authorised.
- Rule No. 1.12 Use of force, excluding deadly force, against any person or group that, through the use or threat of use of armed force, limits or intends to limit the freedom of movement of members of UN personnel, is authorised.
- Rule No. 1.13 Use of force, excluding deadly force, against any person or group that, through the use or threat of use of armed force, limits or intends to limit the freedom of movement of members of Armed Forces of Country X (AFX), Country X National Police (XNP) or other officials of the Government of Country X (GoX) that one's unit has been assigned to accompany, support or assist, is authorised.
- Rule No. 1.14 Use of force, excluding deadly force, to prevent the escape of any apprehended or detained person, pending hand-over to appropriate civilian authorities, is authorised.

Rule 2 – Use of Weapon Systems

- Rule No. 2.1 Use of explosives in order to destroy weapons, ammunition, mines and unexploded ordnance, in the course of the disarmament exercise and/or demining, is authorised.
- Rule No. 2.2 Indiscriminate pointing of weapons in the direction of any person is prohibited.
- Rule No. 2.3 Firing of weapons, other than for organized training and as authorized in these ROE, is prohibited.
- Rule No. 2.4 Firing of warning shots is authorised.
- Rule No. 2.5 Use of riot control equipment and agents by trained personnel is authorised.
- Rule No. 2.6 Use of lasers for survey, range finding and targeting is authorised.
- Rule No. 2.7 Use of Electronic Countermeasures (ECM) is authorised.

Rule 3 – Authority to Carry and Deploy Weapons

- Rule No. 3.1 Carriage of loaded personal weapons is authorised.
- Rule No. 3.2 Overt carriage by individuals of hand-held support weapons such as machine guns, light mortars and hand-held anti-tank weapons is authorised.
- Rule No.3.3 Deployment and carriage of weapons on or in vehicles, aircraft (including helicopters) and vessels is authorised.

Rule 4 – Authority to Detain, Search and Disarm

- Rule No. 4.1 If the use of force against a person or group is authorized by Rule 1, detention of that person or members of that group is authorised.
- Rule No. 4.2 Searching, including of detained person(s), for weapons, ammunition and explosives, is authorised.
- Rule No. 4.3 Disarming of individuals or groups, when so directed by the Force Commander, is authorised.

*Note: Higher Authorities and the International Committee of the Red Cross (ICRC) must be promptly informed when detention is carried out.

Rule 5 – Duty to Hand-over Detained Persons

- Rule No. 5.1 All detained persons must be handed over to the appropriate local authorities as soon as possible.

1.4.4 Generic Example of DUF: Use of Force at Home

DIRECTIVE ON ARREST, DETENTION, SEARCHES AND USE OF FORCE FOR ALL UN POLICE OFFICERS ON ASSIGNMENT WITH THE UNITED NATIONS MISSION IN COUNTRY X (UNMIX)

GENERAL

Authority and Mandate

1. This Directive, including Annexes A-M, constitutes the *Directive on arrest, detention, searches and use of force for all UN Police Officers on assignment with the United Nations Mission in Country X* (UNMIX) (hereinafter “Directive”).
2. This Directive provides the authority for the arrest, detention, searches and use of force by all UN Police Officers, both Individual Police Officers (IPOs) and Formed Police Units (FPUs) including those tasked as Protection Support Unit(s), in UNMIX (collectively, “UNMIX Police Officers”).
3. This Directive is issued by the USG –DPKO and sets out the principles, parameters, and conditions under which arrest, detention, searches and use of force may be used by UNMIX Police Officers while executing their mandated activities within the limits of their capacities and areas of deployment in accordance with Security Council Resolution (SCR) XXXX (Year). The Police Commissioner may issue more detailed directives to his commanding staff, including the FPU commanders.

Command Responsibility

4. Implementation of this Directive is a command responsibility. In accordance with the *DPKO/DFS Directive for Heads of Police Components of Peacekeeping Operations* (2006), the *DPKO/DFS Policy on Authority, Command and Control in UN Peacekeeping Operations* (2008), and the *DPKO/DFS Policy (revised) for Formed Police Units* (2010) (“FPU Policy”) (Annex J), the last of which forms an integral part of this Directive, primary and overall command of all UNMIX Police Officers is vested in the Police Commissioner who can delegate his/her command functions to his commanding staff including, inter alia, the deputy Police Commissioner, Chief of Operations, Deputy Chief of Operations for FPUs and Sector Commanders, Chief of Staff and Chief Development Coordinator, who together are responsible for all matters related to UNMIX Police Officers.
5. The Police Commissioner and those to whom he/she delegates command and control functions shall ensure that all UNMIX Police Officers under their respective command understand and comply with this Directive, as well as any further directives issued by the Police Commissioner.

Principles of Use of Force

6. At all times, use of force by all UNMIX Police Officers shall be consistent with the principles of necessity, proportionality/minimum use of force, legality and accountability as set forth in paragraphs 29-31, 33, 38-41 of this directive, and also found in the *DPKO/DFS FPU Policy*, section D.2.1 (Annex J).

Training and Qualifications for the Use of Force

7. Every UNMIX Police Officer who carries a firearm or other item(s) of law enforcement equipment must be fully familiar with this Directive and understand the rules it contains, and must have received current and proper training on the care and use of the particular weapon or item(s) of law enforcement equipment assigned to him/her. The Police Commissioner will issue detailed instructions regarding induction training and briefings on this Directive, including the documentation that must be submitted to prove that they have been received. A UNMIX Police Officer can only carry a firearm or other item(s) of law enforcement equipment if they have passed the requisite firearm assessments detailed hereunder and the Police Commissioner has certified that he/she has received the required briefings.
8. IPOs who have not been tested prior to deployment through the Assessment for Mission Service (AMS) are required to pass the AMS in the mission area, including the requisite firearms handling and shooting assessment, as per *DPKO/DFS Standard Operating Procedure on Assessment of Individual Police Officers for Service in UN Peacekeeping Operations and Special Political Missions* (2011).
9. FPU and FPU members who have not undergone the pre-deployment Assessment of Operational Capability (AOC) will receive firearms and public order management training in-mission conducted in accordance with the UN Peacekeeping Pre-deployment Training Standards for FPUs, as per the *FPU Policy* (Annex J). They shall also be assessed on their individual weapons handling and shooting skills as per *DPKO/DFS Standard Operating Procedure on Assessment of Operational Capability of Formed Police Units for Service in UN Peacekeeping Operations* (2012). An FPU member who fails the weapons handling and shooting exercise immediately receives one more chance, failing which he/she will be removed from any duty requiring weapons handling and shooting skills and may be assigned to another position within the FPU which does not require these skills (*SOP on Assessment of Operational Capability of FPUs*, para. 90, 99). All future incoming operational FPU members will have been tested through the AOC as part of the pre-deployment assessment prior to arrival, as per the *FPU Policy* (Annex J, para. 101).
10. All operational FPU members shall be re-tested in their weapons handling and shooting skills once every six months. FPU members shall also be tested in public order management capacity one month after deployment and then at four month intervals thereafter, as per the *FPU Policy* (Annex J, para. 101-102).
11. UNMIX Police Officers who carry firearms or other item(s) of law enforcement equipment are required at all times while on duty to carry in their breast pocket an Aide-Memoire (Blue Card), as found in Annex I, provided by UNMIX which summarises the rules contained in this Directive.

Equipment and Weapons

12. Members of FPUs may only carry and use the firearms and other items of law enforcement equipment for the exercise of their functions during the time of their mission as are listed in Annex B of this Directive. Detailed directives regarding the precise specifications of such items listed in Annex B are contained in the *UNMIX Force Requirement for FPUs* in Annex M. Members of FPUs may only carry and use firearms and other items of law enforcement equipment that conform to the specifications contained in the *UNMIX Force Requirement for FPUs*.
13. IPOs may only carry and use firearms and other items of law enforcement equipment for the exercise of their functions during the time of their mission as are listed in Annex C of this

Directive. IPOs may only carry and use firearms and other items of law enforcement equipment that conform to the specifications contained in the *UNMIX Force Requirement for IPOs*.

14. It is the personal responsibility of every UNMIX Police Officer to keep his/her firearm, ammunition and other item(s) of law enforcement equipment secure. He/she must be able to account for their whereabouts and condition at all times. The Standard Operating Procedure for United Nations Police Assigned to UNMIX (SOP) issued by the Police Commissioner details the obligations of UNMIX Police Officers regarding the carriage, care and storage of firearms, ammunition and other item(s) of law enforcement equipment.

USE OF FORCE, FIREARMS OR OTHER LAW ENFORCEMENT EQUIPMENT

25. UNMIX Police Officers are authorized to use force in the circumstances specified below. In resorting to force, the principles of necessity, proportionality/minimum use of force, legality and accountability recalled in paragraph 6 are to be observed at all times.

Use of Force, excluding Lethal Force

26. UNMIX Police Officers are authorised to use force or items of law enforcement equipment, excluding lethal force:
- a) To prevent or stop the commission of a crime that does not involve a grave threat to life or serious bodily injury, including in arresting or detaining the offender;
 - b) To protect or defend any of the following against a hostile act or a hostile intent that does not involve a grave threat to life or serious bodily injury;
 - i. Civilians, including women, children and humanitarian workers;
 - ii. Themselves or other members of their unit;
 - iii. Other United Nations and associated personnel;
 - iv. Members of the law enforcement agencies of Country X to whom they are providing support;
 - v. Members of other international security forces with whom UNMIX is carrying out joint operations;
 - vi. Designated persons to whom UNMIX is providing security;
 - vii. United Nations facilities, installations, equipment, areas or goods;
 - viii. Other key sites, facilities, installations, equipment, areas or goods designated by the SRSO, in consultation with the Police Commissioner;
 - c) To control the movement of assemblies;
 - d) To disperse assemblies that are unlawful but non-violent;
 - e) To prevent forcible passage by an individual or group through a roadblock, checkpoint or cordon whose establishment has been authorized by the law enforcement agencies of Country X and/or UNMIX;
 - f) Against any person or group who limits, or intends to limit, the freedom of movement of:
 - i. UNMIX Police Officers or their units;
 - ii. Members of the law enforcement agencies of Country X to whom UNMIX Police Officers are providing support;
 - iii. Members of other international security forces with whom UNMIX is carrying out joint operations;
 - iv. Designated persons to whom UNMIX is providing security;
 - v. Other United Nations and associate personnel; or
 - vi. Humanitarian workers;

- g) To prevent escape of any arrested or detained person, either pending their handover to the law enforcement agencies of Country X, or where such detained person has escaped or seeks to escape from detention facilities of Country X;
- h) Against any person or group that, through the use or threat of the use of unarmed force, is preventing or demonstrating intent to prevent oneself or other members of one's unit from carrying out lawful orders issued by a superior commander, in order to ensure the ability to carry out those orders;

Use of Force, up to and including Lethal Force

27. UNMIX Police Officers are authorised to use force or items of law enforcement equipment up to and including lethal force, as a last resort, when all other means of de-escalation have failed:
- a) To prevent or put a stop to acts of civil unrest that involve a grave threat to life or serious bodily injury;
 - b) To prevent or stop the commission of a serious crime under international or national laws that involves a grave threat to life or serious bodily injury;
 - c) To protect or defend any of the following against a hostile act or hostile intent that involves a grave threat to life or serious bodily injury:
 - i. Civilians, including women, children and humanitarian workers;
 - ii. Themselves or other members of their unit;
 - iii. Other United Nations and associated personnel;
 - iv. Designated persons to whom UNMIX is providing security;
 - v. Members of the law enforcement agencies of Country X to whom they are providing support;
 - vi. Members of other international security forces with whom UNMIX is carrying out joint operations;
 - vii. United Nations facilities, installations, equipment, areas or goods;
 - viii. Other key sites, facilities, installations, equipment, areas or goods designated by the SRSG, in consultation with the Police Commissioner;
 - d) To resist armed attempts to abduct or detain:
 - i. Themselves or other members of their unit;
 - ii. Other United Nations and associated personnel;
 - iii. Designated persons to whom UNMIX is providing security;
 - iv. Members of the law enforcement agencies of Country X to whom they are providing support;
 - v. Humanitarian workers; and
 - vi. Other personnel designated by the SRSG in consultation with the Police Commissioner;
 - e) To prevent the armed escape of a detained person from detention facilities of Country X that involves a grave threat to life or serious bodily injury;
 - f) Against any person or group that, through the use or threat of the use of armed force, is preventing or demonstrating intent to prevent oneself or other members of one's unit from carrying out lawful orders issued by a superior commander, in order to ensure the ability to carry out those orders.
28. UNMIX Police Officers may not use force, firearms or other items of law enforcement equipment otherwise than in accordance with the authorisation given in paragraphs 26 and 27 of this Directive.

Gradation of Force

29. UNMIX Police Officers shall, as far as possible, apply de-escalation, non-violent means before resorting to the use of physical force, items of law enforcement equipment or firearms. They may use force, other items of law enforcement equipment or firearms only if other means remain ineffective for the purpose of achieving an authorized objective specified in paragraphs 26 and 27 of this Directive or are without any promise of achieving such an authorized objective. Gradation of force as defined in paragraphs 29 and 34 of this Directive and also Section D.2.2 of the *FPU Policy* (Annex J), shall apply at all times to all UNMIX Police Officers.
30. If there is no practical alternative to the use of force, other items of law enforcement equipment or firearms in order to achieve an authorized objective specified in paragraphs 26 and 27 of this Directive, UNMIX Police Officers must, whenever the operational circumstances permit, observe the following graduated procedures:
- a) Unarmed force must be used, if at all possible;
 - b) If non-lethal incapacitating weapons, including tear gas, are possessed by members of an FPU who are trained to use those weapons, and where they would be an effective means to bring a threat to an end, then they must be used, if so allowed by the on-scene authorised commander;
 - c) If the preceding measures remain ineffective or are without any promise of achieving an authorised objective, an attempt should be made, if possible, to make use of the visual and audible effect of preparing a firearm for use;
 - d) If the preceding measures remain ineffective or are without any promise of achieving an authorised objective, warning shots should, if circumstances allow and to do so would not pose a threat, be fired at a safe point of aim that avoids the causing of collateral damage, in particular loss of life or personal injury;
 - e) If the preceding measures remain ineffective or have no real likelihood of achieving the authorized objective, the use of force against persons is authorised.
31. If UNMIX Police Officers intend to use force or firearms against other persons, they must first:
- a) Identify themselves in English or the primary language(s) spoken in the location to which the Officers are posted, as members of the United Nations Police; and
 - b) Give a clear verbal or visual warning, at least three times:
 - i. A verbal warning must be given in English or the primary language(s) used in the region of their intent to use either force or firearms, as follows:
 - a. If intending to use force, the warning - << UNITED NATIONS POLICE, STOP OR I USE FORCE >>
 - b. If intending to use firearms, the warning - << UNITED NATIONS POLICE, HALT OR I FIRE >>
 - ii. A visual warning may be given, inter alia, by means of a sign or use of hand-held flares;
- AND
- c) Give enough time for that warning to be obeyed,

UNLESS either giving the warning or waiting for it to be obeyed would:

 - i. Unduly place themselves at risk of death or serious bodily harm;
 - ii. Create a risk of death or serious bodily harm to other persons; or
 - iii. Clearly be inappropriate or pointless in the circumstances.

32. All levels of command, including FPU Commanders, Sector Commanders, Supervisors and Chiefs of mobile patrols, have a duty to ensure that his/her officers know the warnings to be given verbally in English or the primary language(s) spoken in the region to which they are deployed.
33. Whenever the use of force, firearms or any other item of law enforcement equipment is determined to be required under paragraphs 26 and 27 of this Directive, UNMIX Police Officers shall:
 - a) Act with restraint and only use the minimum degree of force that is proportional to the seriousness of the threat and necessary to achieve the authorized objective;
 - b) Respect and preserve human life and cause the minimum injury to people;
 - c) Cause the minimum of damage to property;
 - d) As soon as practicable, provide assistance to anyone who is injured and to ensure that medical aid is rendered if needed; and
 - e) As soon as practicable, ensure that relatives or friends of people injured or affected by the incident are notified.
34. A UNMIX Police Officer shall not point a firearm or non-lethal incapacitating weapon in the direction of any person other than in the circumstances and to achieve the objectives set out in paragraphs 26 and 27 of this Directive, and unless the Officer intends to shoot, and is sure of his/her target and its background.

REPORTING AND INVESTIGATION

38. Further, as soon as practicable and at the latest within 36 hours of the occurrence of arrest, the UNMIX Police Officer who carried out the arrest or detention or who has custody of the detainee must submit through the chain of command to the Police Commissioner a copy of the forms in Annexes E, F, G and H, duly completed.
39. Immediately after any incident involving the use of force, firearms or other item of law enforcement equipment and regardless of whether or not such use resulted in death or injury to people or damage to property, the UNMIX Police Officer concerned must verbally inform the Office of the Police Commissioner through the chain of command and record the details of the incident in a written report, including:
 - a) The date, time and place of the incident;
 - b) The name(s), identification number(s) and unit(s) of the UNMIX personnel involved or present;
 - c) The name(s), , identification number(s) and unit(s) or, if not known, other identifying features of other law enforcement agencies of Country X involved or present;
 - d) The name(s), , identification number(s) and unit(s) or, if not known, other identifying features of other law enforcement groups involved or present not comprising UNMIX and Country X personnel;
 - e) The events leading up to the use of force, firearms or other item(s) of law enforcement equipment;
 - f) Why he/she used force, firearms or other item(s) of law enforcement equipment;
 - g) Details of the person(s) subjected to the use of force, firearms or other item(s) of law enforcement equipment;
 - h) The apparent results of the use of force, firearms or other item(s) of law enforcement equipment; and
 - i) A diagram of the incident scene, where appropriate.

He/she must submit the written report with the aforementioned details within twelve (12) hours of the time of the incident through the chain of command to the Police Commissioner. This report is separate from any notices and/or documentation that must be made or submitted pursuant to paragraph 35 of this Directive or Flash Reports discussed in SOP, section 6.1. The Police Commissioner will, without delay, investigate the incident and present a report on it to the SRSG who will transmit that report to the United Nations Headquarters. All UNMIX Police Officers are required to cooperate fully and actively with such investigation.

CONTRAVENTION

40. UNMIX Police Officers are advised that obedience to superior orders shall not preclude a violation of this Directive, or of the rules that it contains, from being considered an act of serious misconduct if:
 - a) The Police Officer concerned knew that an order to use force, firearms or other item(s) of law enforcement equipment resulted in the death, injury of a person or damage to property was manifestly in violation of this Directive and the rules contained herein; and
 - b) He/she has a reasonable opportunity to refuse to follow the order.
41. Responsibility shall, in any case also rest on the superior(s) who gave an order in violation of this Directive and the rules contained herein, and shall be considered as a serious misconduct under paragraph 42. Failure of superiors to give an order in accordance with this Directive shall also be considered serious misconduct under paragraph 42.
42. Any contravention of this Directive, as well as of the rules contained herein, whether by act or omission, shall be considered as an act of serious misconduct under the *Directive for Disciplinary Matters Involving Civilian Police Officers and Military Observers* (2003).

DEFINITIONS

43. The definitions in Annex A of this Directive shall form an integral part of this Directive.

ENTRY INTO FORCE

44. This Directive is adopted without prejudice to the rules of engagement for the military component of UNMIX.
45. This Directive shall enter into force on [DATE].

Annex A	Definitions
Annex B	Authorised Firearms, Ammunition and Related Items of Law Enforcement for Members of FPU on Assignment with UNMIX
Annex C	Authorised Firearms, Ammunition and Related Items of Law Enforcement for IPO on Assignment with UNMIX
Annex D	Report of Arrest by National Authorities
Annex E	Statement of Detention
Annex F	Detention, Release, Transfer and/or Handover Details

Annex G	Receipt for Hand-over of Detained Person
Annex H	Statement of Release or Handover
Annex I	UNMIX Aide Memoire (Blue Card) - English
Annex J	DPKO/DFS Policy for Formed Police Units
Annex K	UN Interim SOP on Detention
Annex L	DPKO/DFS Guidelines on Taking, Publication and Distribution of Images of Persons in Custody
Annex M	UNMIX FPU Force Requirements

Learning Activity

1.4.5

Peacekeeping mandates and the UN Charter

METHOD

Mix and match exercise – Charter chapters with links to peacekeeping

PURPOSE

To reinforce participants' knowledge of the specific Chapters in the UN Charter with links to peacekeeping

TIME

15 minutes

- Work in small groups: 5 minutes
- Discussion and questions in large group: 10 minutes

INSTRUCTIONS

- Match names or concepts with definitions

RESOURCES

- Learning Activity instructions
- Activity material

Preparation

- Decide on the groups. This activity works well with table groups.
- Prepare sheets of paper for the matching exercise. Put one definition and one Chapter on each page. Decide what size of letters you want. Bigger type makes the exercise easier. Also, the results of the activity make better wall graphics to keep posted if they are large and readable – poster size. Make copies of definitions and Chapters for all groups. Put each group's sheets in a folder.
- Decide on a prize for the “contest” part of the learning activity – the prize goes to the group that first completes the matching exercise.

Instructions

1. Introduce the activity as a mix-and-match contest. The group that finishes first gets a prize.
2. Not all participants may know Roman Numerals. Take a minute to explain what V, VI, VII and VIII mean - Chapters five, six, seven and eight.
3. Distribute the folders, cautioning people not to open them until you give the word.
4. Track the time, noting when each group finishes. Get all groups to finish.
5. Debrief the exercise. Confirm the matches.
6. Reinforce these key messages:
 - a) When the Security Council authorizes a peacekeeping operation, it does not have to refer to a specific chapter of the UN Charter.
 - b) A peacekeeping operation's authority to use force is not linked primarily to an explicit reference to Chapter VII of the UN Charter."
 - c) Knowing the chapter references is part of knowing the legal authority for peacekeeping.
7. Invite questions, observations, comments.

1.4.5 Learning Activity Material: Peacekeeping mandates and the UN Charter

<p>Chapter I of the UN Charter</p>	<p>Establishes one of the main purposes of the United Nations: “to maintain international peace and security”</p>
<p>Chapter V of the UN Charter</p>	<p>Identifies the Security Council as having “ ... primary responsibility for the maintenance of international peace and security ...”</p>
<p>Chapter VI of the UN Charter</p>	<p>Outlines a range of peaceful measures available to the Security Council for peace and security.</p>
<p>Chapter VII of the UN Charter</p>	<p>Outlines coercive measures (use of force): “ ... The Security Council ... may take such action by air, sea, or land forces as may be necessary ...”</p>

**Chapter VIII of the UN
Charter**

Deals with “regional arrangements” - provides for involvement of regional partners in maintaining international peace and security

Learning Activity

1.4.6

Core definitions – “mandate”, “resolution”, “treaty”, “convention”, “law”, “charter”

METHOD

Guided group discussion, pooling group knowledge

PURPOSE

To define basic terms, drawing on what participants know; reinforce common understanding; and give the instructor an opportunity to clarify any confusion

TIME

10 – 30 minutes, depending on the number of core definitions brainstormed at one time

INSTRUCTIONS

- Brainstorm definitions of key words and terms

RESOURCES

- Learning Activity instructions
- Activity material

Note on Use: Consider adapting this activity for different points in a course. Some groups may find it useful to start this activity in an earlier session. You may want to introduce it as a theme. Be guided by learning gaps, needs and progress.

Preparation

- Decide how you want to use this exercise – once, or as a repeating theme. Both ways are effective. Select terms you want to use at each stage.
- Review basic definitions of key terms. Note examples of each from peacekeeping to share with participants, particularly ones that have already been named in the course.
- Prepare flip-chart sheets, one for each term being discussed. Put terms in the middle of sheets, to record points from discussion. Put flip-chart stands at the front. Alternatively, use whiteboard or blackboard.

Instructions

1. Introduce the activity. Many words and terms are used in UN peacekeeping. Knowing the specific meanings and difference between basic definitions can help people absorb related information better. This discussion will collect what people know, and build on it. The process is one of learning together.
2. Start with the first word/term.
 - a) Ask the group to define it.
 - b) Note first points made on the flip-chart, and encourage others to add points. Note those as well.
 - c) Clarify, add to and confirm the definition of each word/term before you go on to the next.
3. Move through the words/terms selected, following the same cycle.
4. Monitor participation in the exercise and indications of engagement. Check with learners who seem unclear. They may have trouble absorbing content and will benefit from an encouraging word.

1.4.6 Learning Activity Material: Core definitions - “mandate”, “resolution”, “law”, “international law”, “treaty”, “customary international law”, “charter”, “authority”

Note: Definitions are from a number of different web sites. The points are not fully comprehensive. Participants may raise other definitions.

<p>Mandate</p>	<p>Noun</p> <ul style="list-style-type: none"> • A command, official order, authorization or commission to do something • The power to act • Authority to take a course of action, implement a policy <p>Verb</p> <ul style="list-style-type: none"> • To give something or somebody authority to act in a certain way <p><i>(Note: a body has to exist to give the mandate and authority. For peacekeeping, the Security Council issues a mandate.)</i></p>
<p>Resolution</p>	<p>Noun</p> <ul style="list-style-type: none"> • A firm decision to do or not do something • A formal expression of an opinion or intent made by a formal organization, usually after voting <p><i>(Note: the UN Security Council passes resolutions that contain mandates.)</i></p>
<p>Treaty</p>	<ul style="list-style-type: none"> • A formal agreement between two or more states on peace, alliance, commerce, other international relations • An agreement under international law – i.e. sovereign nations (UN Member States) and international organizations • A binding instrument by which governments can be held accountable • Other terms: <ul style="list-style-type: none"> - An international agreement - Protocol - Covenant - Convention - Pact - Exchange of letters <p><i>(Note: The UN Charter is the foundational treaty of the United Nations.)</i></p>

<p>Law</p>	<ul style="list-style-type: none"> • A system of rules to govern behavior enforced through social institutions • Principles and rules established by an authority (usually a Government) to apply to its people – legislation, customs, policies recognized and enforce by judicial decision • Binding customs or practices of a community – enforced by a controlling authority <p><i>(Note: Peacekeeping operations follow different kinds of law and agreements: international law, the UN Charter, national law.)</i></p>
<p>International Law</p>	<ul style="list-style-type: none"> • The body of rules governing the relationships between states and between individuals. It grants specific rights to individuals. It imposes duties and obligations on states, individuals, and groups. International law is globally recognized and accepted. • The primary sources of International Law are: (1) treaties; and (2) customary international law. • Under international law, a state must be sovereign – with a territory, a population, a government, and ability to engage in diplomatic or foreign relations (a “sovereign state” is one that is “completely and independently controlled by its own government”) <p><i>(Note: International law applies to all peacekeeping contexts and operations. UN peace operations are subject to the norms and standards of international law. Many international treaties and conventions have a direct bearing on either the status of a peace operation, its personnel or the activities that it conducts in a mission area. Human rights law and humanitarian law are international law.)</i></p>
<p>Charter</p>	<ul style="list-style-type: none"> • a written grant by a country's legislative or sovereign power, which creates an institution and defines its rights and privileges • a document that outlines conditions under which a corporate body is organized and defines its scope • a written contract – a grant or guarantee of rights and privileges from the sovereign power of a state or country <p><i>(Note: The Charter of the United Nations is agreed to by its members, Member States. (45 at founding in 1945, 193 in 2015).)</i></p>

<p>Authority</p>	<ul style="list-style-type: none"> • the power or right to give orders, make decisions and enforce obedience • the power or right to direct and control others • the power to determine, adjudicate, settle issues or disputes • jurisdiction, the right to control, command or determine • a power or right delegated • the right to exercise power given by the State (government, judges, police officers) <p><i>(Note: The Security Council has the authority from the Member States to pass resolutions on peace and security including peacekeeping mandates. Close links exist between the different terms.)</i></p>
<p>Customary International Law</p>	<ul style="list-style-type: none"> • Rules that come from a general practice accepted as law and that exist independent of treaty law. <p><i>(Note: While the Universal Declaration of Human Rights is not itself a binding treaty, some of its provisions have the character of customary international law. Slavery, extra-judicial killing, torture, prolonged arbitrary detention, genocide are examples of customary international laws that are also covered by formal international laws.)</i></p>



Learning Activity 1.4.2

Image 1





Learning Activity 1.4.2

Image 2





Learning Activity 1.4.2

Image 3





Learning Activity 1.4.2

Image 4





Learning Activity 1.4.3

Image 1





Learning Activity 1.4.3

Image 2





Learning Activity 1.4.3

Image 3





Learning Activity 1.4.3

Image 4





Learning Activity 1.4.3

Image 5





Learning Activity 1.4.3

Image 6





Learning Activity 1.4.3

Image 7





Learning Activity 1.4.3

Image 8





Learning Activity 1.4.3

Image 9





Learning Activity 1.4.3

Image 10





Learning Activity 1.4.3

Image 11





Learning Activity 1.4.3

Image 12





Learning Activity 1.4.3

Image 13





Learning Activity 1.4.3

Image 14





Learning Activity 1.4.3

Image 15





Learning Activity 1.4.3

Image 16





Learning Activity 1.4.3

Image 17





Learning Activity 1.4.3

Image 18





Learning Activity 1.4.3

Image 19





Learning Activity 1.4.3

Image 20



Evaluation

Notes on Use: Four types of learning evaluation questions are:

- 1) True-False
- 2) Narrative
- 3) Fill in the blank/sentence completion
- 4) Call-and-Response/Mix-and-Match

Combine in different ways for pre-assessment and post-assessment. Each evaluation type covers different content. No sub-set covers all learning outcomes. Make sure you include learning evaluation questions for each learning outcome when you combine them.

Three main uses of evaluation questions are: a) informally ask the whole group, b) semi-formally assign to small groups or c) formally give to individuals for written responses.

Other suggestions for evaluating learning follow the table.

Evaluation Questions for Lesson 1.4	
Questions	Answers
True-False	
1. Some specifics of international humanitarian law can be ignored by a UN peacekeeping operation.	False. Under no circumstances and in no situation can peacekeeping personnel violate international human rights law or international humanitarian law.
2. International human rights law and international humanitarian law cover the same content.	False. Both are international law, but: <ul style="list-style-type: none"> ▪ International human rights law protects the fundamental human rights of every individual, always – in times of armed conflict and peace ▪ International humanitarian law protects those who do not engage in hostilities, or who are no longer doing – in times of armed conflict only
3. International law regulates peacekeeping activities and conduct.	True. The list includes: <ul style="list-style-type: none"> ▪ UN Charter ▪ International Human Rights Law ▪ International Humanitarian Law ▪ International Refugee Law ▪ International Criminal Law
4. International law guides peacekeeping personnel in their official functions and their personal lives.	True. The UN expects the same high standards in the private behaviour of peacekeeping personnel as in professional life. Peacekeeping

	personnel are expected to follow international law and UN values, rules and regulations 24 hours a day, at work and away from work. Authorities deal with cases of misconduct firmly, fairly and quickly. This includes cases of serious misconduct such as sexual exploitation and abuse.
5. When the Security Council authorizes a peacekeeping mission, it must refer to a specific Chapter of the UN Charter.	False. No reference to a Chapter needs to be made. The UN discourages references to traditional missions as Chapter VI missions, and multidimensional missions as Chapter VII.
6. International human rights law applies in times of war and in peace.	True. International human rights law protects fundamental human rights of every individual at all times – in times of armed conflict and peace. International humanitarian law applies in times of armed conflict.
7. The UN Charter commits all Member States to promote, respect and follow human rights and fundamental freedoms for all.	True. Articles 1 and 55 of the UN Charter binds all Member States with respect to human rights and fundamental freedoms without discrimination.
8. International humanitarian law (IHL) only applies to international conflicts.	False. IHL applies in times of armed conflict, both international and non-international (or internal) conflicts.
9. The Geneva Convention of 1949 is a cornerstone of international humanitarian law (IHL).	True. The main rules of IHL are in the Geneva Conventions of 1949 and two Additional Protocols of 1977. Other rules regulate the means and methods of combat.
10. International Refugee Law identifies rights and guarantees relevant to the protection of Internally Displaced Persons (IDPs)	False. The Guiding Principles on Internally Displaced Persons identify rights and guarantees relevant to protection of IDPs. International refugee law guarantees human rights of refugees and spells out State obligations to protect refugees living in a State's territory.
11. The Rome Statute of the International Criminal Court (ICC) codifies International Criminal Law.	True. It defines the most serious crimes of international concern, including war crimes, crimes against humanity, genocide, and the crime of aggression.
12. Peacekeeping personnel have to follow the national laws of a host country as well as international law.	True. Peacekeeping personnel follow national laws in a host country, as well as respect local customs and culture.
13. The Status of Mission Agreement (SOMA) covers how the UN will reimburse governments for troops or loaned equipment.	False. The Memorandum of Understanding (MOU) between the UN and the Troop Contributing Country (or Police Contributing Country) is the legal agreement that details

	<ul style="list-style-type: none"> ▪ How the UN will reimburse governments for troops, formed police units or loaned equipment; ▪ Obligations of contributing governments to ensure appropriate quality personnel and equipment, and ▪ Obligations for prevention of sexual exploitation and abuse in UN peacekeeping operations, applying to Troop/Police Contributing Countries, contingent commanders and troops (since 2007)
14. The Status of Force Agreement (SOFA) is the legal agreement between the UN and Troop Contributing Countries in peacekeeping missions with armed personnel.	True. SOFA is one example of the agreement the UN enters into with the host country. The other is the Status of Mission Agreement (SOMA). SOFA applies to missions with armed personnel. SOMA applies to missions without armed personnel.
15. UN peacekeeping personnel are immune from legal process for a) words spoken or written and b) actions taken in an official capacity.	True. The Convention on the Privileges and Immunities of the UN of 1946 gives legal status to the UN. It also gives certain privileges and immunities to UN officials. This includes immunity from the legal process for words spoken or written and actions taken in an official capacity. It also covers immunity from personal arrest or detention. The Secretary-General can waive the immunity of any official or expert whenever immunity would impede the course of justice.
16. Use of force is guided by the Rules of Engagement (ROE) and Directive on the Use of Force (DUF).	True. In addition, the mission's Concept of Operations (CONOPs) also applies. So do the UN Charter, and international law. ROE is for the military, and the DUF is for armed police. . <i>This question tests absorption of acronyms as well as knowledge of key documents. Instructors may want to rephrase using complete names for ROE and DUF.</i>
Narrative	
<i>Note: Frame narrative evaluations as questions, requests or directions.</i>	
1. Why is having a legal framework for UN peacekeeping important?	<ul style="list-style-type: none"> ▪ Provides legitimacy for the peacekeeping operation ▪ It directs the actions or tasks of the peacekeeping operation

	<ul style="list-style-type: none"> It guides peacekeeping personnel in their official functions <u>and</u> personal conduct
2. Who does international human rights law protect?	Every person is protected by international human rights law – human rights are universal, and indivisible (they apply to everyone, and they cannot be divided).
3. Name as many examples of human rights as you can.	<p>EXAMPLES OF CIVIL AND POLITICAL RIGHTS</p> <ul style="list-style-type: none"> Right to life Right to be free from torture Right to be protected from discrimination Right to freedom of expression Right to a fair trial Right not to be held in slavery <p>EXAMPLES OF ECONOMIC SOCIAL AND CULTURAL RIGHTS</p> <ul style="list-style-type: none"> Right to join a trade union Right to education Right to food Rights to housing and medical care Rights to social security and to work Right to equal pay for equal work
4. Describe the International Bill of Human Rights.	<p>The International Bill of Human Rights is the cornerstone of human rights. It consists of:</p> <ul style="list-style-type: none"> The Universal Declaration of Human Rights (UDHR) – adopted in 1948 The Covenant on Economic, Social and Cultural Rights The Covenant on Civil and Political Rights
5. Name at least three of five kinds of international law that apply to UN peacekeeping operations.	<ol style="list-style-type: none"> UN Charter International Human Rights Law International Humanitarian Law International Refugee Law International Criminal Law <p>Learners may name specific legal instruments, such as the International Bill of Human Rights.</p>
6. What main parts of the UN Charter give the legal basis for UN peacekeeping? Explain provisions.	<ul style="list-style-type: none"> Chapter VI: Outlines a range of peaceful measures Chapter VII: Authorizes the Security Council to “take such action by air, sea or land forces as may be necessary” <p>The <i>legal basis</i> is in the two named chapters. However, when the Security Council authorizes a peacekeeping</p>

	<p>operation, it does not have to refer to a specific chapter of the UN Charter. Learners may also mention Chapter 1, which states a main purpose of the UN is “to maintain international peace and security”, or Chapter VI, which gives the Security Council primary responsibility. Chapter VIII provides for the UN to involve regional partners in maintaining international peace and security.</p>
<p>7. What are the two reasons the Security Council refers to Chapter VII of the UN Charter in some resolutions for peacekeeping operations?</p>	<p>Reference to Chapter VII authorizes coercive measures (e.g. sanctions, blockades). Such references:</p> <ul style="list-style-type: none"> ▪ show the political commitment of the Security Council; ▪ reminds UN Member States and parties to a conflict that Security Council resolutions are binding.
<p>8. What are the main legal sources of international human rights law?</p>	<ul style="list-style-type: none"> ▪ UN Charter ▪ Universal Declaration of Human Rights, with two Covenants ▪ Covenant on Economic, Social and Cultural Rights ▪ Covenant on Civil and Political Rights ▪ Specialized human rights treaties (covering many topics: genocide, refugees, torture, racial discrimination, disabilities, children's rights, trafficking, discrimination against women, disappearances)
<p>9. Who does international humanitarian law (IHL) mainly protect?</p>	<p>IHL protects those who do not engage in hostilities, or who are no longer doing so.</p> <ul style="list-style-type: none"> ▪ Civilians ▪ Wounded ▪ Prisoners ▪ Medical personnel ▪ Humanitarian workers <p>It upholds fundamental rights of civilians, victims and non-combatants in an armed conflict.</p>
<p>10. What ten essential rules are identified in International Humanitarian Law?</p>	<p>The Ten Essential Rules of International Humanitarian Law are:</p> <ol style="list-style-type: none"> 1. Civilian targets cannot be attacked. Attacks are to only be against military objectives. 2. Civilians and others no longer taking part in hostilities must be respected and treated humanely. 3. Anyone who surrenders or stops fighting, or is wounded, cannot be killed.

	<ol style="list-style-type: none"> 4. Torture is prohibited at all times and in all circumstances. 5. Captured combatants and civilians must be respected and protected. 6. Weapons or methods of warfare likely to cause excessive injury or unnecessary suffering are prohibited. 7. Wounded and sick must be collected and cared for. 8. Medical personnel and medical establishments, transport and equipment must be respected and protected. 9. The Red Cross, Red Crescent and Red Crystal emblems are signs of protection and must be respected. 10. Prevention and prosecution of war crimes covers actions relating to attacking civilians, recruiting children as soldiers, torturing prisoners and sexual violence.
<p>11. What legal document covers internally displaced persons?</p>	<p>The Guiding Principles on Internally Displaced Persons, which is distinct from International Refugee Law.</p>
<p>12. Explain the difference between a refugee and an internally displaced person.</p>	<p>A refugee has:</p> <ul style="list-style-type: none"> ▪ Fled his or her country ▪ Crossed an international border ▪ Lives in a different country and ▪ Cannot return home because of probable persecution. <p>An internally displaced person has also fled from home and cannot return, but they have not crossed an international boundary.</p>
<p>13. What is covered by the Memorandum of Understanding (MOU) between the UN and Troop Contributing Countries?</p>	<p>This legal agreement specifies:</p> <ul style="list-style-type: none"> ▪ How the UN will reimburse governments for troops, formed police units (FPUs) or equipment loaned to a peacekeeping operation; ▪ The obligations of contributing governments to ensure appropriate quality personnel and equipment; ▪ Obligations of TCCs, contingent commanders and troops to prevent sexual exploitation and abuse in peacekeeping: (since 2007).
<p>14. Explain the difference between SOMA and SOFA and the purpose of these agreements.</p>	<p>SOMA is Status of Mission Agreement: in peacekeeping operations without armed personnel, the UN has a SOMA with the host country which applies to all</p>

	<p>mission personnel. SOFA is Status of Force Agreement: in operations with armed personnel, the UN has a SOFA with the host country which applies to all personnel.</p> <p>Both SOFA and SOMA give “functional immunity” to all peacekeeping personnel. They cover military and police who are not UN staff. They detail the legal status and arrangements for:</p> <ul style="list-style-type: none"> ▪ The UN's use of facilities, transportation and other equipment, communications; ▪ Freedom of movement in the country ▪ Mechanism to solve disagreements on these issues between the host country and the UN.
<p>15. What mission-specific documents guide use of force in a UN peacekeeping operation?</p>	<ol style="list-style-type: none"> 1. Rules of Engagement (ROE) for military 2. Directive on Use of Force (DUF) for police, where Formed Police Units (FPUs) are authorized to carry arms. <p><i>Reinforce the point that the UN Charter and international law apply as well as mission-specific guidance.</i></p>
<p>16. What's the difference between ROE and DUF?</p>	<p>An ROE applies to all armed military and units in a mission A DUF applies to all armed police and units (such as Formed Police Units) in mission</p> <p>Both ROE and DUF:</p> <ul style="list-style-type: none"> ▪ detail use of force ▪ are internal UN documents ▪ are mission-specific documents ▪ are legally binding ▪ provide practical guidance to commanders ▪ detail how and when to use force – constraints, latitude, right of self-defense ▪ clarify different levels of force for different circumstances and ▪ comply with international law
<p>17. Who in a peacekeeping mission needs to know ROE and DUF?</p>	<p>Every armed peacekeeping personnel. Mission leadership is responsible for ensuring people know it well. UN Military and Police commanders are responsible</p>

	for all personnel under their command knowing the ROE or DUF. Armed peacekeeping personnel have a particular responsibility to be fully familiar with the applicable guidance, as well as international law.
Sentence Completion	
1. SOMA means _____.	Status of Mission Agreement. It is between the UN and a host country, and covers non-armed UN peacekeeping missions.
2. SOFA means _____.	Status of Force Agreement. It is between the UN and a host country, and covers armed UN peacekeeping missions.
3. Under _____ of the UN Charter, the Security Council may authorize deployment of peace operations led by a regional organisation.	Chapter VIII on Regional Arrangements.
4. "Human rights" are rights _____ to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language or any other status.	Inherent. We are all equally entitled to our human rights without discrimination.
5. The right to life, to freedom of expression, to be protected from discrimination, to education, food, equal pay for equal right are examples of _____.	Human rights. Specifically, the right to life, to freedom of expression, to be protected from discrimination are examples of civil and political rights. Other civil and political rights include to a fair trial, to be free from torture, and not to be held in slavery. The right to education, food, equal pay for equal rights are examples of economic, social and cultural rights. Other economic, social and cultural rights are rights to join a trade union, to housing and medical care, social security and to work.
6. Vulnerable groups whose rights are protected with special measures in international human rights law include (name at least three): _____.	Refugees, internally displaced persons, minorities, detainees, persons with disabilities, migrant workers, women children and the elderly.

7. Law of war or law of armed conflict is known as _____. Its goal is to limit negative impact of armed conflict and lessen suffering during war.	International humanitarian law.
8. International humanitarian law (IHL) protects those who _____, or who _____.	IHL protects those who do not engage in hostilities , or who are no longer doing so .
9. The _____ sets our fundamental rules of international humanitarian law applicable to all UN peacekeeping personnel.	<i>The Secretary-General's Bulletin on the Observance by United Nations Forces of International Humanitarian Law of 6 August 1999 (ST/SGB/1999/13)</i> . IHL is complex. This bulletin clarifies what applies to peacekeepers.
10. _____ covers the obligations of states to protect refugees living in their territory.	International Refugee Law
11. The <i>Convention on _____</i> of 1946 gives legal status to the UN and provides certain privileges and immunities to the UN and its officials.	<i>Convention on the Privileges and Immunities of the UN of 1946</i>
12. _____ guides use of force for the military in peacekeeping. _____ guides use of force for police.	<ul style="list-style-type: none"> ▪ The Rules of Engagement (ROE) guide use of force for the military component. ▪ Directive on the Use of Force (DUF) guides use of force for police, where Formed Police Units (FPUs) are armed. <p><i>Make sure participants know which document guides use of force for which component.</i></p>
<p>Call-and-Response/Mix-and-Match</p> <p><i>Note: Call-and-response of acronyms with brief discussion after each can evaluate and reinforce learning. A mix-and-match exercise as shown as learning activities in lessons 1.1 to 1.3 is another way to evaluate learning.</i></p>	
<p>SOMA</p> <p>SOFA</p> <p>IHRL</p> <p>IHL</p> <p>UDHR</p> <p>IDP</p> <p>ICC</p> <p>TCC</p> <p>PCC</p> <p>UN</p> <p>MoU</p>	<p>Status of Mission Agreement</p> <p>Status of Force Agreement</p> <p>International Human Rights Law</p> <p>International Humanitarian Law</p> <p>Universal Declaration of Human Rights</p> <p>Internally Displaced Persons</p> <p>International Criminal Court</p> <p>Troop Contributing Country</p> <p>Police Contributing Country</p> <p>United Nations</p> <p>Memorandum of Understanding (between the UN and TCCs/PCCs)</p>

More ways to evaluate learning

- **Group Presentations on International Law as it Applies to UN Peacekeeping Operations.** Assign each table one of the main types of international law applicable to UN peacekeeping. The task is to prepare a briefing. Evaluate the briefings.