

Module 3: Operational Framework

Lesson 3.1



UN-EP and Human Rights



Learning Outcomes

- Understanding of Human Rights (HR) violations, including Conflict Related Sexual Violence (CRSV) and Child Protection (CP)
- How to identify and respond to these violations as part of your duties as members of the UN-EP



Lesson Content

- Human Rights (HR) review
- Role of the UN-EP in HR



Human Rights in UN Peacekeeping

HR protection is at the core of what the United Nations does.

DPO Policy: Human rights protection is an **all-mission responsibility**, including for military. Even missions without explicit human rights mandate or component must advance human rights within the scope of their mandate.

HR are brought to the forefront of UN PKO activities by:

- Understanding and integrating HR into every day work
- Supporting national capacity to protect and promote HR
- Vigilantly monitoring and reporting any and all HR abuses



HR Violations and Abuses

- **HR violations** are actions or inactions of state officials or agents such as police officers, soldiers, judges, local administrators, or government representatives
- **HR abuses** are committed by non-state actors; for example rebel groups, corporations, or individuals



Learning Activity

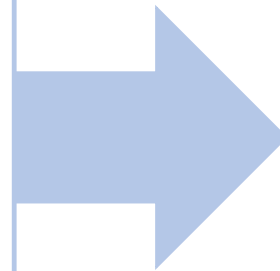
Pair up with the person next to you, brainstorm the following:

- **Intentional** actions resulting in human rights violations
- **Unintentional** actions/inaction resulting in human rights violations



Special Role of the Military

- Safe Environment
- Physical Protection
- Human Rights monitoring and reporting
- Supporting partners
- Reinforce mission credibility



**Human
Rights**



Protection of Civilians (POC)

POC Mandate	Civilian
The POC mandate in UN peacekeeping focuses on addressing threats of physical violence against civilians.	Any person who is not or is no longer directly participating in hostilities or other acts of violence
Threats	Vulnerability Factors
To life To physical integrity To freedom To property	Individual, community factors Environmental Factors Access to assistance Self-sufficiency



Women, Peace and Security (WPS) Agenda

The Four Pillars:

- Role of women in conflict **prevention**
- Women's **participation** in peacebuilding
- The **protection** of the rights of women and girl's during and after conflict
- Women's specific needs during **relief and recovery**; repatriation, resettlement and for rehabilitation, reintegration and post-conflict reconstruction.



Conflict Related Sexual Violence (CRSV)

POC mandate usually includes:

- Provision of specific protection for women and children including through the deployment of CPAs and WPAs
- Monitoring, help investigating, reporting and preventing sexual violations and abuses
- Contributing to efforts to identify and prosecute perpetrators



Fundamentals of CRSV

QUESTION – What are the fundamental points about CRSV that UN Peacekeeping personnel, particularly UN-EP personnel, need to know?



Fundamentals of CRSV (continued)

- 1 - Assume it is taking place and maintain operational readiness
- 2 - CRSV disproportionately affects women and girls
- 3 - CRSV thrives in the midst of gender discrimination and inequality
- 4 - CRSV impacts Internally Displaced Persons (IDP) in greater magnitude
- 5 - CRSV is under reported



Fundamentals of CRSV (continued)

6 - CRSV mostly occurs in conjunction with other crimes

7 - Peacekeepers are required to respond to both CRSV and SGBV violations

8 - Incidents of CRSV often lead to broader violence

9 - CRSV may manifest as potential, impending or ongoing

10 - Sexual Exploitation and Abuse (SEA) is a different violation, committed by peacekeepers



Child Protection (CP)

Question: What are the six grave violations against children?





Six Grave Violations against Children

1. Recruitment or use of children as soldiers
2. Sexual violence against children
3. Killing and maiming of children
4. Abduction of children
5. Attacks against schools or hospitals
6. Denial of humanitarian access for children



Special Considerations for Children and Armed Conflict (CAAC)

- Women and girls face a higher risk of rape and other forms of sexual violence
- The risks to girls and boys can differ based on their distinct gender roles
- The experiences of girls and boys in conflict differ
- The UN-EP must gather information on children, both boys and girls, within AO
- All members of the UN-EP must pay strict attention to any of the six grave violations, intervene if appropriate, and always report



Special Considerations for CAAC (continued)

Because Children are a protected category unto themselves, and because special care must be taken when asking children questions, all UN-EP members **must** remember the **do's** and **don'ts**

Do

Assist child soldiers when they surrender or get captured

Inform CP Unit and hand over to nearest CP actor as soon as possible

Share CP knowledge with host state military

Encourage host state military not to use schools as bases

Don't

Send children away and tell them to come back the next day after you informed CP unit

Hand children over to HN army without consulting CP unit

Underestimate your role as a role model

Interview without presence of CP or UNICEF personnel unless absolutely necessary



UN-EP responsibilities regarding violations of human rights and IHL

1. Proactively **identify** human rights and IHL concerns
2. Diligently **record** information on human rights/IHL violations
3. **Report** to chain of command, human rights component, protection of civilians coordinator (based on SOPs)
4. Keep **confidential** sensitive information on victims & witnesses
5. Refer victims to **urgent support**
6. Promptly make appropriate **intervention to protect from further harm**
7. Continue to **follow** the situation





HR Early Warnings

Members of the UN-EP help protect and promote HR through the following:

- Maintain situational awareness and use early warning indicators
- Conducting outreach and advocacy
- Early Warning Centres
 - Information hub in COB and TOB
 - Produce database including threats and vulnerabilities
 - Manage cell phone hotline if available and/or used
 - Maintain information collection plan



Early Warning Indicators

	Military and Security Factors	Social and Humanitarian Factors	Political and Legal Factors	Economic Factors	Media Related Factors	Health Related Factors
Potential Risk						
Impending Risk						
Ongoing Sexual Violence						



The Do No Harm Principle

The UN-EP must prevent anything that will cause harm to individuals or communities. Harm can be **direct** and **indirect**, and the UN-EP must take both into account in planning as well as when advising supported commanders

Direct Harm

- Sexual exploitation/abuse
- Displacement of civilians
- Harming civilians during security operations
- Creating conditions for reprisals

Indirect Harm

- Proximity to mission
- Damage to infrastructure
- Local recruitment and choice of contractors
- Accidents involving UN and UN-EP personnel
- Culturally insensitive behavior



Survivor Resources and Referral Systems

Each member of the UN-EP must:

- Understand the referral system in their area of responsibility
- Be able to communicate this system to both victims/survivors and members of their supported infantry coy

Important:

- Ensuring provision of services to CRSV victims/survivors is primary responsibility of the Host State - failure to act by the state is a rights violation and needs to be reported
- In the support of survivors, each mission will have a referral system
- Referral systems links together protection actors and mission stakeholders



Risks associated with inaction

- Escalating violence and compromising the mission mandate
- Loss of morale amongst partners
- Loss of credibility undermining mission success



Learning Activity

Engaging Communities

Question: When engaging with the local population, what must you do?

- Ensure safety and security of people you are engaging
- Assist survivors of child abuse and sexual violence
- Respect dignity and confidentiality
- Obtain informed consent
- Think of creative community outreach options
- Work with local NGOs and communities
- Consider possible consequences of your actions for local communities



Learning Activity

Engaging Communities

Question: When engaging with the local population, what must you **not** do?

- Ask survivors about experience of CRSV
- Share with HN authorities details of victims of human rights violations
- Act on behalf of survivors without informed consent
- Engage in activities that may harm local communities
- Casually spend time with children
- Give money, food or employment to children
- Have any sexual contact with children



Take Away

- All UN peacekeeping personnel have a duty to promote, protect and respect human rights
- UN-EP members have an especially important role to play in the protection and promotion of HR and the POC, CP, and the elimination of CRSV
- You are critical in the support of early warning
- Failure to respond to these threats undermines the credibility of the mission with the local population, perpetrators and other stakeholders



QUESTIONS?