

The Elusive Concept of Protection of Civilians

A Case-Study of the United Nations Mission to the Central African Republic and Chad (MINURCAT)

John Karlsrud and Diana Felix da Costa



Norwegian Institute of International Affairs
Department of Security and Conflict Management



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Visiting address: C.J. Hambros plass 2 d
Address: P.O. Box 8159 Dep.
NO-0033 Oslo
Norway
Internet: www.nupi.no
E-mail: info@nupi.no
Fax: [+ 47] 22 36 21 82
Tel: [+ 47] 22 99 40 00

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Introduction

After only three years of deployment, the United Nations Mission in the Central African Republic and Chad (MINURCAT) ended its mission in December 2010, somewhat unexpectedly at the request of the Government of Chad, and provoking sharp protests from many humanitarian and human rights organisations such as Amnesty International, Human Rights Watch and Oxfam (AI 2010, HRW 2010, Oxfam 2010). Nevertheless, by 31 December 2010 all uniformed and civilian staff were withdrawn and MINURCAT had handed over its main tasks to the Government of Chad and the United Nations agencies present, particularly UNDP and UNHCR.

This report will look at some of the dilemmas that the mission was faced with and try to extrapolate some general lessons from its short lifespan. At the outset, MINURCAT was arguably the first ‘pure’ protection peacekeeping mission – it was mandated by the UN Security Council to protect refugees, internally displaced and humanitarians, but did not have a political mandate to mediate between the rebels and the government (Karlsrud & Felix da Costa, 2009, UNSC, 2010d: 16). The key element in this endeavour was the protection of civilians (PoC), and as such it can offer a glimpse of the main challenges when a mission’s focus is on protection while simultaneously lacking a political mandate.

By December 2010 there were reported to be an estimated 255,000 Sudanese refugees spread in 12 camps and 68,000 refugees from the Central African Republic living in eastern Chad. More than 137,500 Chadians were displaced and some 43,000 returnees and an estimated 150,000 members of the host population required assistance. About 70 humanitarian organisations were operating in eastern Chad (UNSC 2010b). The number of refugees and displaced had thus not changed significantly since the inception of the mission until its end, and the need for humanitarian assistance remained enormous.¹ Had anything changed at all? Did the mission accomplish anything or was the money spent in vain?

The report examines the protection activities of the multidimensional presence in Chad under UN Security Council Resolutions 1778 (2007a), 1834 (2008) and 1861 (2009a). The multidimensional presence initially included military forces deployed by the European Union (EUFOR) and a civilian component by MINURCAT, with several coordination challenges and lessons. The military component was subsequently transferred to MINURCAT’s control on 15 March 2009.

¹ The number of displaced had decreased the most from 180,000 to 143,000, but this could still not be said to be enough to reach the target of a return of a “critical mass” of the internally displaced persons, as set out in the first key benchmark of the Mission. See UNSC (2008) *S/RES/1834, September 2008*. New York, United Nations Security Council.

The report reviews the spectrum of activities implemented under the mandate of SCR 1778 from the ‘hard’ protection measures such as the deployment of military troops, ‘medium’ protection measures such as the training of a national police force responsible for the protection of refugees and IDPs, called *Détachement Intégré de Sécurité* (DIS), to ‘soft’ activities such as human rights training and reporting and support to intercommunity dialogue.² Reaching the end of MINURCAT’s performance, the report looks to assess lessons learnt for other protection-centred missions. By assessing the protection MINURCAT’s performance from January 2008 until December 2010, the report will highlight the continuing and increasing problem of a security-dominated understanding of PoC. Based on the experiences in Chad, it will offer some lessons on how to better utilize the tools currently available in the peacekeeping toolbox, and underscore the need for a more flexible use of local police, UN formed police units (FPUs) and in particular civilian components of the UN mission, who should work in close cooperation with national counterparts, international partners and NGOs.

A Challenging Context

At the time of MINURCAT’s deployment in Chad, government forces, rebels, militias and ethnic groups frequently clashed. A number of interrelated factors were at play in the violence. Scarce natural resources such as land, livestock and water, historical grievances and the inequitable distribution of economic resources, the proliferation of arms and weak democratic processes and state institutions all propelled the continued violence and impunity. Refugee and IDP camps in eastern Chad were largely militarised; recruitment campaigns, including the forced recruitment of children, were commonplace among all parties to the conflict, and the camps were allegedly used as rear bases for rest and recuperation by rebel groups of both Chadian and Sudanese origin.

The proxy war between Chad and Sudan was part of the root causes to the insecurity and displacement in the border area between eastern Chad and Darfur. This was particularly the case with regard to the displacement on the Chadian side. Tribes that were in conflict with the Zaghawa tribe, where President Déby hails from, were often the target

² The classification of activities from ‘hard’ to ‘soft’ is adapted from the UNHCR (2007) *Handbook for the Protection of Internally Displaced Persons*. Geneva, Global Protection Cluster Working Group, OCHA/UNCHR: p. 187: “In the context of its work with refugees UNHCR has developed a ‘ladder of options’ composed of soft, medium and hard approaches. The soft approach involves preventive measures, where international organizations provide support to the State to maintain safety and security; the medium approach involves the use of the international civilian or police monitors who provide technical expertise and support to local authorities, through training, mentoring and monitoring; while the hard approach involves the direct use of international peace-keeping or peace-building forces, authorized by the UN Security Council, to maintain safety and security.”

of attacks during the period when most people were displaced from 2004 to 2006 (Tubiana, 2008). These were of course also the main recruitment sources for the rebel groups. It was thus of key importance that the mission was mandated to work with intercommunity dialogue and local-level reconciliation, as this could potentially rectify some of the grievances and stem recruitment to the rebellion.

The flow of refugees and IDPs put a heavy burden on the scarce resources in the area and the need for humanitarian assistance was and remains, post-MINURCAT, enormous. Nevertheless, the last UN Secretary-General Reports on MINURCAT (UNSC 2010c, UNSC 2012d) informed of some security improvements largely due to an unusually heavily rainy season limiting overland movement, greater vigilance by the Chadian authorities and security forces, and most importantly, improved relations between Chad and Sudan, including the establishment of a Chadian-Sudanese Joint Border Monitoring Force.

However, insecurity prevailed and violations of basic human rights remained frequent and systematic. Protecting refugees, IDPs and humanitarian workers and widening the humanitarian space were thus critical tasks entrusted to the UN mission by the Security Council, which the Government of Chad has pleaded to continue to undertake after the departure of MINURCAT (UNSC 2010c, UNSC 2010d).³

MINURCAT and protection

MINURCAT's mandate underscored the importance of protecting civilians at risk, including refugees, IDPs, host communities and humanitarian workers, and is considered an advance in the implementation of the principle of 'responsibility to protect':

The protection of civilians in eastern Chad consisted of more than assuring the physical security of refugees, the internally displaced and humanitarian workers. Intercommunity dialogue, the enhancement of local governance structures, including justice and prisons, respect for human rights and the creation of socio-economic incentives for the safe and voluntary return of the displaced are mutually interdependent requirements for the protection of civilians, and depend ultimately on the host Government (UNSC, 2010c: 12).

The protection activities of MINURCAT ranged from regular military patrols and escorts, training and mentoring of the DIS to provide security in refugee and IDP camps, as well as population centres, to deploying human rights, political and civil affairs, gender and other ci-

³ Protection is here defined as: "...all activities aimed at ensuring full respect for the rights of the individual in accordance with the letter and the spirit of the relevant bodies of law, i.e. human rights law, international humanitarian law and refugee law. Human rights and humanitarian organizations must conduct these activities in an impartial manner and not on the basis of race, national or ethnic origin, language or gender." (ICRC, 2001, p.19).

vilian officers to the field to monitor the situation and support inter-community reconciliation initiatives.

With the adoption by the UN General Assembly in 2005 of the ‘Responsibility to Protect’ principle (UNGA 2005), the mandate of peacekeeping missions has become more proactive and has gradually expanded to include the protection of civilians, including UN personnel and humanitarian workers. MINURCAT was arguably the first UN peacekeeping mission with a comprehensive protection mandate. While the move towards more comprehensive protection mandates is a laudable development it also poses some new challenges for peacekeeping missions. With the expanded mandate, missions must also reflect more deeply on how they relate to national security institutions, which have the primary responsibility for civilian protection. As noted by Wheeler and Harmer, “The protection of civilians is perhaps where the question of the ‘fit’ between humanitarian and security agendas is most likely to arise, and where the achievement of humanitarian goals is most likely to be dependent upon military capacities” (Wheeler and Harmer, 2006: 14).

Chad had and has a plethora of security actors. National forces include the Armée Nationale du Tchad (ANT), the Gendarmes, the Garde Nationale et Nomade du Tchad (GNNT), the Police and most importantly the DIS. International security presence included UN Police and the EUFOR troops during the first year which were subsequently replaced by UN troops. The coordination of all these actors to provide a comprehensive security response to the spectrum of threats present in eastern Chad, in coordination with the humanitarian community, without diluting responsibility and accountability and maintaining the integrity and neutrality of protection activities, represented significant challenges.

‘Hard’ protection measures

Because of the central role humanitarians had in the mission’s mandate, the definition and conceptual understanding of protection and humanitarian space was a central and contentious issue for the duration of the mission. During the first year, the mandate was shared between a military component provided and controlled by the EU – EUFOR, and a civilian component under the control of the UN – MINURCAT.

The decision to establish a military force under separate command was taken when it became clear that Chad would not accept a UN force. On the positive side, EUFOR could mobilize, deploy and develop bases much faster than a traditional UN force. From a protection

point of view this meant that they could provide protection by presence more rapidly than what a UN force could do, while coordination required more time as humanitarian organisations coordinated both with EUFOR and MINURCAT. In terms of coordination, it was a major obstacle that even tactical information-sharing between EUFOR and MINURCAT required a green light from Paris where EUFOR's HQ was based, as well as Brussels. As a result, the information was basically without value once it reached MINURCAT counterparts, ultimately undermining the security of UN staff not having access to real-time information on possible security threats.

The military force was envisaged to function as 'security umbrella' in eastern Chad, patrolling main roads and expected to be able to deploy on short notice to protect civilians threatened by rebel groups or other militias. However, one of the main challenges was the prevailing banditry, which the military force was not calibrated to respond to. EUFOR has argued that they had to do a fundamental rethink of their operation as a result of this (EUFOR, personal communication with senior officer, 2009). EUFOR had been deployed to deal with armed groups, posing major threats to the civilian population, but found that the main threat to security were heavily armed bandits, a threat they could not fight with artillery and mortars. Instead they decided to provide protection by presence during the rainy season of 2008 and expand patrols when this was possible after the rainy season (Ibid.). However, with 3144 out of the mandated 3700 soldiers available during 2008, the areas covered and the number of patrols deployed were not enough to prevent an increase in banditry during 2008 (UN OCHA, 2008).

This became an even more serious challenge after MINURCAT took control of the military force on 15 March 2009. A number of the European forces rehatted and became part of the UN Force, without which a continuation of the mission would have been impossible. This was due to only two months between the Security Council mandating the new mission and the transfer of authority. But even with the help of European forces, the new mission continued to struggle throughout 2009 and never reached more than 60% deployment of forces. As a short-term measure, Togolese soldiers which made up the Quick Reaction Force stationed at the rear base in Abéché, were sent on shorter deployments. A full battalion from Ghana arrived too late and without the necessary equipment. Only by the end of 2009 did the Ghanaians reach full deployment and received the rest of their contingent-owned equipment. The slow deployment and the precarious security situation put the mission in constant battles with the humanitarian community. Because of low deployment of soldiers, the mission argued that it had to resort to escorts instead of the planned patrols, simply because it

was not able to deploy enough soldiers to maintain area security through patrols. The humanitarians felt this jeopardised their impartiality and neutrality (Grunewald & Collins, 2010).

When MINURCAT finally reached full deployment in the most dangerous areas in January 2010, security incidents fell fast. But by then, the time was up. The mission had only relayed the timelines for deployment given by HQ in New York, but its promises had been broken again and again as the deployment was postponed for more than half a year. In addition, promises had been made to build DIS police posts in twelve refugee camps and police stations in six main towns, as well as to develop airport aprons in N'Djamena and Abéché worth about \$50 million, but construction had not begun (UNSC 2010b). The Government of Chad thus sent a letter to the Security Council on 15 January, 2010 (UNSC 2010a), declaring that they no longer needed MINURCAT, and was able to take care of the protection of civilians in eastern Chad on their own.

That the Government of Chad declared to take the responsibility of the protection of civilians, and did so in writing, was and is laudable. But, both among the UN and the humanitarians, great doubts remained of whether it was capable to take on this responsibility, if it was aware of what it entailed and most worryingly, whether it was really willing to do so. The government had, and still has, a predominantly security-oriented understanding of the concept. We will return to this in the latter part of this report.

Another returning question was whether the UN had a force that was adequate to the tasks it was facing. As mentioned earlier, EUFOR deployed with armoured personnel carriers and other heavy equipment, but the real threat to civilians in eastern Chad was armed banditry and other low-level threats. The UN faced a similar predicament, where the planning of new missions in New York followed old templates. It is necessary to question whether 4900 troops (mandated number of troops for the Chad part of MINURCAT) were needed to provide area security in eastern Chad. What was really needed was probably a lower number of troops, but who would have the capability to react swiftly, equipped with light vehicles and a sufficient number of helicopters with day and night-flight capabilities.

MINURCAT also tried again and again to persuade the UN Secretariat to have Formed Police Units (FPUs) included in the mission structure, but this was not accepted by UNHQ.⁴ These could have dealt more

⁴ Oddly enough, the joint DPKO/OCHA study on Protection of Civilians published in 2009, asserted that MINURCAT (and UNAMID) had "carved out a new role for FPUs in directly protecting civilians by assigning them protection and public order duties in large IDP camps." Holt, V., G. Taylor, et al. (2009) *Protecting Civilians in the Context of UN*

forcefully with bandits, if their mandate had been amended to reflect the tasks these units perform in their home countries as e.g. gendarmeries. Dealing with hijackings would be one of the typical tasks they could perform under such a mandate. Curiously enough, the Police also seemed to be less reluctant than the UN troops to go into pursuit of bandits and other operations considered dangerous. However, in the current standard operating procedures of the UN, these units are only meant to deal with public order, protection by presence together with local police forces and training (UN DPKO, 2010). The use of drones to achieve a better understanding of threats developing on the ground would also be a major asset of future peace operations.

But all these changes are met with squeamishness at the UN Secretariat, who is afraid of member states' possible reactions to a more assertive posture of UN missions when dealing with threats to civilians. Avoiding blue-print solutions and deploying the right means to deal with the tasks on the ground will remain a challenge for the UN where change-processes are frightfully slow. However, there is currently an ongoing review of robust peacekeeping and protection of civilians and there are signs that at least the role of the FPU's may be revisited as part of this process: "This does not preclude forthcoming policy development on Robust Peacekeeping and the Protection of Civilians. If necessary, the role of Formed Police Units in both may be revisited in light of future policy decision." (Ibid.: footnote 3, p. 4).

'Medium' protection measures

In addition to military troops, MINURCAT included an important policing component, made up both of UN police and an innovative initiative to establish the DIS, a new national police body with a mandate explicitly focused on protection of civilians. The DIS was established to ensure security at IDP sites, refugee camps and population centres. As a new element in the UN peacekeeping context, it represented the first time a national security force became integrated into and accountable to a UN mission (Karlsrud & Felix da Costa, 2009).

MINURCAT equipped the DIS with vehicles, uniforms and side-arms, and planned to build police stations in six major towns and police posts in twelve refugee camps. MINURCAT also gave close in-service training and developed programmes to train and certify judicial police officers, Chadian trainers, human rights and international law training, among others. In its early stages, it was not uncommon to hear reports on misconduct by DIS agents, including committing acts of violence and lacking skills and professionalism. There were

Peacekeeping Operations: Successes, Setbacks and Remaining Challenges. New York, UN DPKO & UN OCHA: 123. FPUs were however never deployed to MINURCAT.

many reported cases of well-armed criminals successfully attacking humanitarian convoys under DIS protection, or DIS badly damaged vehicles due to irresponsible accidents (Amnesty International, 2009; UNSC 2009b).

Despite the severe initial operational challenges, by 2010 much progress had been achieved in responding to many of these problems and the operations and patrols of DIS officers had become more reliable and professional, with instances of insecurity as measured by the number of attacks against humanitarian workers, dropping considerably (Amnesty International, 2010). Their daily operations included protection at food distribution points run by humanitarians, day and night patrols around refugee camps and security escorts to humanitarian actors, among others. The DIS was having a significantly positive impact in the security situation in the east and by the end of the mission in December 2010, the overall strength of DIS reached some 1,000 personnel, with women making up around 10% of DIS officers (UNSC 2010d).

With the slow deployment of the military force of MINURCAT, the DIS gradually took on more robust tasks than originally planned (UNSC, 2010d: 14). Only equipped with side-arms they often took up pursuit of hijackers. In several incidents they got into fire fights and ambushes with many wounded and several casualties as a result. It was clear that the DIS, in lack of sufficient backup from the thinly deployed MINURCAT Force, paid a heavy price to improve the security situation in eastern Chad and that they assumed many of the tasks that the MINURCAT Force should have executed. This was also one of the reasons why the Government of Chad lost faith in MINURCAT – they could not see why a peacekeeping mission should be deployed when they would only seldom engage in direct confrontations with armed bandits who represented the main threat against the civilian population in eastern Chad. The DIS also expanded its mandate in geographical scope, taking on patrols and escorts that exceeded their 10 km limit (around towns and refugee camps). Indeed, the new concept of operations presented by the Government of Chad to the Security Council on how they would go about the task of protection of civilians (UN, 2010b), the DIS was given together with other Chadian security actors, a core role for PoC across all of eastern Chad.

Although the Government of Chad reiterated its commitment to assume full responsibility for the logistical and material sustainment of the DIS (UNSC, 2010b), challenges remained and sustained donor support, including training, oversight and resources are necessary if the DIS should continue to contribute to the protection of civilians in eastern Chad. UNDP and UNHCR have taken over from MINURCAT

in working with local authorities to mobilize donor support as well as technical and operational assistance to the DIS.⁵ While funding was secured for 2011, the success of the DIS will continue to depend on the commitment of the Government of Chad to sustain the support to the DIS and ultimately to the protection of civilians. The last report of the UNSC (2010d) in December 2010, asserted that MINURCAT's support to the DIS would be extremely difficult to sustain, increasing doubts on the overall sustainability of this initiative.

'Soft' protection measures

As increasingly recognized, effective protection encompasses much more than just physical protection. The UN Police and the DIS were a core part of a comprehensive strategy to tackle impunity. Yet, the protection of civilians in eastern Chad consisted of much more than guaranteeing the physical security of refugees, IDP's and humanitarian workers and the provision of logistical support and hard-wall structures for DIS. The emphasis on community dialogue encouraging more equal and sustainable sharing of land, water and other valuable resources was of tremendous value. The support to local governance structures, including justice and prisons, respect for human rights and the creation of socio-economic incentives for the safe and voluntary return of the displaced were mutually interdependent requirements for the protection of civilians (UNSC 2010c). The sexual and gender-based violence (SGBV) cases, armed attacks and other reported incidents were often rooted in disputes over resources, resource restraints and jealousy and resentment over refugees and IDP's better equipped than the host community (Solhjell & Karlsrud, 2010). Initiatives such as the drilling of shared water wells in Iriba combined with strengthening the capacity of the local administration to establish peaceful dialogue between competing tribes, was one of several success stories.

In the judicial sector, MINURCAT, together with UNDP and the European Commission, supported the government in an effort to strengthen the judicial and prison system by establishing legal aid clinics (run by national NGO's), mobile courts, training and deploying judges, prosecutors and prison personnel and supporting the revision of the judicial and penal systems. While frequent escapes by prisoners caught by the DIS underscored the need for improving dilapidated prisons, efforts were made to tackle impunity by building and rehabilitating courthouses in three locations, as well as the Iriba prison. MINURCAT also deployed gender and human rights officers, includ-

⁵ For more, see UNDP (2011) '25/02/2011: Signature programme conjoint d'appui au DIS', http://www.td.undp.org/1actu_det.asp?Project_Id=00077223&info=76, accessed 11 March 2011.

ing a focal point on child-rights to monitor and report on human rights concerns.

MINURCAT was also tasked to develop and implement a local level reconciliation strategy in eastern Chad, aimed at improving inter-community dialogue and decreasing tensions. This was an instrumental part of the larger recovery programme agreed upon between the Government of Chad and the UN system, with the potential to create a more community-based movement for peace and political participation in eastern Chad. Coupled with the support of existing local and regional mediating structures such as the mixed reconciliation committees, the Islamic Committee and judges (*juges de paix*), as well as development of state capacity which was sorely lacking, the intervention was envisioned to create the foundation for more structured resolution of tension and conflict between and within communities (Karlsrud & Felix da Costa, 2009). It also represented an opening for a political role by MINURCAT in Chad, and in addressing the root causes of conflict and displacement.

However, quantifying the impact of these initiatives was a challenge. The dialogue processes that were facilitated reportedly resulted in some IDP returns, but these were not properly verified (Felix da Costa & Karlsrud, 2010). There were also complaints of duplication with similar initiatives started earlier by UNHCR that held the overall responsibility for the protection cluster (Felix da Costa, 2009). Overall, MINURCAT's intercommunity dialogue did not live up to expectations.⁶ In part, this can be explained by the failure to invest sufficiently in follow-up mechanisms (personal communication with senior UN officer, Chad 2009). More broadly, the Chadian government's withdrawal of consent for the MINURCAT mission as a whole, and its subsequent unexpected withdrawal by December 2010, raised obvious questions about the sustainability of such a strategy.

Any engagement has to be sustained, long-term, aimed at building the capacity of local governance structures, and based on sound partnerships on the one hand with national NGO's and other local actors and on the other hand with UNDP, UNHCR and other international NGO's involved in soft protection initiatives, in order to ensure continuity after the UN mission has pulled out. UNDP has both technical and financial capacity in most of the arenas where MINURCAT was involved in eastern Chad, as mentioned above – rule of law and human rights, gender promotion, extension of local authorities and structures and early recovery activities, to name a few.

⁶ For more on the MINURCAT Intercommunity Dialogue Strategy, see Felix da Costa, D. & Karlsrud, J., 'A role for Civil Affairs in community conflict resolution? MINURCAT's Intercommunity Dialogue Strategy in eastern Chad', *Humanitarian Exchange Magazine* No. 48. London, Humanitarian Practice Network.

For example, facilitating intercommunity dialogue in eastern Chad consisted mainly of simple, low-cost interventions. When done well, such interventions can provide a UN operation with key knowledge and contribute to the bottom-up peacebuilding that is key to the long-term success of any peace operation (Kalyvas, 2001, Autessere, 2010).

However, in local intercommunity dialogue requires specific local knowledge, engaging flexibility and enduring commitment, a challenge for large, unwieldy and time-limited peacekeeping operations. UN peacekeeping missions and UNDP need to work closer together to maximize the widespread presence of civil affairs and human rights officers on the ground and the latter's expertise and long-term engagement. Otherwise, it not only risks duplication of efforts, but even worse, losing legitimacy and trust of local actors. UN peacekeeping Civil Affairs may prove to be an asset in facilitating the space required for intercommunity dialogue and in advocating for early recovery activities by fostering structures that meet basic human needs and maximize public participation, but this has to be done alongside national authorities and international actors with long-term presence in the region, involving all relevant actors and within a realistic timeframe (Felix da Costa, 2009). As suggested by the former SRSG to MINURCAT: "There is a clear need to strengthen the capacity of local authorities to better enable them to undertake conflict resolution activities and develop more effective peacebuilding mechanisms at the local level" (Angelo, 2011). Although there were some positive experiences of working with customary leaders, overall, local administrative authorities were privileged partners because they represented the central government.

Issues and lessons learned from protection activities in Chad

MINURCAT was not a 'pure' protection mission by choice, but because of the intense pressure by the international community to deploy a mission and the counter pressure from the Government of Chad that there was no political crisis in the country – only a humanitarian one, and that there was thus no need for a political mandate for the mission. Although MINURCAT can therefore be seen as *sui generis*, it can still generate some interesting lessons for future peace operations, particularly in cases where there is reluctance by the Government to accept a mission.

According to the Secretary-General's report on Protection issued in 2007, MINURCAT was one of the first peacekeeping missions which were given a clearly defined protection mandate: "...with an express[ed] mandate to protect civilians..." (UNSC, 2007: 4). Despite the fact that UNAMID and UNMIS, the UN peacekeeping missions in

Sudan, as well as MONUC in the Democratic Republic of Congo also have similar mandates, it could be said that MINURCAT, with its policing concept, was the first UN peacekeeping mission with solely a comprehensive protection mandate. This entailed an active role for the mission, mandated to intervene to protect civilians at risk, in line with the principle of responsibility to protect adopted by the General Assembly in 2005 (UNGA, 2005: 35). But there was an inherent tension between giving MINURCAT a comprehensive protection mandate and asking the mission to provide a strategic workplan with tangible benchmarks, when the mission did not have a mandate to support the political process on the national or regional level.

This was a difficult starting point for the mission. Chad only reluctantly accepted the deployment and for no longer than one year. When the UN wanted to assume the authority also for the military component after one year, with the exit of EUFOR, the Government of Chad continued with its assertive policy of limited consent and set forth a list of demands. These included the construction of airport aprons (parking spaces for airplanes) in both N'Djamena and Abéché, worth more than 50 million dollars. The UN agreed to this (UNSC 2009b), but progress on construction was close to zero, further undermining the relationship between the mission and the Government. The mission was also, due to various bureaucracy-related reasons, very slow with the construction of police stations for the DIS. While these developments were peripheral to the mandate of the mission, it had great impact on the relationship with the Government. Over time, with withering consent, the mission lost much of its legitimacy. This was due to slow deployment of troops; inability to fulfil its promises on construction; and improved regional stability between Chad and Sudan. In the end, the Government of Chad decided it could manage the task of protecting civilians on their own, and could take control of the new military bases in eastern Chad at the same time.

In addition, the understanding of what protection of civilians entails varies widely, both at HQ level and in the field (Carvalho and Lie 2011, Holt et al. 2009, Lilly 2009). The Government of Chad, the mission, UN agencies and humanitarian NGO's all had their own conception and interpretation of the concept, leading to a series of controversies and confrontations during the deployment of the mission. The challenge of achieving a joint understanding of the concept was taken seriously by MINURCAT and EUFOR who put great emphasis on regular consultations with the humanitarian community. The EUFOR commander on the ground met with humanitarians each week and the SRSG of MINURCAT instituted weekly meetings with the humanitarian community alternating between N'Djamena and Abéché, starting after the departure of EUFOR. This was to make sure that there was

an open line of communication between the senior leadership of the mission, including the Force Commander, the top echelon of the civilian side of the mission, the Police Commissioner, the Commander of DIS and the Head of Security.

Nevertheless, a joint understanding was still elusive. In 2009, UNHCR took the initiative to sponsor a study of humanitarian space through the Interagency Standing Committee (IASC). Chad was one of two countries selected and the humanitarian research and consulting institution Groupe URD was selected to consult with the Government of Chad, humanitarian actors, local stakeholders and the UN system, including the mission. However, from the first draft on, it was clear that there was a wide gap between the team writing the report and the mission. The report basically asserted that the presence of peacekeepers had increased the level of insecurity in eastern Chad, presenting a graph of the number of security incidents corresponding with a graph of the deployment of peacekeepers and civilian staff in eastern Chad. Since UN DPKO and the mission had not been consulted in the development of the Terms of Reference for the consultancy, but were expected to take part in the presentation of its findings, tensions arose between Groupe URD, some of the humanitarian actors and the mission who could not support its conclusions.

The discussion was not only factual, but related to the differing understandings of how protection can be achieved. As mentioned above, there was a lack of military troops which resulted in escorts being used as the main mode of security provision for humanitarian actors, instead of patrols and other activities to ensure area security. Many humanitarian actors were adamantly against escorts as well as the presence of military troops, as they believed this would risk jeopardizing their neutrality and independence.⁷ Others would keep respectful distance, and rather not execute operations if the security environment would be too dangerous. A third group, consisting mostly of UN humanitarian agencies such as the World Food Programme, UNHCR and so forth, would use escorts to reach beneficiaries.

In the end it was not possible to reach consensus over the IASC report. Notwithstanding this, it was published by Groupe URD in September 2010. It asserted that the “impact on security has been minimal” and that “Chadians generally put very little trust in MINURCAT, and humanitarians are highly critical” (Ibid.: 2). However, it also finds that civil-military coordination has worked relatively well and a “constructive dialogue was built up” (Ibid.), so it was not entirely negative in its

⁷ This could be subsumed under the securitization dilemma where humanitarian action is being politicized and subsumed under security and political objectives. Afghanistan and Iraq are cases in point. See e.g. Duffield (2001) *Global governance and the new wars* for more on this.

outlook. It concludes by pointing to the need to have a frank and open dialogue with the Government of Chad.

Even with multiple civilian units working with protection, such as human rights, civil affairs and so on, the UN has a tendency to verge towards a narrow and security-oriented understanding of protection. This is particularly the case for a UN mission, much because of the dominance peacekeepers and UN Police have in terms of numbers and budget allocations. While important, even crucial, to the execution of the mandate, this security-dominated understanding overshadows other potentially high-impact initiatives such as working on intercommunity dialogue that can result in the return of IDPs and stem the recruitment to rebel groups; judicial reform that can improve the standing of the government as a more just arbitrator in private and community disputes; and human rights monitoring strengthening the checks and balances and separation of power.⁸

Within the UN, there has been a tendency to understand protection predominantly as physical protection and area security, or what we have called ‘hard’ protection measures in this report. This was something replicated by the Government of Chad when they pledged to assume full responsibility for the protection of civilians in eastern Chad. The letter to the Security Council from the GoC talks of “security and protection of civilians *in danger*” (UNSC 2010b: 2 our italics), and a three-level security belt consisting of security forces; gendarmerie and the GNNT; and finally the DIS, local gendarmerie and local police. However, as detailed in this report, physical security is but one element of protection of civilians, and there is clearly a need to continue the dialogue between the government, the UN and humanitarian partners to ensure greater understanding for the other dimensions of this concept. As mentioned above, the UN, although more reflective on this matter, is marred by a similar preoccupation of the security dimensions of the concept, which makes the task of a shared understanding involving all dimensions even more difficult.

At the beginning, the Government of Chad considered the mission as a possible buffer against rebel attacks. This expectation was not met during the rebel invasions in June 2008 and May 2009, as the mission assured its impartiality and told both parties to stay away from refugee and IDP camps as well as population centres. After these incidents, the government saw less value in the mission, as it did not contribute to the protection of the regime, only civilians.

⁸ The emphasis on building trust and confidence among the local population is also a major emphasis of the recently released report by the World Bank. World Bank (2011) *The World Development Report 2011: Conflict, Security, and Development*. Washington D.C.: The World Bank.

The general challenge of achieving a joint understanding of protection was one key element noted by the SRSG of MINURCAT in his report of 1 December 2010 (UNSC 2010d: 11). The letter from the Government of Chad to the Security Council clearly showed that they had a security-oriented understanding of the concept. To encourage joint reflection and a shared understanding of the concepts of protection of civilians and humanitarian space, a series of dialogues were arranged in N'Djamena, Abéché and field locations in October and November 2010 (Ibid.). Also some selected staff of the joint Chad-Sudan border force received training on e.g. protection of civilians by UNHCR (UNHCR, 2010).

Increased international presence can contribute to increased insecurity

In some ways it is possible to agree with Groupe URD that by stopping one source of insecurity with the deployment of EUFOR and MINURCAT, another was created. The focus on the forces alone though is not warranted. The number of humanitarian agencies and personnel had risen exponentially since the inception of the mission. Since 2006, the cross-border raids by armed groups have decreased and now stopped entirely, but the increased international focus and presence of the humanitarian community, EUFOR and the UN also brought more resources or 'spoils' to the table, shifting violence from incursions by armed groups to armed banditry and hijackings (Kahn & Lucchi, 2009). The combination of a wide proliferation of arms and an ample supply of material resources and money stemming from the international community created a fertile ground for widespread banditry targeting the humanitarians and their resources in particular. This was an unintended, but powerful consequence of the international presence. Salaries for humanitarian workers have been transported regularly at the end of the month along known routes, making it a tempting target for bandits. Likewise 4x4 vehicles have been easy to hijack and transport across the border, with little effort made to stop the perpetrators. The deployment of more security elements like the DIS strengthened the response to these crimes, but did not remove their root cause; the presence of easy 'spoils' in a poor area proliferated with arms.

Often the perpetrators can be linked to the armed forces, 'moonlighting' on the side. This is and has been one of the core problems around the concept of protection of civilians. Pouring more soldiers into the area will then not be the solution, but rather reducing the number of national troops in the border area – who had been deployed to deal with armed rebels during the mutual proxy war and brinkmanship of Presidents Bashir and Déby. The recently established *détente* between

the two Presidents augurs well for security in the area and a roll back of troops would probably also significantly improve the security situation for the civilian population in the area. Tribes that have been forced to flee may return if they are no longer perceived as a threat to the regime, and while these political root causes are still not dealt properly with, the intercommunity dialogue initiatives – MINURCAT’s and others – made the issue far more difficult to ignore by the international community.

MINURCAT ended its operational activities by 31 December, 2010. The Government of Chad, UNDP and the other UN agencies pledged to pick up the mantle and detailed plans were sketched out. The support by MINURCAT to the DIS, in terms of mentoring, administration and logistical support, was transferred to UNDP and UNHCR (UNSC, 2010d).

Summary and conclusions

On 31 December 2010, MINURCAT ended its operations in Chad. Had anything changed at all after only three years of deployment? Did the mission accomplish anything or was the money spent in vain? The constant chipping away at the legitimacy of MINURCAT by the delays in deployment, construction of DIS police posts and stations, and airport aprons, did much damage and eventually forced an early termination of the mission. MINURCAT was never prioritised by UN Headquarters where many had been opposed to the mission from the start, due to the limited consent and the lack of a political mandate – two of the key requirements of the Brahimi report (UN, 2000). However, in spite of the lack of political will at HQ and with limited military and logistical support, the mission managed to stay alive and at least to a certain degree implement its mandate and importantly, bring to the international arena a renewed sense of urgency of the crisis in Chad both in the east and in the country as a whole.

In the end it was the DIS who performed many of the tasks that should have been executed by the MINURCAT force. The officers of the DIS also consistently improved their performance and Chadian police officers are now for the first time also serving as UN Police in other peace operations. It is thus possible that the DIS could be a seed for a wider security sector reform in Chad, also when the officers return to their units across the country (Solhjell & Karlsrud, 2010). However, in a worst case scenario the DIS will break up into its constituent parts, share the cars, guns and other material spoils between them, and scatter. Although the DIS has made a significant contribution to security in eastern Chad, it is also uncertain whether the costs can be justified. Will the Government of Chad continue the support to the DIS once the international community stops its generous funding?

Another contentious issue was the use of military escorts in place of the necessary troops to enable humanitarians to move around in eastern Chad. Unfortunately, this established an unfortunate precedent and was seen as the norm by the Government of Chad who threatened to expel humanitarian organisations that would not accept escorts, as they were eager to lower the number of hijackings and the impression of eastern Chad as a highly insecure zone. This shows the dangers of the limited understanding of the concept of protection of civilians that the Government of Chad has, and the mission's responsibility in establishing this understanding.

The DIS was infinitely cheaper to run than a peacekeeping mission and the military component could have, in our view, been smaller, more flexible and tailored to the threats and challenges facing it on the ground. This should be something to ponder upon in times of financial austerity. New and innovative measures should be contemplated to face up the twin tasks of low level security threats which are common to most protection missions, and the dwindling of funds for peacekeeping operations. Work on local level peacebuilding should be intensified and tied more strongly to long-term development actors such as UNDP and national and international NGO's, without losing its sense of political independence to guarantee for impartial facilitation and reconciliation, which is not always easy to assure. Yet similar to the DIS, such interventions tend to be low-cost and if well executed and with appropriate follow-up mechanisms, highly effective. Security and basic service provision in returnee areas needs to be prioritised as far as possible to ensure informed and voluntary return where possible. But, the international community should also face the reality that many of the IDP camps will gradually turn into the new urban centres of eastern Chad, as has been the case in Darfur (de Waal, 2009).

The norms of protection and impartiality are both central for peacekeeping operations, but they are also in constant conflict as the experience with MINURCAT has shown. The conflict was brought to the fore because of the lack of a political mandate, but there was also a centre-periphery tension, highlighted through the intercommunity dialogue programme. In the end, MINURCAT lacked political will both from the Government of Chad and its own masters in New York. Without it, its days were inevitably counted. Nevertheless MINURCAT managed with limited means to put forgotten crisis in eastern Chad in the spotlight, make a difference during its short lifespan and to trigger some important processes. That is no small feat.

The UN too often relies on blueprint solutions, deploying military troops to deal with low level security issues such as hijacking and

banditry. In Chad the DIS took part in executing the mandate, a novelty in peace operations, and showed that some funds diverted to training and mentoring national police can go a long way in dealing with the security problems that missions such as MINURCAT are faced with. But the DIS was dependent on voluntary contributions from donors to operate, and could not be sustained over the regular budget of the mission. This points to severe shortcoming of the current setup of the budgeting and funding of peace operations, an argument made by Ian Martin, the former SRSG in Nepal (Martin 2010). He argues that all missions, including DPA-led missions, should be funded over the regular budget. This would allow for more flexible approaches and to design mission setups and strategies according to the situation on the ground, not the rules and regulations at HQ. But member states are still reluctant to move in such a direction, fearing another expansion of peace operations. We would argue the opposite though – with designer missions, costs would decrease as the need for large, troop-based peacekeeping missions would decrease and lighter and more tailored missions would be fielded.

The experience from Chad also points to the more fundamental problem of reaching a joint understanding of PoC. DPKO verges toward the hard end of the PoC spectrum and does not sufficiently utilize the potential of its civilian capacity, also noted by a recent review of UN civilian capacities (Guéhenno 2011). Because of an internal culture avoiding tension with member states over innovative setups and solutions, blueprint solutions from former peace operations are favoured resulting in missions centred on military troops and with scant regard to the potential that UN and national police, civilian components of the mission and other partners can contribute with in the work towards establishing security, justice and economic activity in war-torn countries. Until the UN manages to convince its member states that more flexible mandates are in the long run a cheaper and more effective solution, business will continue as usual – large unwieldy troop-centred peace operations unadjusted to the context on the ground and with scant regard for the manifold ways that PoC can be implemented with the use of civilian capacities.

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About the Authors

John Karlsrud is a Research Fellow with NUPI's Department of Security and Conflict Management working on peacekeeping, peacebuilding and humanitarian issues. He is currently a PhD Candidate in Politics and International Studies at University of Warwick, UK. Previously he was a Special Assistant to the SRSG and Strategic Planning Officer in the UN Mission to Chad and the Central African Republic (MINURCAT). During his time in Chad he also did research on efforts to contextualize activities and achieve local and bottom-up peacebuilding

Diana Felix da Costa is an independent researcher working on peacekeeping, peacebuilding and wider recovery issues. Her latest work includes research collaborations with the Justice for the Poor Programme of the World Bank and the Spanish Agency for International Development Cooperation (AECID), both in Timor-Leste, where she also worked as a project officer for an NGO. Previously, Diana worked as a humanitarian advisor to the Mission of Portugal to the United Nations Headquarters in New York, where she was also shortly seconded to the Office of the President of the General Assembly of the UN.

Her research interests include local ownership of conflict resolution and peacebuilding initiatives and the supporting role of international actors. She is particularly interested in issues of wider protection and the relationship between hybrid political orders. Her regional expertise includes Timor-Leste, Mozambique and Chad, where she undertook research on MINURCAT's 'Intercommunity Dialogue Strategy' being implemented by MINURCAT's Political and Civil Affairs Section. Diana holds a Masters in international humanitarian action and peacebuilding jointly from the University of Groningen and University of Uppsala.