

Inspection of the performance of missions' operational responses to Protection of Civilians (POC) related incidents

30 July 2018

Assignment No: IED-18-010



INSPECTION AND EVALUATION DIVISION

Function *“The Office shall evaluate the efficiency and effectiveness of the implementation of the programmes and legislative mandates of the Organization. It shall conduct programme evaluations with the purpose of establishing analytical and critical evaluations of the implementation of programmes and legislative mandates, examining whether changes therein require review of the methods of delivery, the continued relevance of administrative procedures and whether the activities correspond to the mandates as they may be reflected in the approved budgets and the medium-term plan of the Organization;”* ([General Assembly Resolution 48/218 B](#)).

Project team members include:

RAHUL SUR, Project Leader

PANKAJ VERMA, Team Member

JOHANNES HAINZINGER, Team Member

Contact Information **OIOS-IED Contact Information:**
phone: +1 212-963-8148; fax: +1 212-963-1211; email: ied@un.org

RAHUL SUR, Chief of Section

Tel: +1 212-963-0495, e-mail: sur@un.org

Yee Woo Guo, Director

Tel: +1 917-367-3674, e-mail: guoy@un.org

Contents

Executive Summary.....	3
I. Introduction and objective	4
II. Background	4
POC is a ‘whole-of-mission’ endeavour that included its civilian, military and police components ..	5
III. Scope and Methodology	7
IV. Inspection Results	14
A. Civilian fatalities in POC related incidents occurred in all areas of responsibilities with no clear downward trend except in Darfur	14
B. Overall, missions reported responses to 62 per cent of POC incidents and did not report responses to the remaining 38 per cent.....	16
C. In majority of cases, missions responded after the incidents, with an average of 2.8 days to respond or report to UN Headquarters	17
D. When missions reported responses, the military component was the primary responder in more than half of operational responses, followed by the civilian component that accounted for almost one-third of the operational responses.....	20
E. Missions employed a mix of operational responses to POC incidents, with physical protection (tier II) and protection through dialogue and engagement (tier I) together constituted 97 per cent of all responses	24
F. Prior knowledge of the location of the potential threat and the number of civilians killed were factors correlated with the missions’ response rate, while its capability and distance from the incident had little to no relationship	28
V. Conclusion.....	29
VI. Recommendations	30
Annex A – Examples of missions’ responses to POC incidents when fatalities were the highest	33
Annex B – Examples of hotspots in the four missions	34
Annex C – Locations of hotspots across the four countries	35
Annex I - DPKO and DFS Management response & Recommendation action plan	36
Annex II – OIOS response to DPKO and DFS management response	44

Executive Summary

The 2014 OIOS-IED report (A/68/787) and 2017 triennial review (IED-17-010) found the risk of underperformance and non-response by missions to Protection of Civilians (POC) situations as a central issue. This inspection covered four of the five largest missions with POC mandates from March 2014 to July 2017. The inspection determined how missions responded to POC incidents and factors that appeared to have affected those responses.

The inspection relied largely on the Secretary-General's report to identify POC related incidents and Daily Situation Reports (DSRs) to assess how missions responded to them. Databases on troop deployment and levels of equipment were used in conjunction with databases on POC related incidents and operational responses. The analyses were conducted to determine which mission component responded to POC incidents, when, and what those responses were. Probit regression was used to establish determinants of operational responses.

In the backdrop of no clear downward trend in levels of fatalities (with an exception in Darfur), the overall response rate reported was 62 per cent. While MINUSCA had the highest response rate to POC incidents (73 per cent), MINUSMA had the lowest (54 per cent). With a decline in civilian fatalities in Darfur which suggested improved security situation and stability, UNAMID had a response rate of 56 per cent.

The inspection found that 64 per cent of the operational responses were conducted after the POC incident had occurred (within seven days). While 24 per cent of the operational responses were conducted on the day of the incident, 12 per cent were conducted pre-emptively. While majority of the operational responses were clustered within one to two days after the incident, the average delay was 2.8 days. This was consistent with an average delay of 2.8 days to report the incident to the UN Headquarters when no operational response was reported in DSRs.

The inspection found that, overall, the military component was the primary responder (52 per cent) to POC incidents followed by the civilian component (30 per cent). However, the civilian component was the primary responder in MINUSMA. This was noteworthy as MINUSMA was deployed in a terrorist affected environment.

The inspection also found that missions employed a mix of operational responses to POC incidents where 97 per cent of the responses were either Tier-I (protection through dialogue and engagement) or Tier-II (protection through force). MONUSCO, whose Force Intervention Brigade (FIB) had an offensive mandate, had an equal share of Tier-I and Tier-II responses.

Finally, the inspection found that missions capability (in terms of number of troops and levels of equipment) and proximity to the POC incident had little to no relationship with their operational responses. Probit regression suggested that prior knowledge about the incident and level of fatalities were significant determinants that affected missions' operational responses.

The inspection made five critical and four important recommendations. The Department of Peacekeeping Operation (DPKO) and Field Support (DFS) accepted all the recommendations.

I. Introduction and objective

1. The Inspection and Evaluation Division of the Office of Internal Oversight Services (OIOS-IED) identified the performance of missions' operational responses to protection of civilians (POC) related incidents to be at risk and subjected it to inspection.
2. The topic was identified as a high-risk one during the triennial review¹ (henceforth 2017 Triennial) of the evaluation of the implementation and results of protection of civilians' mandates in United Nations peacekeeping operations² (henceforth 2014 POC evaluation) where the risk of underperformance and non-response by missions to POC situations emerged as a central issue.
3. The general frame of reference for OIOS are the General Assembly resolutions 48/218B, 54/244, and 59/272, as well as ST/SGB/273, which authorize OIOS to initiate, carry out and report on any action that it considers necessary to fulfil its responsibilities. The general frame of reference for OIOS-IED is provided in the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (PPBME)³.
4. OIOS-IED inspections are, relative to its evaluations, a "shorter, more focused and more targeted reviews of an organizational unit, issue or practice perceived to be of potential risk [...]"⁴. The OIOS mandate defines that inspections can be undertaken if there are sufficient reasons to believe that "the potential for the non-attainment of the objectives and the waste of resources is great [...]"⁵.
5. Management comments from the Department of Peacekeeping Operations (DPKO) and Field Support (DFS) are included in the annexure.

II. Background

6. The Security Council explicitly adopted its first POC mandate in 1999⁶. Since then, the Council has conferred POC mandates⁷ on 16 out of 19 United Nations peacekeeping operations. In many mission settings, the effective implementation of the POC mandate is key to creating a secure and stable environment, and a core function of peacekeeping under the Capstone Doctrine⁸.
7. As of 30 November, 2017⁹, the United Nations had 77,203 military troops, 11,020 police officers and 13,715 civilian personnel deployed in 15 peacekeeping operations¹⁰ operating with a total peacekeeping budget of \$6.8 billion. Nine of these missions had POC mandates, with a total budget of \$5.5 billion, approximately 80 per cent of the total.

¹ IED-17-010

² A/68/787

³ ST/SGB/2016/6

⁴ OIOS-IED Inspection and Evaluation Manual, Part I, page 17

⁵ ST/SGB/273 (1994), Para 15, Page 3

⁶ Security Council resolution 1270 (1999)

⁷ For instance, see S/RES/2301, S/RES/2348, S/RES/2295, S/RES/2327

⁸ United Nations Peacekeeping Operations: Principles and Guidelines (2008), Chapter 2.3

⁹ United Nations Peacekeeping Operations Fact Sheet 30 November 2017

¹⁰ United Nations Peacekeeping Fact Sheet. Available from <https://peacekeeping.un.org/en/data-0> (accessed 20th December 2017).

POC is a 'whole-of-mission' endeavour that included its civilian, military and police components

8. Successive Security Council resolutions¹¹ and POC policy invariably specified that the primary responsibility of protecting civilians lay with the host state. However, in situations where threats were posed by elements of the forces of the host state and until the state security forces were able and willing to protect civilians, the United Nations peacekeeping missions were mandated to intervene unilaterally to prevent, pre-empt or put an end to threats of physical violence¹².
9. The Report of the High-level Independent Panel on Peace Operations (HIPPO) stated that “[t]he presence of a UN mission or other protection actors does not diminish the obligation of host governments to make every effort to protect their own civilians. But neither does this state responsibility dilute the obligation of UN missions to act within their capabilities when the host government is not willing or able to protect its citizens”¹³.
10. Missions’ responsibility to protect civilians extended to their area of operation and within their capabilities.
11. At the mission level, the 2015 Policy on POC¹⁴ defined protection of civilians as a ‘whole-of-mission’ effort which included its civilian, military and police components. Conceptually, POC activities were categorized under three distinct tiers with no inherent hierarchy or sequencing of instruments. The three tiers and their sub-categories¹⁵ were:
 - a. Protection through dialogue and engagement (Tier I) included the following activities:
 - i. Dialogue with a (potential) perpetrator
 - ii. Conflict resolution and mediation between parties to the conflict
 - iii. Persuading the government and other actors to protect civilians
 - iv. Other measures to protect civilians through public information, reporting or direct engagement
 - b. Provision of physical protection (Tier II) included the following activities by military and police components:
 - i. Show or use of force to prevent, deter, pre-empt and respond to situations in which civilians are under threat of physical violence.
 - ii. In an event when a non-state armed group was identified as a systematic source of violence against civilians, offensive operations were also envisaged, including the use of deadly force.

¹¹ For instance, see S/RES/1674 (2006), S/RES/1894 (2009), S/RES/2301 (2016), S/RES/2100 (2100), S/RES/2295 (2016), S/RES/2301 (2016), S/RES/2364 (2017)

¹² DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping (2015), page 13

¹³ A/70/95-S/2015/446: The Secretary-General appointed the High-Level Independent Panel on Peace Operations in October 2014 to review the current state of UN peace operations, which produced this report in June 2015, paragraph 83 and 88

¹⁴ DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping (2015)

¹⁵ Sub-categories of the three tiers are used in subsequent analysis (see section IV(F) in this report)

- c. Establishment of a protective environment (Tier III) encompassed activities which were more focused on achieving medium- to long-term objectives and mostly programmatic in nature. They were aimed at creating a protective environment for civilians and included measures such as strengthening the rule of law, security sector reform, support the participation of women in peacebuilding or disarming, demobilizing and reintegrating ex-combatants¹⁶.

In some prominent incidents, missions did not act when civilians were attacked

12. While no reliable, comprehensive count is available, there have been reported cases of missions showing poor performance or failure to act in response to violence against civilians. Such instances were established in the following reports:
 - a. The Special Investigation by the Secretary-General into the July 2016 violence in Juba, South Sudan and the UNMISS response¹⁷ described three severe cases of poor performance by peacekeepers in protecting civilians from violence.
 - b. A Board of Inquiry report¹⁸ reported three incidents where peacekeeping units refused to execute orders during an attack on a POC site in Malakal, South Sudan, while one unit abandoned its post.
 - c. The 2014 POC evaluation¹⁹ noted a persistent pattern of peacekeeping operations not intervening with force when civilians were under attack.
 - d. The 2017 Triennial²⁰ identified at least nine cases of failure to follow orders in POC related incidents by military units between March 2014 and May 2017.
13. The 2017 Triennial report identified underperformance of missions in POC related incidents as a central issue. It also established that POC performance in peacekeeping mission was not systematically assessed even though it was a high-risk area.
14. DPKO interviewees referred to incidents in the five largest peacekeeping missions with POC mandates namely, MINUSCA²¹, MONUSCO²², MINUSMA²³, UNMISS²⁴ and UNAMID²⁵ where contingents have failed or poorly responded to POC related incidents.

¹⁶ DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping (2015), Chapter E.2, para 30

¹⁷ 'Cammaert Report'

¹⁸ Executive summary of the United Nations Headquarters Board of Inquiry Report on the circumstances of the clashes that occurred at the United Nations Protection of Civilians site in Malakal, South Sudan on 17-18 February 2016 - released by DFS on August 5th, 2016

¹⁹ A/68/787: Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations

²⁰ Triennial Review of implementation and recommendations contained in the OIOS evaluation report on the implementation and results of POC mandates in United Nations peacekeeping operations

²¹ United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) (S/RES/2301 (2016), para 33a)

²² United Nations Organization Stabilization Mission in the Dem. Republic of Congo (MONUSCO) (S/RES/2348 (2017), para 28a-34i)

²³ The United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) (S/RES/2295 (2016), para 19c)

²⁴ United Nation Mission in South Sudan (UNMISS) (S/RES/2327 (2016), para 7a)

²⁵ African Union – United Nations Hybrid Operation in Darfur (UNAMID) (S/RES/2296 (2016), para 4,5)

15. The issue of underperformance was also referred to in an internal DPKO evaluation²⁶. It reported, inter-alia, that in MONUSCO, orders were refused but not reported to United Nations headquarters and that After Action Reports (AARs) of operations conducted by the Force Intervention Brigade (FIB) were repeatedly requested by headquarters but not supplied.
16. The Report of the High-level Independent Panel on Peace Operations (HIPPO) had observed that “[i]n some instances, missions have failed, for a variety of reasons, to respond to calls for assistance, leading to perceptions from nearby communities that although the United Nations is present on the ground it is not present for them...” and that “in the face of imminent threats to civilians, there must be no tolerance for national constraints and the failure to follow orders”²⁷.
17. Additionally, discussions in the Chief Executives Board for Coordination (CEB) meeting emphasized that the issue of POC performance needed to be addressed and encouraged DPKO to take steps in this direction.

III. Scope and Methodology

18. The inspection covered four of the five²⁸ largest peacekeeping missions with POC mandates (hereafter missions)²⁹, namely MINUSCA, MINUSMA, MONUSCO and UNAMID, for the period between March 2014 until July 2017.
19. The inspection’s objective was to assess these missions’ operational responses to POC related incidents, in order to identify patterns that may inform the improvement of POC operations.
20. The inspection addressed the following overarching question: How did the mission(s) respond before, during and after POC related incidents given their capabilities and deployment?
21. The sub-questions addressed included:
 - a. What were the response rates of missions to POC incidents?
 - b. What was the speed of missions’ operational responses?
 - c. Which mission component (military, civilian, police) responded to the POC incident?
 - d. What were the types of operational responses to POC incidents?
 - e. What was the relationship between missions’ capabilities and the location of the POC incident to their operational response?

Mission performance in POC is required to be measured against their capabilities and area of operations

²⁶ DPKO/DFS, January 2016, Force Intervention Brigade (FIB), Lessons Learnt Study Report, p. 17-18

²⁷ A/70/95-S/2015/446: The Secretary-General appointed the High-Level Independent Panel on Peace Operations in October 2014 to review the current state of UN peace operations, which produced this report in June 2015, paragraph 89 and 90

²⁸ MONUSCO (S/RES/2348 (2017), para 28a,34i), UNAMID (S/RES/2296 (2016), para 4-5, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) (S/RES/2301 (2016), para 33a), the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) (S/RES/2295 (2016), para 19c). UNMISS (S/RES/2327 (2016), para 7a) was excluded since it is part of another ongoing evaluation by OIOS

²⁹ As of 20 December 2017, 9 out of 15 peacekeeping operations had POC tasks included in their mandate

22. According to the DPKO/DFS 2015 Policy on 'The Protection of Civilians in United Nations Peacekeeping', a POC mandate for civilian, military and police components in United Nations peacekeeping was defined as 'all necessary means, up to and including the use of deadly force, aimed at preventing or responding to threats of physical violence against civilians, within capabilities and areas of operations, and without prejudice to the responsibility of the host state³⁰'.

23. For the purpose of the inspection, the following definitions were used:

- a. POC related incident: 'An event that occurred, or had the potential to occur, within a country at a specific time and place which involves any person who is not directly participating in hostilities or other acts of violence, and that such event or incidents of potential concern is likely to lead to death or serious bodily injury including sexual violence'³¹.
- b. Underperformance: This occurred when a mission had not performed adequately when measured against its POC mandate and applicable policies.
- c. Capability: This included the dimensions of (i) proximity, or the distance between the location of the incident and the nearest United Nations base, (henceforth UN base), (ii) level of equipment, namely the amount of deployable major equipment, and (iii) total military personnel strength at the nearest UN base.
- d. Operational response: This is 'an activity which is undertaken by a peacekeeping mission, including its civilian, police and military components, which was directed at a POC related incident. This included incidents that had occurred or were of potential concern'³².
- e. Joint response: This is when more than one component of the mission reported to having responded to a POC incident.
- f. Hotspot: This is the location where a series of POC incidents have occurred.
- g. Before, during and after: These were defined accordingly - that any operational response conducted within seven days before the POC incident was classified as before. Any response conducted on the day of the POC incident was classified as during. Any operational response conducted within seven days after the POC incident was classified as after.
- h. Positive cases: These are examples of successful operational responses to POC related incidents or threats thereof. They were compiled and provided upon request from OIOS for this inspection by focal points in the four missions.

24. The analytical framework of the inspection involved construction of four distinct databases. They were as follows:

- a. Incident database (henceforth database 1): This comprised of identifiable POC incidents with a distinct date of occurrence and location. It also included a description

³⁰ DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping (2015), Chapter E, para 13

³¹ DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping (2015), para 13, 14 and 15

³² DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping (2015), Chapter E, para 13

of the incident, parties involved, level of casualties (the number of deaths, injured, displaced, property destroyed, and sexual violence wherever available).

- b. Deployment database (henceforth database 2): This included the location (geo-coordinates) of semi-permanent United Nations military bases, date of its establishment, type of units deployed, and troop strength.
- c. Equipment database (henceforth database 3): This consisted of a list of all military units deployed across the missions during the inspection period and their quarterly reported levels of Contingent Owned Equipment (COE). It included an equipment capability indicator for each unit.
- d. Operational response database (henceforth database 4): This identified and analyzed the respective 'whole-of-mission' operational responses to POC related incidents before, during and after they occurred. It included (a) information on the operational responses by missions for every incident mentioned in database 1; (b) date(s) of response(s); (c) number of operational responses conducted; (d) the component of the mission that responded; (e) category of response (tier-I, II or III); (f) the actual action taken by the component, (g) the date of reporting the POC incident, and (h) knowledge of location of potential threat.

25. Database 1 was constructed using the below-mentioned documents and methods:

- a. 67 mission-specific reports of the Secretary-General for the period from March 2014 to July 2017 were the primary source for this database. The database also included lists of incidents supplied by the four missions. Only those incidents that were clearly identifiable in terms of date and location of occurrence were included.
- b. The four missions were requested, and provided, what they considered as positive cases of missions' response to POC incident. This was done to offset the risk of a negative selection bias and to give missions an opportunity to put forward notable work done.
- c. Together, the above-mentioned two sources furnished a total of 138 incidents that had a clearly identifiable location and date and were therefor utilizable for further analysis. Other incidents with unclear dates and locations were not included.
- d. The database excluded incidents where host government forces were involved or were the primary responder.
- e. The final database on incidents constituted a brief description of 138 POC incidents, their dates of occurrence, locations (with their coordinates in latitude and longitude), their severity as measured by the number of civilian killed, wounded, kidnapped, victims of sexual and gender-based violence (SGBV), displacement and destruction of property.
- f. The limitations in using the Secretary-General's reports and the examples given by the missions to construct a database on incidents were:
 - i. Some incidents in the Secretary-General's report were aggregated at a level that made micro-analysis difficult.

- ii. The final list of 138 incidents did not represent the universe of POC incidents either in the Secretary-General's reports or external database³³.
- iii. A benchmarking exercise undertaken to compare the level of fatalities reported in the Secretary-General's reports with those reported in Armed Conflict Location Event Dataset (ACLED)³⁴ found that there were significant differences. The reasons for this were not apparent.

26. Database 2 was constructed using the below-mentioned documents and methods:

- a. The database used information provided by the Office of Military Affairs (DPKO/OMA) Current Military Operations Service (CMOS) and the Geospatial Information Section (DFS/GIS). It consisted of all UN military locations in missions with their coordinates, dates of establishment, units deployed, and strength of military personnel.
- b. Using the geo-coordinates of UN bases in database 2 and the location of the incidents in database 1, a matrix of geographic straight-line distance was estimated to identify the nearest UN base to the place of POC incident. Consequently, each POC incident was mapped with the closest UN base with the strength and the type of unit deployed.
- c. The limitations in this database were:
 - i. As units and contingents were deployed according to the frequently changing threat perceptions, only semi-permanent UN bases were identified. This, in effect, excluded patrols and few temporary operating bases (TOBs).
 - ii. MINUSCA and UNAMID provided detailed deployment data. However, attempts to obtain similar data from MONUSCO and MINUSMA were unsuccessful. To compensate, data from the DFS/ICTD/GIS³⁵ was used.

27. Database 3 was constructed using the below-mentioned documents and method:

- a. The database was retrieved from the Global Contingent Owned Equipment (COE) reports prepared by DFS/LSD³⁶. It consisted of list of all military units deployed in the four missions during the inspection period and their quarterly reported levels of COE.
- b. The database included an equipment capability indicator which showed the percentage of time for which the equipment was serviceable. The indicator was constructed by dividing the 'serviceable days of deployed equipment' by the 'days required in the relevant Memorandum of Understanding (MOU) with each troop-contributing country (TCC)' for all major equipment.
- c. Furthermore, every unit was analyzed according to its type and relevance to respond to POC related incidents. For example, medical units or logistical units were excluded.
- d. By linking the three databases, the equipment level of the closest located military unit at the time when a POC incident occurred was identified.

³³ For example, Armed Conflict Location Event Dataset (ACLED)

³⁴ ACLED Codebook at http://www.acleddata.com/wp-content/uploads/2017/01/ACLED_Codebook_2017.pdf

³⁵ Geospatial Information Section (GIS), Information and Communications Technology Division (ICTD), Department of Field Support (DFS)

³⁶ Logistics Support Division (LSD)

- e. The limitations in this database were:
 - i. The equipment capability indicator served as a proxy to determine if a unit possessed the level of equipment agreed upon to fulfill its responsibilities.
 - ii. The aggregated nature might not have reflected a possible short-term critical gap in a specific single equipment category which could have influenced the operational capability at the time of the incident.

28. Database 4 was constructed using the below-mentioned documents and method:

- a. The operational responses by the four missions to POC related incidents were compiled through a structured content analysis of approximately 3200 daily situation reports (DSRs) sent from missions to DPKO/DFS during the inspection period.
- b. This was done on the rationale that DSRs served as the primary regular reporting tool from the mission to DPKO/DFS. While DSRs may not have contained an exhaustive list of activities, it typically referred to major political, security and humanitarian developments in the host country and the activities undertaken by different components of the mission.
- c. DSRs were examined with respect to each of the above 138 incidents from database 1. Starting with the date and location of the respective incident, all DSRs were reviewed which covered the period ranging from seven days before to seven days after the incidents had occurred, hereafter, ‘-/+ 7 days’ of an incident.
- d. All actions undertaken by the mission linked to the incident and conducted -/+ 7 days of the incident were recorded and appropriately coded. Specific actors, their actions and dates thereof, type of response (tier-I, tier-II, or tier-III) along with its respective sub-tiers as described in the 2015 DPKO/DFS Policy on POC were coded.
- e. For each operational response, the mission component that conducted the activity (civilian, military or police) were recorded. While some reported activities were conducted jointly by more than one component, others were not attributable to a specific component.
- f. Incidents from the database 1 which were not reported in DSRs within seven days of their occurrence were coded as ‘not mentioned’. Consequently, these were interpreted as no operational response by the mission.
- g. Incidents which were reported within seven days after they had occurred but received no operational response were recorded as ‘only mentioned’.

29. A correlation and Probit regression was used as an analytical tool to establish the relationship between the identified variables and how they affected missions’ operational response to POC incidents.

30. The inspection had the following limitations:

- a. It relied exclusively on the above-mentioned documents to conduct quantitative analysis.
- b. No interviews were conducted.

- c. Data provided by the missions and DPKO/DFS was taken at its face value. No attempt was made to verify its accuracy.
 - d. When there were no activities reported in the DSRs, no attempt was made to identify operational responses through other sources and/or reason(s) for no response (for example SOFA violations).
 - e. No attempt was made to verify the extent to which the reported activities were actually carried out on the ground.
 - f. The inspection did not consider the outcomes or the results of the operational responses.
 - g. The number of civilians killed was used as a proxy for the seriousness of POC incidents. Although data for the number of civilians injured, displaced and sexual violence was available in the Secretary-General's report, it was not precise and robust enough to be used.
 - h. The proximity analysis³⁷ to identify the closest UN base to a POC incident relied on a straight line (and hence the shortest distance) connecting the two geo-coordinates. The distance was used as an approximate and therefore disregarded the actual road distance or time taken to travel or other situations affecting the terrain such as jungle, desert or rainy conditions.
 - i. It was assumed that the responsibility to respond to a POC incident was on the closest identified UN base.
31. The quantitative data-driven methodology for this inspection is in accordance with Security Council resolution 2378 in 2017³⁸, which emphasized and requested the Secretary-General 'to ensure data streams related to the effectiveness of peacekeeping operations, including peacekeeping performance data, [...] to improve analytics and evaluation of mission operations, based on clear and well identified benchmarks'.
32. Throughout the evaluation, OIOS-IED followed a collaborative and transparent approach in this inspection. The methodology proposed to be adapted was proactively shared with DPKO/DFS prior to the inspection started. The preliminary results of the inspection were also shared with DPKO/DFS prior to report drafting. There was general acceptance of the methodology and the results.
33. The inspection results are presented accordingly:
- a. Section A gives an overview of the level of fatalities across the four missions during the study period;
 - b. Section B presents the overall and mission-wise response rate(s) followed by a distribution of the number of responses;
 - c. Section C presents the overall and mission-wise timing of responses; i.e. when were the operational responses conducted;
 - d. Section D notes the mission component/s that responded to the POC incidents;

³⁷ As explained in paragraph 25(b)

³⁸ S/RES/2378(2017)

- e. Section E describes the types of operational responses; and
- f. Section F answers the overarching question of the relationship between missions' responses and their capability and locations, through presenting the results of the Probit regression³⁹.

³⁹ Probability regression: for more details, please see <https://stats.idre.ucla.edu/stata/dae/probit-regression/>

IV. Inspection Results

A. Civilian fatalities in POC related incidents occurred in all areas of responsibilities with no clear downward trend except in Darfur

34. Monthly civilian fatalities (hereafter only in relation to POC incidents) showed a spike in all four arenas of missions' operations in the last quarter of 2016 and first quarter of 2017, with the exception of Darfur.

35. Central African Republic had the highest number of deaths (356) in May 2017 in three separate but interconnected incidents when anti-Balaka elements launched an attack on MINUSCA in Bangassou followed by attacks on the Muslim community. The event is excluded in figure 1 below⁴⁰.

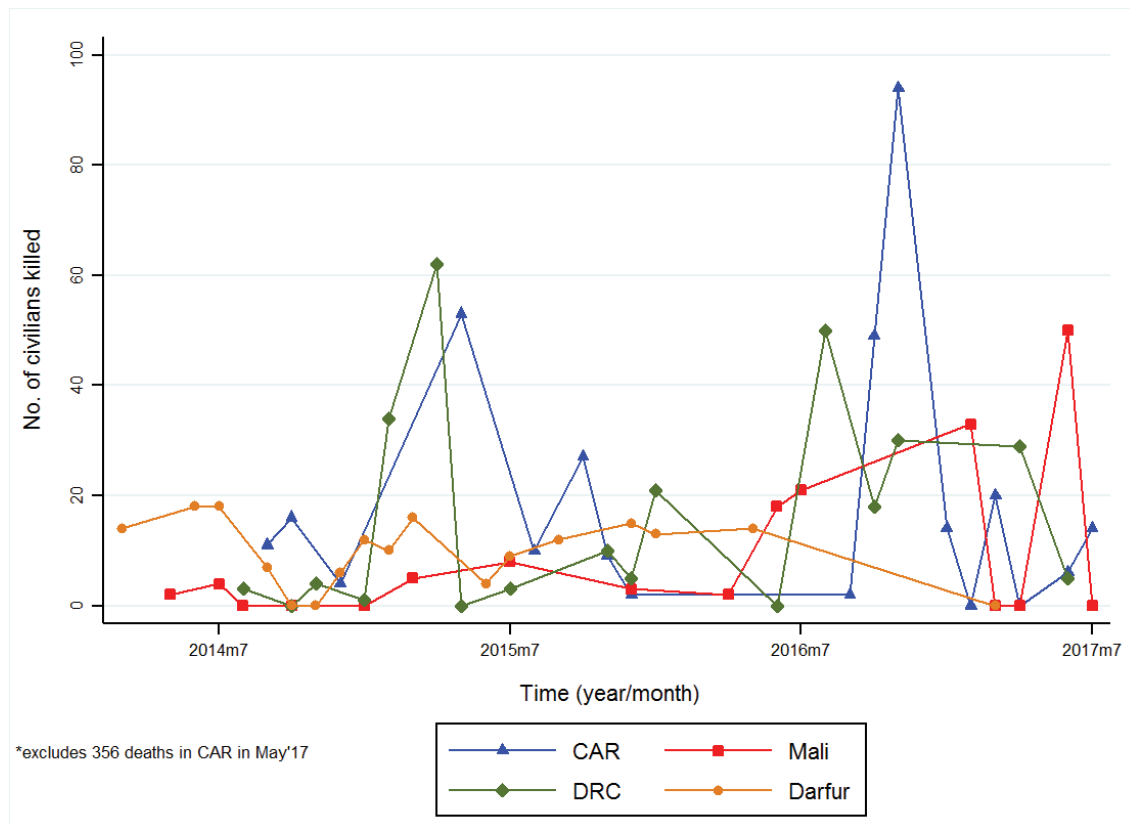


Figure 1: Distribution of fatalities

⁴⁰ The monthly figure was excluded to make the distribution of fatalities legible

Table 1: Examples of incidents with maximum civilian fatalities

Country / Mission	Date and abbreviated description of the incident	No. of civilians killed
CAR / MINUSCA	13 May 2017: Heavily armed anti-Balaka launched an offensive against MINUSCA in Bangassou followed by attacks on the Tokoyo neighborhood	128
	9 May 2017: Attempted anti-Balaka attack followed by UPC reprisal against civilians perceived to be associated with anti-Balaka in Alindo, Basse-Kotto prefecture	100
Mali / MINUSMA	17 June 2017: Intercommunal violence between Dogon and Fulani communities in Koro District, Mopti Region	40
	6 February 2017: Intercommunal violence between the Tuareg and Fulani communities in Gao region	25
DRC / MONUSCO	30 April 2015: A Luba self-defense group set an IDP camp on fire near Nyunzu village	62
	13 August 2016: ADF elements massacred at least 50 civilians, including 15 women and 2 children in the Rwangoma and Beni areas	50
Sudan / UNAMID	24-25 April 2016: Clash between an unidentified armed group and cattle herders	28
	5 July 2014: Clash between Southern Rezeigat and Ma'alia tribes in the village of Al Fadul	18

Source: Secretary-General's reports

36. Civilian fatalities⁴¹ in Darfur declined in the last quarter of 2016 which suggested significant progress in the security situation and increased stability in Darfur⁴².

⁴¹ The Secretary-General's report for UNAMID was only available until March 2017 at the time of the review, hence data on fatalities was available for the said period

⁴² Security Council 7912th meeting (SC/12775) dated 4 April 2017; www.un.org/press/en/2017/sc12775.doc.htm

B. Overall, missions reported responses to 62 per cent of POC incidents and did not report responses to the remaining 38 per cent

37. 85 of the 138 incidents reviewed in the DSRs reported operational responses while 53 did not. A total of 239 distinct operational responses were identified in the 85 incidents to which missions reported responses.

38. MINUSCA had the highest reported response rate (73 per cent) followed by MONUSCO and UNAMID (56 per cent) and MINUSMA (54 per cent).

Overview of incidents	
Total incidents	138
Incidents responded to	85
Total # of responses	239
Incidents not responded to	53
Incidents only mentioned in DSRs	43

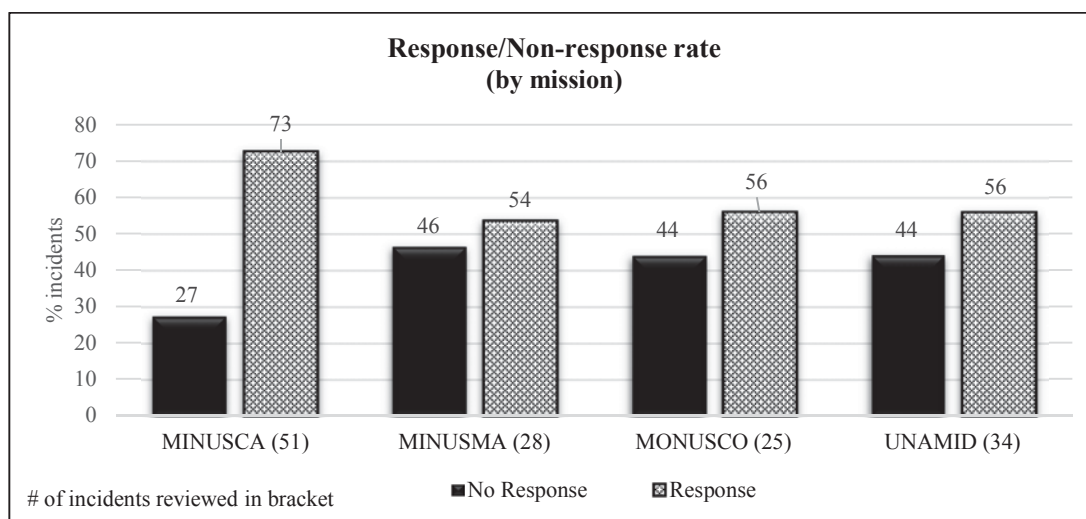


Figure 2: Response and non-response rates by mission

39. When missions reported responses, they did so by intervening two to five times in about half of the incidents. Missions responded only once in 39 per cent of the incidents.

40. An analysis was conducted to determine the number of successive operational responses to POC incidents. In some cases, but not all, missions reported responses to POC incident multiple times.

An example of successive operational responses to a POC incident:

In CAR, on 13 May 2017, civilians were targeted and killed by anti-Balaka elements. This was one of many incidents which resulted from the clash between ex-Seleka and anti-Balaka elements. An estimated 128 civilians were reported killed because of the attack and reprisal attacks. A systematic review of DSRs +/- 7 days of the incident showed that MINUSCA responded to the incidents through 12 interventions – one by its civilian and 11 by its military component.

Source: Review of DSR +/- 7 days of the incident

41. There was huge variance in number of responses from each mission to a POC incident. While not all POC incidents are similar and therefore may require different responses, it was observed that MINUSCA continued to have multiple reported responses and MONUSCO mostly reporting responses either once or twice.

C. In majority of cases, missions responded after the incidents, with an average of 2.8 days to respond or report to UN Headquarters

42. An analysis of when reported operational responses to POC incident across all four missions showed that the majority of the responses (64 per cent) occurred after the POC incident (see figure 3).

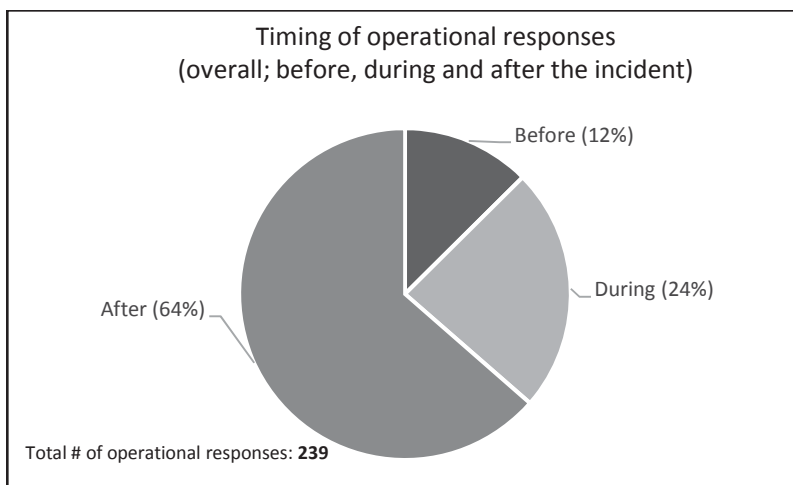


Figure 3: When was operational response conducted?

43. About a quarter (24 per cent) of reported operational responses were conducted on the day of the incident. A fraction (12 per cent) of reported operational responses were conducted before the incident occurred, when the incident was a part of an on-going conflict and/or missions knew about the location of incidents as a potential threat. On average, when they were able to, they responded 4.1 days before the incident.

44. A series of operational activities were reported by the mission before and during the POC incidents. Some examples of activities before, during and after were:

- Operational responses before POC incidents:**
- Patrolling
 - Reinforcing positions
 - Preventing armed elements from entering a village
 - Enforcing a weapons-free zone
 - Liaising with local authorities to negotiate between conflicting groups
 - Firing warning shots to deter and disperse crowd
 - Returning fire
 - Dismantling illegal barricades

Operational responses during POC incidents:

- Engaging rebels to stop looting
- Dispatching platoons to reinforce positions
- Urging immediate intervention by state authorities
- Engaging leaders of conflicting groups to resolve the situation
- Returning fire to protect civilians
- Intensifying patrols
- Maintaining dissuasive presence

Operational responses after POC incidents:

- Clashing with rebel groups to stop looting
- Conducting military assessment missions
- Reinforcing positions
- Intensifying patrolling
- Conducting rapid security and humanitarian assessment
- Urging ethnic groups to de-escalate tensions
- Conducting joint offensive missions with host state forces
- Conducting verification patrols
- Urging host state to intervene

45. Consistent with the aggregate result, at each mission level, the majority of reported responses occurred after the POC incident (see figure 4).

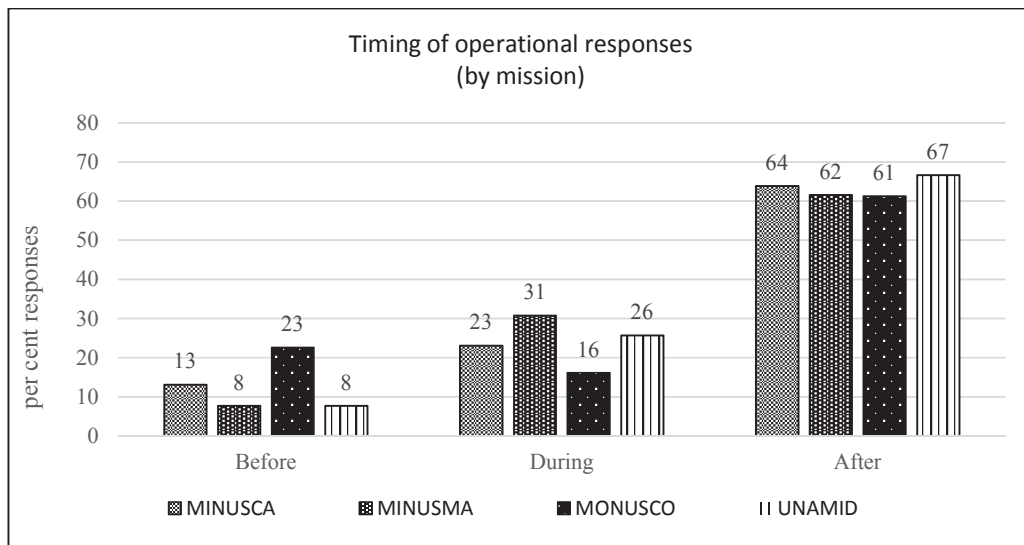


Figure 4: Timing of operational responses

46. MINUSMA had the highest reported response rate on the day of the incident with MONUSCO the lowest. MONUSCO had the highest reported response rate before the incidents, and was the only mission that had a higher response rate before than during incidents.

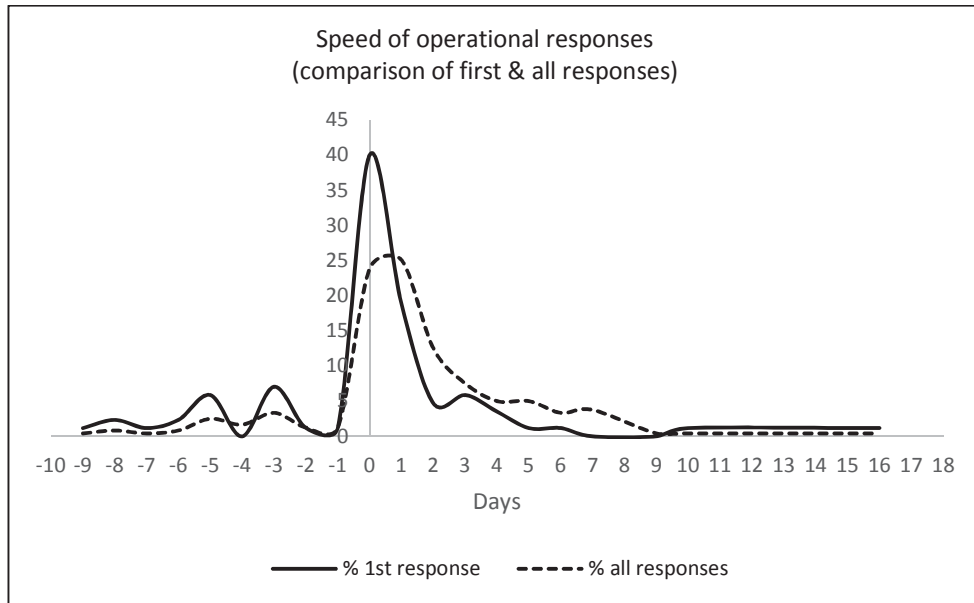


Figure 5: Average delay in conducting first and overall response

47. An analysis of how fast missions responded to POC incident (see figure 5) showed that the average time to respond to an incident after the incident had occurred was 2.8 days. A majority of the responses were clustered between one to two days after the incident. While 25 per cent of the reported operational responses were on the next day of the incident, 13 per cent were the day after.
48. As evident in figure 5, there was no difference in average time taken in first reported response and all responses as both stood at 2.8 days.
49. As mentioned above (see paragraph 37), missions did not report responses to 53 out of 138 incidents. When missions did not respond to the incident but only reported it to DPKO/DFS, it nevertheless took them an average of 2.8 days to do so. (see figure 6).

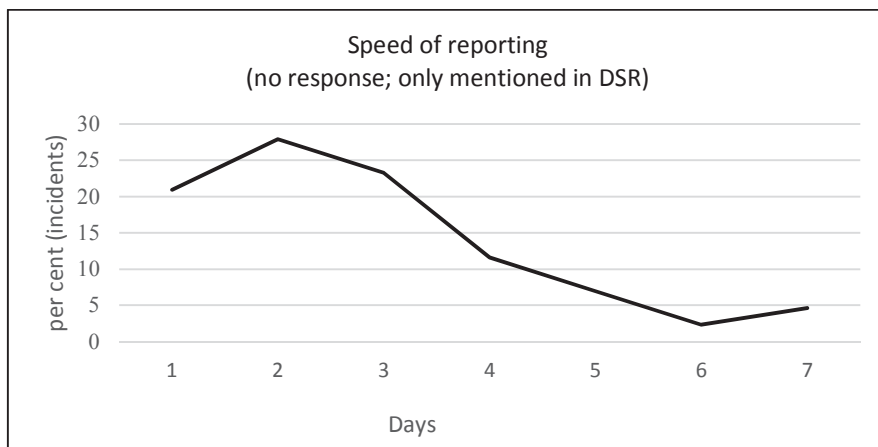


Figure 6: Speed of reporting when there was no operational response

50. Thus, the same amount of time (2.8 days) was taken for first reported response, overall response, and reporting to DPKO/DFS.
51. The available data was insufficient to establish the reasons behind the average delay of 2.8 days for the mission to respond or report a POC incident. This issue lay beyond the scope of this inspection.
52. Out of the 53 incidents to which missions had not reported responses, 10 were not mentioned at all in the DSRs +/- 7 days of the POC incident, while 43 incidents were only mentioned, with no response recorded.
53. Of the 53 incidents where mission did not report any response, three cases of non-response when fatalities were the highest involved civilian deaths ranging from 20 to 40 (see table 2). The total civilian deaths for which there were no response reported added up to 247.

Table 2: List of incidents with high civilian fatalities where missions did not respond*

Mission	Date	Incident	Civilian deaths	Closest contingent identified
MINUSCA	2 May 2015	Incursion of armed elements into Gamboula village from the Cameroonian side of the border. Eleven villages were set on fire.	40	Unit 1
MONUSCO	26 April 2017	Series of attacks and reprisal attacks between local militias near Bweru.	29	Unit 19
MINUSMA	12 February 2017	Inter-community violence in Macina town between traditional hunters and pastoralist groups.	20	Unit 12

54. Out of top 15 incidents with the highest civilian deaths, three incidents did not have reported responses by the missions. There were 89 deaths in total for these three incidents. All other severe incidents, especially the most severe with more than 100 civilian deaths, were responded to at least once by the respective mission.

D. When missions reported responses, the military component was the primary responder in more than half of operational responses, followed by the civilian component that accounted for almost one-third of the operational responses

55. An analysis was done to determine the mission components that reported responses to POC incidents. Overall, the military component of the mission was the primary responder, that is the component which responded in most incidents (see figure 7).

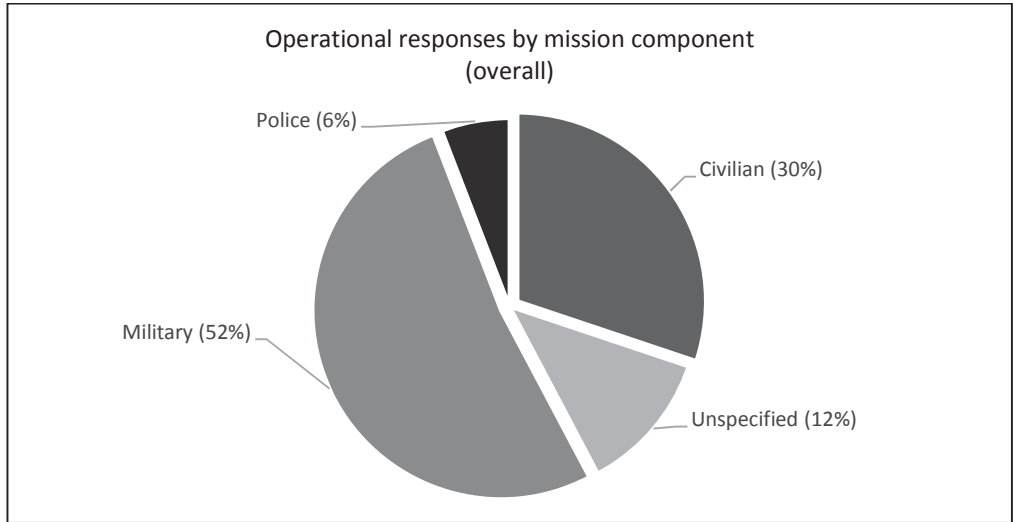


Figure 7: Operational responses by mission component

56. An analysis of reported operational responses by the different mission components before, during and after POC related incidents reinforced the military as primary responder, especially as the dominant actor during an incident. The civilian component had more relevance before and after violence against civilians had occurred.

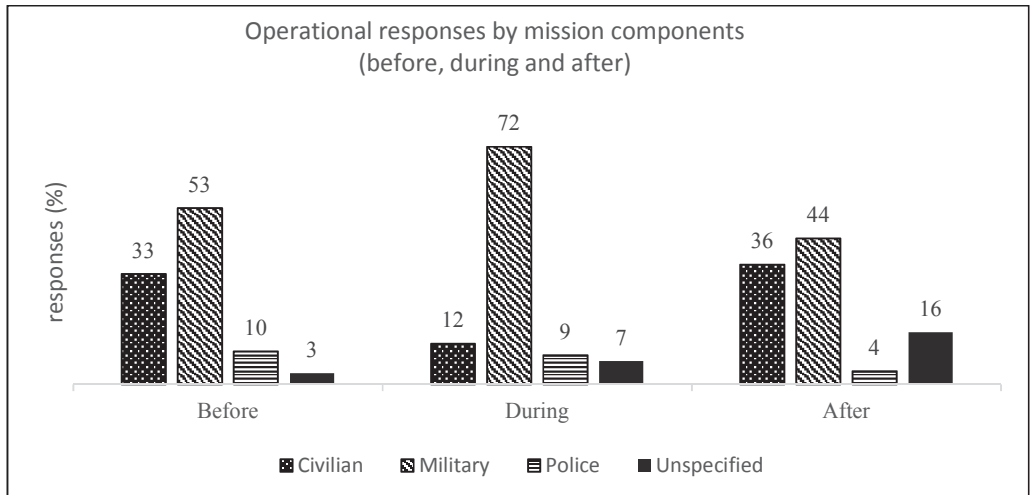


Figure 8: Operational responses by mission component before/during/after the incident

57. A comparison of the four-mission showed that the role of primary responder was not always with the military component (see figure 9).

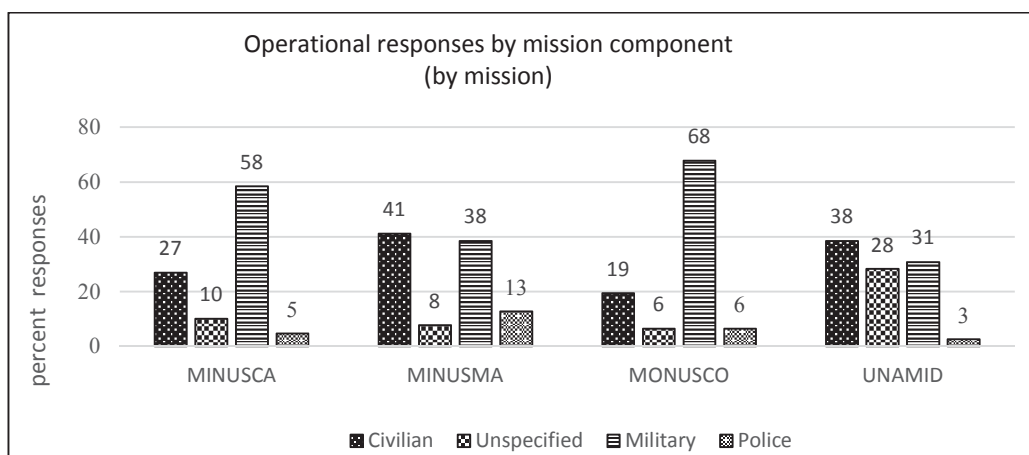


Figure 9: Mission wise component's share in operational responses

- 58. In MINUSCA and MONUSCO, the military component was the primary responder, whereas in MINUSMA and UNAMID, the primary responder was their civilian component.
- 59. In MINUSMA, the role of civilian component in responding to POC incidents was noteworthy as the mission is deployed in a terrorist affected environment.
- 60. The primacy of the civilian component in responding to POC incidents in UNAMID appeared to be linked to the improved security situation and increased stability in Darfur.
- 61. MONUSCO, whose Force Intervention Brigade (FIB) had an offensive mandate, saw the highest contribution of its military component to its operational responses. The FIB was involved in responding to four POC incidents (out of total 25 incidents reviewed).

Military contingents varied in their response rate

- 62. An analysis was also done of the reported operational response rate for individual military contingents in all the four missions. The inspection identified the geographically closest military unit for each of the 138 POC related incidents. These units were generated from 25 different TCCs.

Table 3: List of mapped military contingents in all missions and response rates

Contingent	Total number of incidents (in descending order)	Number of incidents actual responded to	Number of incidents not responded to	Response Rate
Military Contingent 1	15	6	9	40%
Military Contingent 2	12	10	2	83%
Military Contingent 3	10	6	4	60%
Military Contingent 4	10	4	6	40%
Military Contingent 5	9	8	1	89%

Military Contingent 6	9	7	2	78%
Military Contingent 7	8	5	3	63%
Military Contingent 8	8	5	3	63%
Military Contingent 9	8	4	4	50%
Military Contingent 10	6	6	0	100%
Military Contingent 11	6	3	3	50%
Military Contingent 12	5	5	0	100%
Military Contingent 13	5	2	3	40%
Military Contingent 14	4	4	0	100%
Military Contingent 15	4	2	2	50%
Military Contingent 16	4	0	4	0%
Military Contingent 17	3	3	0	100%
Military Contingent 18	3	1	2	33%
Military Contingent 19	3	1	2	33%
Military Contingent 20	1	1	0	100%
Military Contingent 21	1	1	0	100%
Military Contingent 22	1	1	0	100%
Military Contingent 23	1	0	1	0%
Military Contingent 24	1	0	1	0%
Military Contingent 25	1	0	1	0%
Total	138	85	53	

63. The reported operational response rate varied significantly among contingents. Military Contingents # 10, 12, 14, 17, 22, 21 and 20 responded to all the incidents closest to them, while Military Contingents # 1, 2, 3 and 4 had the highest number of incidents in their proximity. Military Contingents 2 and 5 (one of them being from a large TCC) had the highest number of incidents responded to while Military Contingent 1 (another large TCC) had the highest number of incidents not responded to.

E. Missions employed a mix of operational responses to POC incidents, with physical protection (tier II) and protection through dialogue and engagement (tier I) together constituted 97 per cent of all responses

64. An analysis of frequency distribution of missions' responses to three tiers was done (see figure 10).

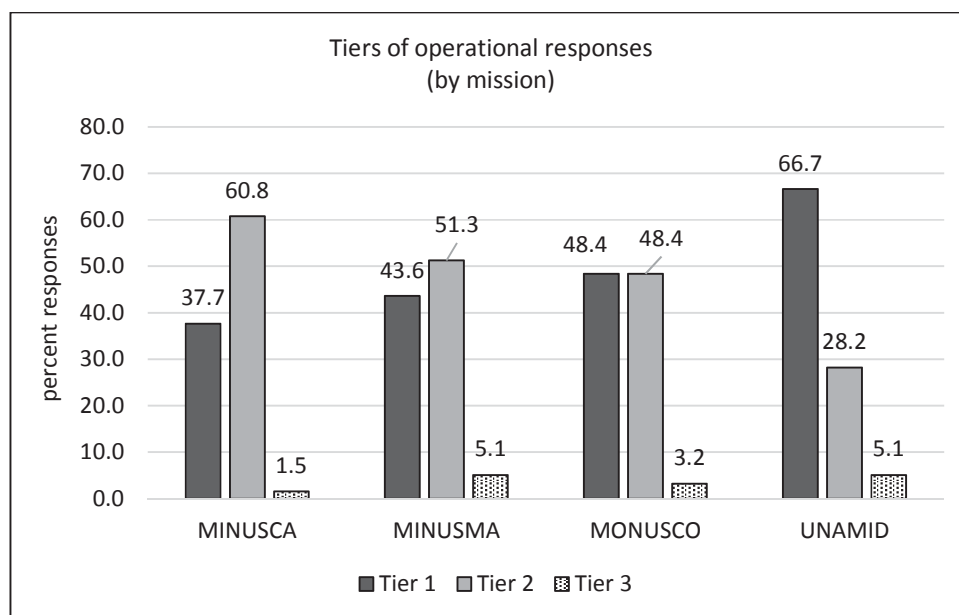


Figure 10: Tiers of operational responses

65. The figure above showed important variations. In MINUSCA the tier-II responses were nearly double of tier-I responses, whereas in UNAMID the situation was the opposite with the tier-I responses more than double of tier-II responses.

66. In MINUSMA, which was operating in a terrorist affected environment, tier-II responses were slightly more than tier-I responses.

67. In MONUSCO, the share of tier-I and tier-II responses were the same despite the fact that it had an offensive mandate.

68. Since the civilian component was the primary responder in UNAMID, it had a higher share of tier-I response as compared to tier-II responses. This was particularly noteworthy given the security and stability situation in Darfur.

69. A further analysis of the sub-activities⁴³ in each of the tiers was also done (see figure 11).

⁴³ Please refer paragraph 13 for details on sub-activities

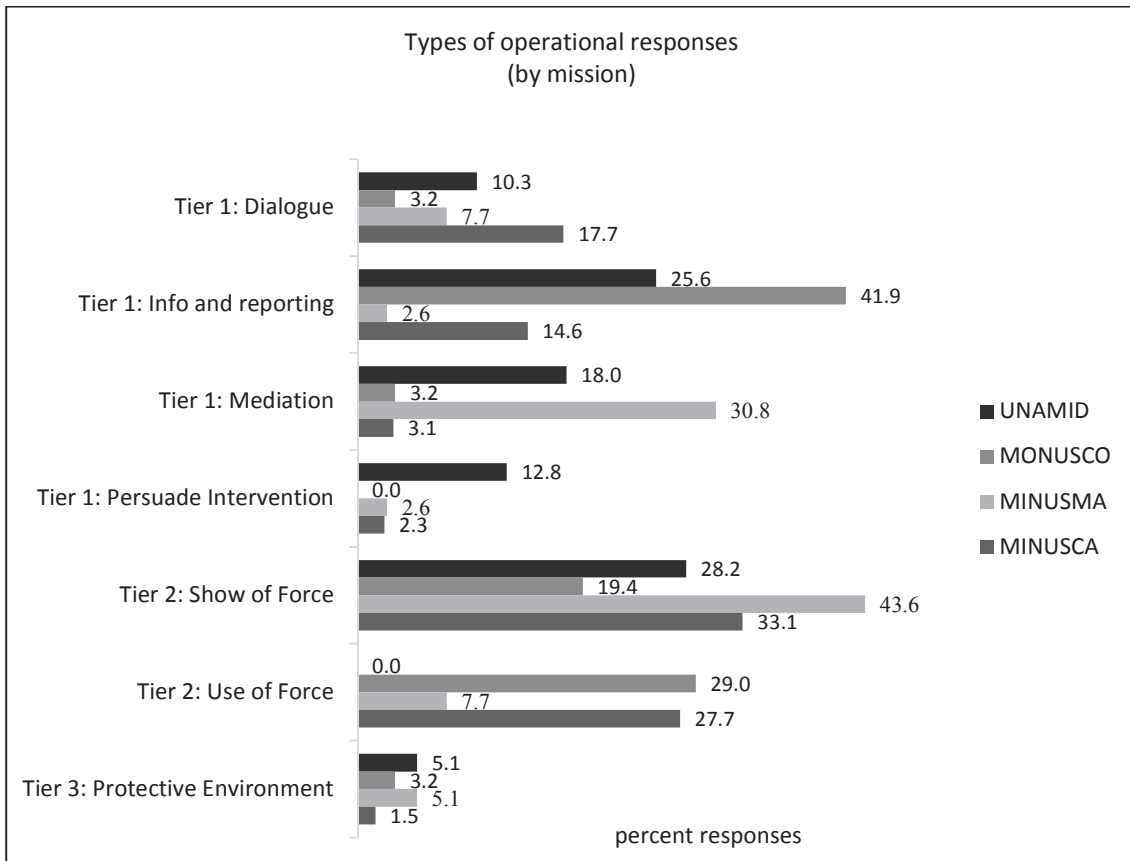


Figure 11: Types of operational responses

70. Show of force constituted most of the tier-II operational responses. While UNAMID always used show of force as a tier-II operational response to POC incidents, MONUSCO used it in about half of its tier-II responses.

Examples of show of force in DSRs:

- Reinforcing positions
- Dispatching troops to conflict sites
- Warning armed rebels to leave the area
- Armed patrolling of villages
- Robust posturing
- Maintaining strong presence to deter attacks
- Creating static checkpoints to assure protection to IDPs
- Intercepting rebel vehicles

71. Use of force constituted 38 per cent of the tier-II operational responses. While UNAMID never used force as an operational response to POC incident, MONUSCO was the highest with 60 per cent of its response followed by MINUSCA (46 per cent) and MINUSMA (15 per cent)

Examples of use of force in DSRs:

- Offensive actions to dismantle illegal checkpoints or barriers
- Artillery support to national army in attacking rebel hideouts
- Engaging with presumed rebel groups in protecting civilians, UN personnel and property and defending the neighbourhood
- Dispatching helicopter(s) to provide air support
- Exchanging and returning fire

72. The MONUSCO military component accounted for 68 per cent of the operational responses but the share of tier-I and tier-II responses was equal. Although the primary responsibility for physical protection (tier-II) fell upon the military component, such a distinction was not apparent for tier-I activities. For example, the MONUSCO military component also conducted outreach programs to the community to make them aware of the MONUSCO mandate, mediated with conflicting parties and persuaded the host state to intervene to contain conflict. These activities were categorized as tier-I activities and were performed by the MONUSCO civilian component as well.

Examples of responses by the military component as reported in DSRs:

- In MONUSCO, the military component responded the same day to an event of 29 November 2015 in Eringeti, by engaging Allied Defence Force (ADF) combatants to stop the looting of the town. This was followed by a more offensive operation involving UAVs and attack helicopters on 1st December. Prior to the incident, the mission had an indication of a location of potential threat and had dispatched a FIB patrol to reinforce FARDC positions on 26 November.
- In MINUSMA, the military component responded the same day to an event of 21 July 2016 in Kidal, by launching air support operation. In the following days, the mission launched rigorous foot patrolling and stopped presumed combatants by intercepting 40 vehicles of an armed group.

Examples of responses by the civilian component as reported in DSRs:

- In UNAMID, the civilian component responded to an event of 9 May 2015 in Sortony by engaging the conflicting parties (local members of the group, the Nazir of Rezeigat and representative of the IDP camp) to diffuse tension. This was followed by organizing a security coordination meeting between IDP representatives and the local government to bring humanitarian items for immediate relief to the displaced population.

- In MINUSCA, the civilian component responded to an event of 21 November 2016 in Bria, by contacting the leaders of armed groups and urging calm to restore access to hospital and humanitarian assistance. This was followed by urging the local authorities to negotiate with FPRC in dismantling barriers for easy humanitarian movement. Prior to the incident, the mission had an indication of the location of a potential threat and the SRSR had made high-level contacts with religious leaders, government functionaries and armed group representative requesting conflicting parties to discuss issues and halt hostilities.

The involvement of D/SRSG⁴⁴ and Fore Commander in responding to POC incidents was referenced in 5.4 per cent of the operational responses with no recorded involvement in two missions

73. Senior leadership such as SRSR, DSRSGs and Force Commander (FC) were mentioned as responding to POC incidents in 13 out of 239 operational responses. While the role of D/SRSG and FC were mostly strategic and, therefore, may not always uniquely identify with a specific POC incident, DSRSGs were among the most active with six responses, while five activities were led by a SRSR and four interventions were jointly implemented. MINUSCA accounted for 10 activities of D/SRSG and FC, while MONUSCO had two. All were tier-I responses. No activities of D/SRSG and FC in relation to the identified 138 POC incidents were reported for UNAMID and MINUSMA in DSRs for the review period of this inspection (see table 3).

Table 3: Examples of involvement of D/SRSG and FC in missions responding to POC incidents

Mission	Date	Incident	Reported response
MINUSCA	12 October 2016	Influx of armed elements into Kaga Bandoro, looting of IDP camp and attack on MINUSCA led to large exodus of civilians and dozens of civilian casualties.	On 17 October 2016, President Touadéra, the SRSR, the US Ambassador to CAR, and members of the Religious Platform of Bangui met with local authorities and armed group representatives.

⁴⁴ Special Representative of the Secretary-General & Deputy Special Representative of the Secretary-General

MONUSCO	13 August 2016	Suspected armed group attacked a village near Beni and killed 34 civilians.	On 15 August 2016, the DSRSG led a delegation to the locations of the recent attacks, met with Congolese Armed Forces and the Mayor to discuss a security concept to prevent future attacks on civilian population
MINUSCA	21 November 2016	Armed elements attacked neighbourhood in Bria, controlled by rival political group, creating panic among population and displacement	On 24 November 2016, the SRSG, Force Commander and UNCT leadership delivered a strong message that MINUSCA would take all measures necessary to ensure protection of the population.

F. Prior knowledge of the location of the potential threat and the number of civilians killed were factors correlated with the missions' response rate, while its capability and distance from the incident had little to no relationship

74. A comparison of critical parameters of when missions responded or did not respond was conducted (see table 4).

Table 4: Comparison of factors between incidents with response and no response

	Response (Yes)			Response (No)		
	Average	min	max	Average	min	max
Distance (in km)	31.5	1	134	42	1	140
Strength	245	5	1416	254	5	1416
Capacity	78%	40%	100%	74%	29%	100%
Civilian deaths	12	0	128	4	0	40

75. The inspection conducted correlation analysis of the relationship between the missions' response rates and factors that could have determined, or resulted from, the responses; these were the number of civilians killed, knowledge of location of potential threat, (threat perception of the incident), distance between the location of the incident and the nearest UN base, troop strength and the level of equipment at the nearest UN base. It was found that only the number of civilians killed and knowledge of the location of potential threat were positively correlated to the missions' responses.

76. The analysis showed that there is little to no correlation between missions' operational responses, their capability (in terms of troop strength, and the equipment status) and proximity to the incident (see table 5). There was also little to no relationship between the distance of the incident from the nearest military location of the mission and their operational responses.

Table 5: Correlation matrix

	Total response	Civilians Killed	Threat (Y/N)	Distance	Troop Strength	Equipment %
Total response	1					
Civilians Killed	0.42	1				
Threat (Y/N)	0.41	0.1	1			
Distance	-0.15	-0.04	-0.05	1		
Troop Strength	-0.04	0.00	-0.06	-0.04	1	
Equipment %	-0.04	0.1	0.11	0.1	0.15	1

77. The correlation between the number of responses and number of civilians killed was positive and significant (0.42 on a scale of 0 to 1), as was the correlation between total responses and prior knowledge of location of potential threat (0.41).
78. However, this was not the case for distance where the magnitude of the coefficient was insignificant. This suggested that there was no relationship between the distance of the incident from the nearest military location of the mission and their operational responses.
79. To increase analytical rigor, Probit regression was done, which yielded the same result, that of all the factors considered in the analysis, only the number of civilians killed and knowledge of location of potential threat were significant.
80. It suggested that of all the observable and quantifiable factors that could affect missions' decision to respond, such as the number of civilians killed, knowledge of location of potential threat, distance between the location of the incident and the nearest UN base, troop strength and the level of equipment at the nearest UN base, only the number of civilians killed and knowledge of location of potential threat were significant at an acceptable error margin.
81. Specifically, the regression analysis suggested that having prior knowledge of the location of the incident increased the probability of the mission to respond by 29 per cent. And it increased the probability to respond faster by 22 per cent.
82. It also showed that an additional civilian killed increased the probability to respond by only 0.6 per cent. It, however, had no effect on the probability to respond faster.

V. Conclusion

83. It is well established that the primary responsibility of protecting civilian is that of the host state. However, when the national authorities are unwilling or unable to do so, missions have the mandated responsibility to protect civilians within their capabilities and area of responsibility.

84. The inspection demonstrated areas of positive performance and those where it appeared unsatisfactory.
85. With respect to the missions' overall response rate, the fact that they responded to 62 per cent of POC incidents as well as the large majority of the most severe incidents was noteworthy and positive. Conversely, a 38 per cent non-response rate, which included some severe incidents, was a matter of concern.
86. The inspection demonstrated that the civilian component was central to POC responses, although the extent to which such responses were conducted by more than one mission component appeared limited at 26 per cent.
87. A positive aspect of the mission response rate (see paragraph 41 and 45) was that almost 50 per cent of them were clustered either on the day of the incident or the day after. However, the average response time of 2.8 days appeared to be slow.
88. The overall share of the police components' response to POC incident (6 per cent) also appeared low, especially given the fact that the size of the police component in the four missions were close to numerical parity with the civilian component and that these also comprised the formed police units.
89. The finding that prior knowledge of the location of potential threat increased the responsiveness of the mission underscored the criticality of a well-functioning early warning system. It underlined the necessity of determining the contributory factors which led to some cases being acted upon while others were not acted upon.
90. Relatedly, the fact that neither the capability of the nearest military unit nor the distance from the POC incident appeared to have affected missions' response suggested that other unobservable factors were at play in determining such responses. These needs to be established and addressed.
91. Prima facie, references to D/SRSG and FC in responding to POC incident (5.4 per cent) appeared low. This, combined with the absence of any reference to D/SRSG and FC involvement in responding to POC incidents in two missions raised question as to whether they had been sufficiently engaged in responding to POC incidents or whether such engagements were adequately reported. One of these missions – UNAMID – have responded that *"all preventive and responsive measures it undertook regarding POC incidents in Darfur were led by the Mission's senior management..."*⁴⁵.
92. Furthermore, on a matter not directly addressed by the inspection, the difference between the deaths recorded in the Secretary-General's reports and ACLED was wide. The Secretary-General has repeatedly emphasized the importance of accurately counting civilian deaths. It is also recalled that OIOS-IED, in a review conducted in 2013, had noted the discrepancy in the number of civilian deaths reported in Secretary-General's mission-specific reports to the Security Council and the missions' budget performance reports⁴⁶.

VI. Recommendations

93. Based on this inspection and in furtherance of the Security Council resolution 2378 that emphasized use of data streams to improve analytics based on well identified benchmarks,

⁴⁵ See annexure I for more details

⁴⁶ A/67/795 (2013)

OIOS-IED makes 9 important/critical recommendations to DPKO and DFS, of which DPKO and DFS has accepted all.

Critical

Recommendation 1: To improve the timeliness and quality of analysis and to aid decision making in its operational responses to POC incidents, DPKO/DFS should ensure that missions' existing or planned data collection/management systems can capture and calculate important indicators of POC performance, including the following (Paragraphs 25-32):

- a. The overall response rate of the missions to POC incidents calculated as a percentage
- b. The average response time of missions to POC incidents measured in days
- c. The percentage and type of participation of each mission components to POC incidents
- d. The number and overall percentage of non-responses to POC incidents and reasons thereof.
- e. Data on deployment of military contingents and changes thereto should be maintained at appropriate intervals (monthly, quarterly)
- f. Data on successful preventive activities/actions that prevented the occurrence of a POC incident.
- g. Data on early warning received and acted upon.

Indicator(s) of implementation:

- A data management system that is capable of capturing and calculating the abovementioned indicators of POC performance.

Recommendation 2: DPKO/DFS should ensure that missions regularly report the above-mentioned indicators on POC performance (a) to DPKO/DFS, and (b) that measures of POC performance are included in the mission-specific reports of the Secretary-General in line with existing requests from the Security Council (Paragraphs 13-18).

Indicator(s) of Implementation:

- Regular reporting as mentioned above.

Recommendation 3: DPKO/DFS should conduct an analysis and establish quantitative metrics to strengthen performance of the POC mandate, including an acceptable POC response time(s) (Paragraphs 47-51).

Indicator(s) of Implementation:

- To establish benchmarks for each sector in each peacekeeping mission with POC mandate of an acceptable time frame in responding to POC incidents.

Recommendation 4: DPKO/DFS should (i) have a structured and recorded dialogue with the TCCs about the incidents in which they appear to not have responded, establish the facts in each case and determine accountability, (ii) continually assess contingents' response to POC incidents, and where

specific TCC-related performance concerns on POC are identified, implement a performance improvement plan with clear benchmarks and indicators (Paragraphs 37-38).

Indicator(s) of Implementation:

- Documentation that showed structured and recorded dialogue with each relevant TCC with facts established and accountability determined

Recommendation 5: DPKO/DFS should require all military contingents of TCCs deployed in missions to maintain comprehensive record of their response to POC incidents including date/time of the action taken and results thereof. These should be maintained for the duration of the mission and be available to the mission/DPKO/DFS upon demand (Paragraphs 37-41).

Indicator(s) of Implementation:

- TCCs maintained their requisite record as demonstrated by the verification

Important

Recommendation 6: DPKO/DFS should determine whether the extent of involvement of the police component to POC incidents is commensurate with their existing policies and take steps to improve it if it is not (Paragraphs 55-60).

Indicator(s) of Implementation:

- Analysis conducted and appropriate instruction issued to police division

Recommendation 7: DPKO/DFS should facilitate the analysis within each peacekeeping mission on the factors which determined why some early warnings were acted upon when others were not (Paragraphs 80-81).

Indicator(s) of Implementation:

- Analysis of early warning conducted and appropriate instruction issued to missions with POC mandate.

Recommendation 8: DPKO/DFS should quantify and analyse the involvement of senior leadership in POC incidents and take appropriate steps if it is underutilized (Paragraph 74).

Indicator(s) of Implementation:

- Analysis conducted and appropriate instruction issued

Recommendation 9: Recognizing the importance of continually strengthening POC performance in peacekeeping operations and its fundamental importance to their success, DPKO/DFS should ensure adequate staffing to support the implementation of POC mandates. Greater capacity is required to support the development and monitoring of POC performance standards, as well as the development of guidance and provision of technical support (Paragraphs 25-32 and 47-51).

Indicator(s) of Implementation:

- Adequate staffing ensured and appropriate instruction issue

Annexure A: Examples of missions' responses to POC related incidents when fatalities were the highest

Date	Incident	Civilian deaths	Early warning	Reported responses	Troop strength	Distance (km)	Equipment level (%)
13 May 2017	Conflict between anti-Balaka and ex-Seleka elements (MINUSCA)	128	Yes	Total 12 operational responses – one by the civilian and 11 by military component. <u>Before</u> activity: Delegation led by the Force Commander visited the area to assess the situation. <u>During</u> activities: air and ground asset of the mission counter-acted every attack by the militias. <u>After</u> activities: QRF and GABATT were dispatched to reinforce the troops and secure key areas of the town, engaged anti-balaka elements, escorted about 1000 people from Muslim community to the cathedral. SRSg met the leaders to discuss the situation.	390	26	100
17 July 2017	Intercommunal violence when a prominent person of one community was killed (MINUSMA)	40	Yes	Total of one joint operational response. <u>After</u> activity: The mission sent a joint assessment team that had to show force to carry out its task.	10	76	100
30 April 2015	Armed self-defence group set an IDP camp on fire (MONUSCO)	62	Yes	Total of two response by the military component. <u>After</u> activity: the battalion resisted attempts by the militia to push them out of the location. Conducted a military assessment mission four day after the incident.	35	130	100
5 July 2014	Clashes between Southern Rezeigat and Ma'alia tribes (UNAMID)	18	No	Total of one operational response by the civilian component. <u>After</u> activity: the civilian component responded the next day by urging the leaders of the two groups to de-escalate and avoid revenge attacks	593*	12	100

* two contingents were located at the nearest UN base

Annexure B: Examples of hotspots in the four missions

Mission	Hotspots*	Incident	Reported responses
UNAMID	Sortony, Haskanitah, Delbah, Khor Abeche, Kobe	Conflict between Rezeigat and IDP, and attacks by armed Arab militias	Mission responded multiple times with mostly tier-I and tier-II responses. While force was not used, focus was primarily on dialogue and mediation between conflicting groups. The civilian component of the mission was the primary responder in Sortony whereas the military component was the primary responder in Haskanitah and other locations
MINUSCA	Bria, Bambari, Zemio, Kaga Bandoro	Intercommunal conflicts and offensive operational conducted by FPRC against UPC and anti-balaka elements	In a majority of the incidents, the mission had early warning. While the military and civilian components responded equally in Bria, the former was the primary responder in Zemio. They used force and conducted mediation activities respectively
MINUSMA	Kidal, Aguelhok	Conflict between Imgad and Idnan, and CMA and platform	The military and civilian component had equal share in operational responses. While the military component either showed or used force, the civilian component was primarily engaged in mediation activities
MONUSCO	Mayangose, Butembo, MayiMoya, Eringeti	Offensive operation on ADF and attacks by ADF in response	The military component was the only responder and it used force in majority of the operational responses. FIB conducted patrol and reinforced FARDC positions

* only few hotspots, among others, are mentioned. See paragraph 23(f) for definition of hotspots

Annexure C: Location of incidents and hotspots across the four countries



Central Africa Region (CAR)



Mali



Democratic Republic of Congo (DRC)



Darfur

Annex I – DPKO and DFS Management Response

In this Annex, OIOS presents the full text of the comments received from DPKO and DFS on the report of the Office of Internal Oversight Services on the Inspection of the performance of missions' operational responses to protection of civilians (POC) related incidents. This practice has been instituted in line with the General Assembly resolution 64/263, following the recommendation of the Independent Audit Advisory Committee.

United Nations
INTEROFFICE MEMORANDUM



Nations Unies
MEMORANDUM INTERIEUR

UNCLASSIFIED

Routine

TO: Yee Woo Guo, Director, Inspection and Evaluation Division,
A: OIOS

DATE: JUL 17 2018

REFERENCE: 2018.UNHQ.AR-BOI.MEMO.107914.2

THROUGH:
S/C DE:

FROM: Lisa Bутtenheim, Assistant Secretary-General
DE: for Field Support

A handwritten signature in black ink, appearing to be 'LB' or similar initials.

SUBJECT: **Final Draft Report on the Inspection of the Performance of Missions' Operational Responses to POC Related Incidents**
OBJET:

1. I refer to your memorandum, dated 7 June 2018, regarding the above-mentioned inspection. Please find attached DPKO and DFS' comments on the recommendation action plan and draft report as Annex 1.
2. Thank you for the opportunity to comment on the draft report. We stand ready to provide any further information that may be required.

cc: Mr. Rahul Sur

Final draft report on the inspection of the performance of missions' operational responses to protection of civilians (POC) related incidents

1. DPKO and DFS thank OIOS for undertaking the above-mentioned inspection and welcome the quantitative evaluation of POC contained in the report. The Departments would, however, like to reiterate some concerns about the methodology of the inspection which have neither been adequately acknowledged nor reflected in the final draft report.

General comments

2. DPKO and DFS reiterate that neither reports of the Secretary-General nor Daily Situation Reports (DSRs), which form the basis of the analysis and conclusions of the report, are intended to be comprehensive POC reporting tools. These reports are designed for situational awareness and political reporting. Therefore, their inherent limitations as a dataset for POC incidents and responses, should thus, be explicitly acknowledged in the list of the limitations of the datasets outlined in paragraphs 24 and 27 of the report. Failure to explicitly acknowledge this limitation omits a key piece of information necessary for readers to fully understand the findings of the report.

3. DPKO and DFS note that OIOS recognized the limits of its datasets and attempted to ameliorate negative reporting bias through requesting missions to provide additional examples of "successful" POC action. However, these examples were not incorporated in the final draft report. These datasets cannot be taken as representative of the reality of POC incidents or mission responses, as they do not document the full range of incidents and responses. Therefore, the datasets provide a notional idea of POC responses, but cannot be the foundation for definitive results.

4. In addition, OIOS did not incorporate feedback from MONUSCO, MINUSMA and UNAMID which provided further information and details on responses taken by the mission to specific "POC incidents" where those responses had not been reflected in the reports of the Secretary-General or DSRs. In effect, the missions' responses were not considered in the inspection's statistics and analysis. By neither recognising the limitations of relying solely on data in the Secretary-General's report and DSRs nor correcting the deficits in this information when provided with further information, the report fails to accurately record the POC response taken by these missions.

5. Furthermore, the inspection does not explicitly acknowledge the caveats that the Security Council places on the POC mandate, suggesting that any incident of violence against civilians falls within a mission's POC responsibilities. The report rightly acknowledges that the primary responsibility for protecting civilians lies with the host country. However, while feedback from OIOS to DPKO and DFS notes that the inspection has not taken into account actual or potential responses by host country authorities to POC incidents, this is not explicitly stated in the report. In accordance with the DPKO and DFS Policy on the Protection of Civilians in United Nations Peacekeeping Operations, assessing the location and capabilities of other protection actors, including host country actors is a key aspect of POC planning and prioritisation and missions may prioritise their responses to areas where the host country

capacity to protect is lowest. As such, the report should explicitly acknowledge that a mission may act to protect civilians by notifying the host country for their response.

6. In its response to previous DPKO and DFS comments, OIOS sought clarification as to whether a certain distance between civilians at risk and the mission presence would rule out any response and if this is established in any policy. Whilst DPKO and DFS Policy on the Protection of Civilians does not specify any specific distance within which the mission should or should not respond to the threat to civilians, the caveat of 'within area of operations' must be logically applied. It should also be noted that, in accordance with the Policy, missions are required to prioritise POC threats based on consideration such as: (a) the nature of the threat; (b) the mission's ability to address the threat, either unilaterally or jointly with other protection actors; (c) the comparative advantages and expected impact the mission may have in mitigating or eliminating the threat; and, (d) the possible negative consequences of its actions or inactions.

Specific comments on the findings and the recommendations

Paragraph 71

7. The statement that "*No activities of mission senior leadership in relation to POC related incidents were reported for UNAMID...*" is factually inaccurate. UNAMID would like to reiterate that all preventive and responsive measures it undertook regarding POC incidents in Darfur were led by the Mission's senior management (the Joint Special Representative, the Deputy Joint Special Representative, the Force Commander and the Police Commander), the Head of Office at the sectors and the Team Site Commanders at the team sites through the established coordination mechanisms such as the Joint Protection Groups.

8. In the context of armed clashes between Government forces and armed movements in May 2017, the UNAMID Deputy Joint Special Representative (DJSR) engaged in the following activities which were reported in the following DSRs:

- DSR of 23 March 2017: The DJSR was denied access to visit Azerni to discuss POC concerns expressed earlier by community leaders.
- DSR of 8 May 2017: The DJSR visited Sortony to identify and respond to challenges on the ground, including presence of an armed group inside the IDP gathering site.
- DSR of 25 May 2017: The DJSR met with the Governor of North Darfur to discuss the impact of fighting on civilians as well as the allegations of aerial bombing by the Government.
- DSR of 25 May 2017: The DJSR together with acting Force Commander met with the Under Secretary of the Foreign Ministry in Khartoum to discuss ongoing fighting in Darfur.
- DSR of 31 May 2017: The DJSR visited Um Baru, including meetings with IDPs and humanitarian partners to discuss the situation on the ground in the wake of recent clashes.
- DSR of 1 June 2017: The DJSR visited Kutum, including meetings with IDPs and follow-up on status of a verification patrol to a location (Ain Siro) where an attack on civilians was reported on 28-29 May 2017.

9. As these responses only cover the first half of 2017, it is likely that a more thorough analysis of the DSRs of the whole period under review would indicate further responses by the DJSR and other UNAMID senior leadership.

Recommendation 4

10. DPKO and DFS request that recommendation 4 of the report be reworded to read *“DPKO/DFS should (i) have a structured and recorded dialogue with the TCCs about the incidents in which they appear to not have responded, establish the facts in each case and determine accountability, (ii) continually assess contingents’ response to POC incidents, ~~including using assessment of the Office of Strategic Partnerships~~ and where specific TCC-related performance concerns on POC are identified, implement a performance improvement plan with clear benchmarks and indicators”*

Annexure A: Examples of missions’ responses to POC related incidents when fatalities were the highest

11. With regards to the 5 July 2014 POC incident reported in Annexure A, UNAMID wishes to clarify that the number of fatalities as stated in the DSRs of 6-7 July 2014 were 31 and not 18 as indicated in the report. The Mission also clarifies that, in addition to engaging with communities to restore peace and resolve the issue, it dispatched an Integrated Team on 6 July 2014 to the location where the incident was reported. However, the Team was denied access by the host country authorities. It is therefore inaccurate to describe the Mission’s response as *“one operational response by a civilian component”* given its effort to conduct a verification on the ground and the multiple engagements with community leaders and the host country authorities as stated in the DSRs of 8, 9 and 10 July 2014. The report also fails to indicate the impact of access restrictions imposed by the Government of Sudan on UNAMID, in violation of the Status of Forces Agreement, during and after the POC incidents. This has regularly impeded on Mission’s response to POC incidents.

Inspection of the performance of missions’ operational responses to POC related incidents		Responsible Entity(ies)	Target date for completion
IED Recommendation	Actions		
<p style="text-align: center;"><u>Recommendation 1</u></p> <p>To improve the timeliness and quality of analysis and to aid decision making in its operational responses to POC incidents, DPKO/DFS should ensure that missions’ existing or planned data collection/management systems can capture and calculate important indicators of POC performance, including the following (Paragraphs 23-30):</p> <ol style="list-style-type: none"> a. The overall response rate of the missions to POC incidents calculated as a percentage b. The average response time of missions to POC incidents measured in days c. The percentage and type of participation of each mission components to POC incidents d. The number and overall percentage of non-responses to POC incidents and reasons thereof. e. Data on deployment of military contingents and changes thereto should be maintained at appropriate intervals (monthly, quarterly) f. Data on successful preventive activities/actions that prevented the occurrence of a POC incident. g. Data on early warning received and acted upon. <p>Indicators: A data management system that is capable of capturing and calculating the above-mentioned indicators of POC performance.</p>	<p>In order to receive comprehensive Protection of Civilians (POC) reports from field missions, a Working Group of the relevant United Nations Headquarters entities and missions will be established to develop a standard format for reporting all POC-related issues by missions.</p> <p>DPET in coordination with the Peacekeeping Information Management Unit (PKIMU) and the United Nations Operations and Crisis Centre (UNOCC) will develop suitable data fields in the SAGE database. Also, a dedicated data manager will be established within the Joint Mission Analysis Cell (JMAC) and the Joint Operations Centre (JOC) for POC data.</p> <p>A common data management system based on mission cross-checked aggregated data, driven by a mission-wide Intelligence Acquisition/Collection Plan, is currently being operationalized in MINUSMA in accordance with the United Nations Headquarters “<i>Mapping of MINUSMA’s Intel Architecture and Recommendations</i>” report of 28 April 2017.</p>	<p>DPKO/DPET</p>	<p>Second quarter of 2019</p>

IED Recommendation	Actions	Responsible Entity(ies)	Target date for completion
<p><u>Recommendation 2</u></p> <p>DPKO/DFS should ensure that missions regularly report the above-mentioned indicators on POC performance (a) to DPKO/DFS, and (b) that measures of POC performance are included in the mission-specific reports of the Secretary-General in line with existing requests from the Security Council.</p> <p>Indicator: Regular reporting as mentioned above.</p>	<p>DPKO/OO will request data on POC performance from missions which will be included in the reports of the Secretary-General.</p>	<p>DPKO/OO</p>	<p>Second quarter of 2019</p>
<p><u>Recommendation 3</u></p> <p>DPKO/DFS should conduct an analysis and establish quantitative metrics to strengthen performance of the POC mandate, including an acceptable POC response time(s)</p> <p>Indicator: To establish benchmarks for each sector in peacekeeping mission with POC mandate of an acceptable time frame in responding to POC incidents</p>	<p>DPKO/DPET in coordination with PKIMU and DPKO/OO will develop the quantitative metrics.</p>	<p>DPKO/DPET</p>	<p>Second quarter of 2019</p>
<p><u>Recommendation 4</u></p> <p>DPKO/DFS should (i) have a structured and recorded dialogue with the TCCs about the incidents in which they appear to not have responded, establish the facts in each case and determine accountability, (ii) continually assess contingents' response to POC incidents, including using assessment of the Office of Strategic Partnerships and where specific TCC-related performance concerns on POC are identified, implement a performance improvement plan with clear benchmarks and indicators</p>	<p>Implementation of this recommendation is in progress particularly the implementation of the Operational Readiness Performance Policy, Force Commander's evaluation of sub-units and evaluation of Force Headquarters' policies.</p>	<p>DPKO/OMA</p>	<p>Second quarter of 2019</p>

IED Recommendation	Actions	Responsible Entity(ies)	Target date for completion
<p>Indicator: Documentation that showed structured and recorded dialogue with each relevant TCC with facts established and accountability determined.</p>			
<p><u>Recommendation 5</u></p> <p>DPKO/DFS should require all military contingents of TCCs deployed in missions to maintain comprehensive record of their response to POC incidents including date/time of the action taken and results thereof. These should be maintained for the duration of the mission and be available to the mission/DPKO/DFS upon demand</p> <p>Indicator: TCCs maintained their requisite record as demonstrated by the verification</p>	<p>Guidance to be provided once the standard format for reporting on all POC-related issues has been developed.</p>	<p>DPKO/OMA</p>	<p>Second quarter of 2019</p>
<p><u>Recommendation 6</u></p> <p>DPKO/DFS should determine whether the extent of involvement of the police component to POC incidents is commensurate with their existing policies and take steps to improve it if it is not.</p> <p>Indicator: Analysis conducted and appropriate instruction issued to police division</p>	<p>DPKO/DP and DPET will examine and analyse police responses to POC incidents and make recommendations.</p>	<p>DPKO/PD</p>	<p>Third quarter of 2019</p>
<p><u>Recommendation 7</u></p> <p>DPKO/DFS should facilitate the analysis within each peacekeeping mission on the factors which determined why some early warnings were acted upon when others were not</p>	<p>DPKO/DPET POC Team will conduct an analysis of early warning and response actions in missions.</p>	<p>DPKO/DPET</p>	<p>Second quarter of 2019</p>

IED Recommendation	Actions	Responsible Entity(ies)	Target date for completion
<p>Indicator: Analysis of early warning conducted and appropriate instruction issued to missions with POC mandate</p>			
<p><u>Recommendation 8</u> DPKO/DFS should quantify and analyze the involvement of senior leadership in POC incidents and take appropriate steps if it is underutilized</p> <p>Indicator: Analysis conducted and appropriate instructions issued</p>	<p>A joint DPKO and DFS action plan will be developed in this regard. In addition, the Heads of Military Component directives will be a strong foundation to build on the quantification and analysis.</p> <p>The 2018/19 compacts of senior leaders in mission with POC mandates include specific responsibilities for POC. DPKO/DPET with OCOS, OO and OMA will consider how to include more analysis on responses to specific incidents.</p>	DPKO/DPET	Second quarter of 2019
<p><u>Recommendation 9</u> Recognizing the importance of continually strengthening POC performance in peacekeeping operations and its fundamental importance to their success, DPKO/DFS should ensure adequate staffing to support the implementation of POC mandates. Greater capacity is required to support the development and monitoring of POC performance standards, as well as the development of guidance and provision of technical support</p> <p>Indicator: Adequate staffing ensured and appropriate instruction issued</p>	<p>DPKO/DPET and OO will examine staffing requirements for POC in HQ and in missions and address gaps.</p>	DPKO/DPET	Second quarter of 2019

Annex – II

Comments by the Office of Internal Oversight Services – Inspection and Evaluation Division in response to the management response provided by DPKO and DFS dated 17 July 2018

Para #	Comment from DPKO/DFS	Reference to Para # in report	OIOS response
1	<p>DPKO and DFS thank OIOS for undertaking the above-mentioned inspection and welcome the quantitative evaluation of POC contained in the report. The Departments would, however, like to reiterate some concerns about the methodology of the inspection which have neither been adequately acknowledged nor reflected in the final draft report</p>	NA	<p>OIOS thanks the Departments of Peacekeeping Operations and Field Support for the thoughtful comments to this inspection report. OIOS responses to the formal management comments are below</p>
2	<p>DPKO and DFS reiterate that neither reports of the Secretary-General nor Daily Situation Reports (DSRs), which form the basis of the analysis and conclusions of the report, are intended to be comprehensive POC reporting tools. These reports are designed for situational awareness and political reporting. Therefore, their inherent limitations as a dataset for POC incidents and responses, should thus, be explicitly acknowledged in the list of the limitations of the datasets outlined in paragraphs 24 and 27 of the report. Failure to explicitly acknowledge this limitation omits a key piece of information necessary for readers to fully understand the findings of the report</p>	28(b), 30(d)	<p>Paragraph 25(f)(ii) acknowledges that the final list of POC incidents derived from the Secretary-General's report (SGR) did not represent the universe of POC incidents. This implies the limitations of using SGRs for POC incidents. Similarly, amended paragraph 30(d) acknowledges the limitations of using Daily Situation Reports (DSRs) for operational responses. Paragraph 28(b) is amended to explicitly acknowledge the limitation of DSRs</p>

Para #	Coment from DPKO/DFS	Reference to Para # in report	OIOS response
3	<p>DPKO and DFS note that OIOS recognized the limits of its datasets and attempted to ameliorate negative reporting bias through requesting missions to provide additional examples of "successful" POC action. However, these examples were not incorporated in the final draft report. These datasets cannot be taken as representative of the reality of POC incidents or mission responses, as they do not document the full range of incidents and responses. Therefore, the datasets provide a notional idea of POC responses, but cannot be the foundation for definitive results</p>	25(b), 25(c)	<p>It should be noted that missions were requested to provide examples of "successful POC action" at the time of constructing database-1. As mentioned in paragraph 25 (b) & (c), those examples were included in the database.</p> <p>The underlying databases (database-1 and database-4) relies exclusively on SGRs and DSRs, neither of which include a full range of POC incidents or operational responses. However, it is reasonable to assume that they represent a sample of the "reality of POC incidents or mission responses".</p>
4	<p>In addition, OIOS did not incorporate feedback from MONUSCO, MINUSMA and UNAMID which provided further information and details on responses taken by the mission to specific "POC incidents" where those responses had not been reflected in the reports of the Secretary-General or DSRs. In effect, the missions' responses were not considered in the inspection's statistics and analysis. By neither recognising the limitations of relying solely on data in the Secretary-General's report and DSRs nor correcting the deficits in this information when provided with further information, the report fails to accurately record the POC response taken by these missions</p>	28(b), 30(d)	<p>The additional information provided by MONUSCO, MINUSMA, and UNAMID is noted. To maintain consistency and a common denominator across the missions, operational responses mentioned in the DSRs were used. However, while doing so, the inspection report now explicitly acknowledges these limitations in amended paragraphs 28(b) and 30(d)</p>

Para #	Coment from DPKO/DFS	Reference to Para # in report	OIOS response
5	<p>Furthermore, the inspection does not explicitly acknowledge the caveats that the Security Council places on the POC mandate, suggesting that any incident of violence against civilians falls within a mission's POC responsibilities. The report rightly acknowledges that the primary responsibility for protecting civilians lies with the host country. However, while feedback from OIOS to DPKO and DFS notes that the inspection has not taken into account actual or potential responses by host country authorities to POC incidents, this is not explicitly stated in the report. In accordance with the DPKO and DFS Policy on the Protection of Civilians in United Nations Peacekeeping Operations, assessing the location and capabilities of other protection actors, including host country actors is a key aspect of POC planning and prioritisation and missions may prioritise their responses to areas where the host country capacity to protect is lowest. As such, the report should explicitly acknowledge that a mission may act to protect civilians by notifying the host country for their response</p>	25(d)	<p>Exclusion of incidents were host government forces were the primary responder is acknowledged in paragraph 25(d). While it is understood that the decision to respond to a POC incident will include missions' assessment of the host government's capacity to protect its civilians, including such an assessment while constructing database-1 was beyond the scope of this inspection</p>
6	<p>In its response to previous DPKO and DFS comments, OIOS sought clarification as to whether a certain distance between civilians at risk and the mission presence would rule out any response and if this is established in any policy. Whilst DPKO and DFS Policy on the Protection of Civilians does not specify any specific distance within which the mission should or should not respond to the threat to civilians, the caveat of 'within area of operations' must be logically applied. It should also be noted that, in accordance with the Policy, missions are required to prioritise POC threats based on consideration such as: (a) the nature of the threat; (b) the mission's ability to address the threat, either unilaterally or jointly with other protection actors; (c) the comparative advantages and expected impact the mission may have in mitigating or eliminating the threat; and, (d) the possible negative consequences of its actions or inactions</p>	NA	<p>Explanation on potential factors that could determine an operation response from the mission is appreciated and noted</p>

Para #	Coment from DPKO/DFS	Reference to Para # in report	OIOS response
7	<p>The statement that "No activities of mission senior leadership in relation to POC related incidents were reported for UNAMID..." is factually inaccurate. UNAMID would like to reiterate that all preventive and responsive measures it undertook regarding POC incidents in Darfur were led by the Mission's senior management (the Joint Special Representative, the Deputy Joint Special Representative, the Force Commander and the Police Commander), the Head of Office at the sectors and the Team Site Commanders at the team sites through the established coordination mechanisms such as the Joint Protection Groups</p>	73	<p>The statement in the inspection report is "... in relation to POC related incidents...". Role of Senior management (SM) should be seen considering their direct involvement in response to POC incidents. By construct, this is a higher bar and will exclude references to SM involvement if not directly attributable to an identified POC incident. This is now acknowledged in amended paragraph 73. Second part of paragraph 91 implies that absence of any reference to D/SRSg and FC involvement in responding to POC incidents may be a question of adequate reporting. Additionally, information provided by UNAMID that "...all preventive and responsive measures it undertook regarding POC incidents in Darfur were led by the Mission's senior management..." in Annexure I is now referenced to in paragraph 91 of the report.</p>
8	<p>In the context of armed clashes between Government forces and armed movements in May 2017, the UNAMID Deputy Joint Special Representative (DJSR) engaged in the following activities which were reported in the following DSRs:</p> <ul style="list-style-type: none"> • DSR of 23 March 2017: The DJSR was denied access to visit Azerni to discuss POC concerns expressed earlier by community leaders. • DSR of 8 May 2017: The DJSR visited Sortony to identify and respond to challenges on the ground, including presence of an armed group inside the IDP gathering site. • DSR of 25 May 2017: The DJSR met with the Governor of North Darfur to discuss the impact of fighting on civilians as well as the allegations of aerial bombing by the Government. • DSR of 25 May 2017: The DJSR together with acting Force Commander met with the Under Secretary of the Foreign Ministry in Khartoum to discuss ongoing fighting in Darfur. • DSR of 31 May 2017: The DJSR visited Um Baru, including meetings with IDPs and humanitarian partners to discuss the situation on the ground in the wake of recent clashes. • DSR of 1 June 2017: The DJSR visited Kutum, including meetings with IDPs and follow-up on status of a verification patrol to a location (Ain Siro) where an attack on civilians was reported on 28-29 May 2017 	NA	<p>Examples provided by UNAMID are appreciated and noted. However, they are Senior Management's general activities and not necessarily in relation to the identified POC incidents</p>

Para #	Comment from DPKO/DFS	Reference to Para # in report	OIOS response
9	<p>As these responses only cover the first half of 2017, it is likely that a more thorough analysis of the DSRs of the whole period under review would indicate further responses by the DJSR and other UNAMID senior leadership</p>	NA	Please refer to the response in paragraph 7 above
10	<p>1. DPKO and DFS request that recommendation 4 of the report be reworded to read “DPKO/DFS should (i) have a structured and recorded dialogue with the TCCs about the incidents in which they appear to not have responded, establish the facts in each case and determine accountability, (ii) continually assess contingents’ response to POC incidents, including using assessment of the Office of Strategic Partnerships and where specific TCC-related performance concerns on POC are identified, implement a performance improvement plan with clear benchmarks and indicators”</p>	Rec 4	Recommendation 4 is amended accordingly
11	<p>With regards to the 5 July 2014 POC incident reported in Annexure A, UNAMID wishes to clarify that the number of fatalities as stated in the DSRs of 6-7 July 2014 were 31 and not 18 as indicated in the report. The Mission also clarifies that, in addition to engaging with communities to restore peace and resolve the issue, it dispatched an Integrated Team on 6 July 2014 to the location where the incident was reported. However, the Team was denied access by the host country authorities. It is therefore inaccurate to describe the Mission’s response as “one operational response by a civilian component” given its effort to conduct a verification on the ground and the multiple engagements with community leaders and the host country authorities as stated in the DSRs of 8, 9 and 10 July 2014. The report also fails to indicate the impact of access restrictions imposed by the Government of Sudan on UNAMID, in violation of the Status of Forces Agreement, during and after the POC incidents. This has regularly impeded on Mission’s response to POC incidents</p>	30(d)	As mentioned in the response to informal comments, it should be noted that if there were any differences in fatality figures between SGRs and what missions responded in the annexures, the inspection continued with figures mentioned in SGRs for analyses. Please also refer to the response in paragraph 4 above. SOFA violation, as an example of potential reason for no operational response, is now mentioned in paragraph 30(d)