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[Summary] The Protection of Civilians (PoC) concept is a prevalent buzzword in the contemporary security-development nexus and comes as a response to new modes of warfare that have made civilians the main causality of war. Just about all actors from the military, development and humanitarian segments relate to the PoC concept in conflict-situations. Although there is a presumably mainstreaming and general infusion of the concept within the international community, there exists no coherent and comprehensive understanding of what the concept really means and what kind of practices it comprises and entails. The concept's seminal thinkers and proponents fail to provide a clear and unambiguous definition of the concept. Rather it seeks to infuse a culture of protection among international actors operating in contexts which see grave human right violations and direct and indirect targeting of civilians. This report addresses the protection discourse as perceived by various actors in the field, and approaches the discourse in the nexus of PoC and culture of protection. The present paper demonstrates that whereas a narrow definition of PoC runs the risk of repelling actors from the protection-agenda, mainstreaming a culture of protection drawing on wider principles seems worthwhile in order to be comprehensive in terms of including as many actors as possible. A negative facet of such an approach, however, is that PoC becomes open to various actors' interpretation. Although in line with the implementation of PoC on case-by-case basis, this might not be sufficient to engender an inclusive culture of protection as PoC always will be interpreted at the backdrop of organisations' embedded mandate and institutional culture, leading to a general conceptual dilution. This paper explores the PoC concept and the culture of protection in the context of Sudan.

Introduction

The “Protection of Civilians in Armed Conflict” agenda was initiated a decade ago through then United Nations Secretary General (UNSG) Kofi Annan’s report on *The causes of conflict and promotion of durable peace and sustainable development in Africa* (UNSG 1998). The report reflected the recognition that new modes of warfare have made civilians the main casualty of war. Civilian casualties today are not only due to collateral damage from being caught up in the fighting, but also because they are the specific target of warring parties. PoC thus aims at providing a robust normative framework for how to act in order to secure the protection of civilians in armed conflict, and during post-conflict reconstruction.

The present report deals with the concept of the Protection of Civilians (PoC) as understood and articulated by its propagating and implementing actors in the field. It addresses the protection of civilians in conflict situations, and how the concept of PoC has evolved to become a major discourse largely unalterable to the myriad of actors operating in situations of armed conflict. As pointed out by UN OCHA, PoC has become “...an umbrella concept of humanitarian policies bringing together international human rights, humanitarian and refugee law with military protection, physical security and humanitarian assistance” (UN OCHA 2007a). Today, PoC is one of the central concerns of the United Nations Security Council (UNSC), as it receives the UNSG’s report on PoC every eighteen months,¹ and an oral briefing by the Under-Secretary General for Humanitarian Affairs every six months.² The aim of these is to attune the PoC discourse to pressing issues. The June 2007 briefing, for instance, highlighted the targeting of civilians, forced displacement and, access and security for humanitarian personnel as the three areas of particular concern (UN OCHA 2007b). Furthermore, PoC issues have also become a larger and more explicit part of peacekeeping mandates, reflected by the attention given to it in the organizational structure and formation of peacekeeping missions.

Today PoC constitutes an important and integral part of how the international community deals with civilians in time of war and conflict. Protection issues are, however, not confined to the conceptual realm and historical trajectory of PoC as articulated by the UN. Civilian protection—based on humanitarian actors’ neutrality, impartiality and independence, and their moral imperative to help innocent third parties to conflicts—is not a novel idea to the humanitarian community. The protection discourse is strongly embedded in the international community, and its roots can be traced back to the emergence of the international system (Paras 2007). Its further developments also include the signing of the first Geneva Convention in 1863 and the foundation of the International Committee of the Red Cross (ICRC). The recent formulation of PoC builds on this humanitarian discourse, as it draws on the construction of the civilian idea, of which key elements are the notions of distinction, restraint, non-combatance and innocence (Slim 2003). As such,

¹ Six reports have so far been submitted to the UNSC: UNSG S/1999/957; S/2001/331; S/2002/1300; S/2004/431; S/2005/740; and S/2007/643

² To date ten briefings have been delivered to the UNSC since 1999. The briefings are delivered in June and December each year. The briefing referred to is thus not the latest version, but is the one that was ‘active’ at time of fieldwork. Next briefing is due June 2008.

PoC does not exist in vacuum—its formation and practicalities need to be understood in a wider conceptual and historical context.

The present study focuses on the PoC concept, how it is received, interpreted and implemented by various humanitarian actors in the field. One of our key arguments is that while there is wide and uncontested acceptance of PoC as well as its underpinning rationale and tenets, there is less agreement as to the actual content of PoC. This is due to the lack of a clear operational definition, and the fact that PoC is intended to function as a ‘guiding framework’ aiming to create a ‘culture of protection’. This somewhat vague notion of PoC calls forth a study of the practicalities surrounding the concept and how different actors relate to it. Hence, we argue, a study of PoC in practice is necessary in order to grasp the challenges and possibilities PoC brings to the fore when encountering an already embedded culture of protection. PoC cannot simply be understood with reference to the formal realm of policy discourse such as reports and briefings to the UNSC. A study of practice is necessary to deconstruct and prevent the apotheosis of centrally planned ideas, concepts and structures. Formal ideas, expert knowledge and intentions are always shaped as they encounter the informal, complex and heterogeneous entity regularly celebrated as ‘the field’ (Lie 2007a, 2007b). This report conveys a study of PoC in the nexus and practical encounter with the existing protection discourse.

Empirical Scope and Context

A focus on the practical articulation of a concept implies an empirical setting. The main scope of this paper is the PoC concept as articulated in the Sudanese context. Sudan provides an interesting contextual backdrop enabling to grasp how various actors perceive and comprehend issues and challenges with PoC, and how the concept is articulated in practice. As this paper demonstrates, the PoC concept is subject to interpretation by various actors with diverse mandates operating in different contexts. These, in turn impinge on the formation of PoC, the comprehension of it, and how it is articulated and implemented.

As PoC is originally a UN concept, the Sudan context provides a privileged intake to PoC as there are two UN peace operations in Sudan and thus a myriad of international actors working alongside the UN. The context thus offers two rather distinct backdrops rooted in the same international organisation being seminal to the concept at stake. The first backdrop relates to UNMIS (United Nations Mission in Sudan) and the second relates to UNAMID (United Nations African Mission in Darfur), both of which have their respective devoted scope and area of responsibility. Both peace operations include joint efforts on planning and operational level of actors traditionally belonging to the military, development and humanitarian segments.

UNMIS’s principal tasks are to monitor and support the implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan³ and the Government of Southern Sudan (GoSS). UNMIS was established by UN Security Council resolution 1950 in March 2005 following the signing of the CPA that saw an end to over three decades of fighting and

³ Government of National Unity (GoNU) in Khartoum

hostilities between the government of Sudan in Khartoum and the Sudanese People's Liberation Movement (SPLM) the preceding January (Haslie and Borchgrevink 2007). UNMIS, in addition to its peacekeeping mandate, is designed to perform certain functions that relate to humanitarian assistance, civilian protection, promote human rights awareness, and general reconstruction and development efforts. These functions are largely confined to war-torn Southern Sudan which lacks resources and needs increased state capacity after being granted autonomy through the CPA.⁴ The UNMIS mandate for Protection of Civilians is "...to coordinate international efforts towards the protection of civilians, with particular attention to vulnerable groups including internally displaced persons (IDPs), returning refugees and women and children, within UNMIS's capabilities and in close cooperation with other United Nations agencies, related organisations, and non-governmental organizations" (UNSC 2005: paragraph 4d).

UNAMID is the new hybrid AU-UN peacekeeping force that, with effect from January 1, 2008, took over the role of AMIS in the contested Darfur region.⁵ AMIS, the African Union Mission in Sudan, was established in 2004 with the objective of undertaking peacekeeping operations in relation to the Darfur conflict. Due to lack of resources and problems with fulfilling its mandate and objective, the AU mission merged with a new UN mission—creating UNAMID—to provide a more sizeable operation, better equipped to respond to the escalating Darfur conflict. UNAMID has peace for the Darfur-region and Protection of Civilians among its main priorities. This brings the debate about civil-military cooperation to the fore and, in particular, how and if peacekeepers and humanitarian actors should work in a concerted manner and how their respective roles infringe upon each other (see de Coning 2006, 2007a, 2007b, Haugevik and de Carvalho 2007). Although UNAMID was not yet implemented at the time of fieldwork, the debate about how to best provide protection through the UNAMID architecture was prominent among all interviewees including those assigned to UNMIS. These, in turn, in spite of UNMIS's own challenges regarding PoC, very much related to the PoC discourse of Darfur.

Both UNMIS and UNAMID provide privileged focus points for the protection of civilians. UNMIS is a UN integrated mission and is the first integrated mission that comprises a Protection of Civilians Section aiming to mainstream sensitivity to protection issues throughout the mission. The integrated mission notion also calls forth interesting aspects concerning inter-agency coordination, notably between military, development and humanitarian actors, which have critical implication for the formation of PoC in UNMIS. Integration aims at streamlining UN peace support processes, and creates synergies and minimise duplication by ensuring that the UN forces and agencies involved share objectives and harmonise their resources to achieve their goals (Eide, Kaspersen et al. 2005, and Schia and Ulriksen 2007). While an integrated approach makes good organisational sense, the model is challenged when translated into practice. Particularly the humanitarian community is sceptical to being put in the same folder as the UN's military and political bodies, as well as having reservations about being sub-

⁴ Although most of UNMIS's reconstruction and development functions are in Southern Sudan, its headquarters is in Khartoum.

⁵ UNAMID was authorised by UN Security Council resolution 1769 July 31, 2007.

ject to political and military control structures in UN peace operations (Weir 2006).

While the general protection discourse relating to the CPA, North-South relations and UNMIS to a large degree relates to development and reconstruction issues, the Darfur-case relates directly to humanitarian assistance and civilian protection in the nexus with peacekeeping. Several informants made this distinction. While underlining the simplicity of such a distinction they argued for its empirical resonance as the North-South/ CPA context is a post-conflict situation while Darfur is an ongoing conflict. Hence these two contexts provide two different backgrounds to how PoC is interpreted and articulated among actors in the field. The contexts are not exclusively related to UN peace operations. UNMIS and UNAMID represent two interesting but different cases which also involve a host of other actors spanning the military, development and humanitarian segments. The Darfur-context, which is an armed conflict, sees a highly prevalent debate around PoC and civil-military coordination which draws on humanitarian actors' need for independence and impartiality in conflict with military actors' narrow view of physical protection and ad-hoc ascription to humanitarianism to win hearts and minds. This, it is argued, affects the humanitarian actors' neutrality and thus jeopardises humanitarian personnel and their ability of providing PoC. Practically this debate was confined to the Darfur context, but all actors regardless of context and segment they belonged to saw this as amongst the cardinal PoC issues.

Method

The main source of data supporting this study derives from two weeks of research in Sudan in October 2007. It comprises interviews and discussions with 41 persons most of whom are key staff of various organisations dealing with protection-issues in the Sudanese context. The organisations include various UN agencies, the Government, non-governmental organisations (NGOs – national and international), representatives of civil society (researchers, ex-politicians) and diplomatic missions to Sudan. Interviewees are granted personal anonymity but are referred to with reference to their institutional affiliation albeit they not necessarily represent their institutions' official view. This is in accordance with premises presented to the interviewees, and has their consent. While some might question the value of unofficial and informal knowledge, this explicitly relates to our general scope—to explore and highlight different and contested meanings of the PoC concept among various actors in the field. Interviews were conducted in both Khartoum and Juba. Next to interviews, literature review and desk study of relevant documents are used as supplementary data source.

PoC: Conceptual and Historical Background

Civilians have always been a suffering third party in conventional armed conflicts. This grim fact is not a new development, and the protection of civilians in armed conflict has always been a central concern of humanitarian

thinking, and was the central underpinning rationale for the first Geneva Convention in 1863 which led to the founding of the International Committee of the Red Cross (ICRC).

As such, the protection of civilians has always been an important concern of the UN. However, its emergence as a central guiding principle for the organization of peacekeeping missions is more recent. The term “Protection of Civilians” was initially coined by then UN Secretary General (UNSG) Kofi Annan in his *The causes of conflict and the promotion of durable peace and sustainable development in Africa* report (UNSG 1998) in which he identified protecting civilians in situations of conflict as a “humanitarian imperative”. Against the backdrop of the tragedies of Rwanda and Srebrenica which had exposed the UN’s powerlessness in the face of massive civilian suffering⁶ and the increasing civilian toll of armed conflict in general there was a strongly felt need for making the protection of noncombatants a more explicit part of UN peacekeeping. The UN Security Council (UNSC) thus addressed the issue in 1999, highlighting a set of concerns which subsequently were to become the core of the concept of the Protection of Civilians (PoC). These initial issues were (i) the need to ensure the safety of civilians, (ii) the unimpeded and safe access of the UN and other humanitarian personnel to those in need, (iii) the situation of children in armed conflict, (iv) the need for justice, and (v) the proliferation of small arms (UNSC 1999a). The process initiated in 1999 has to this date led to a number of reports by the UNSG, as well as the adoption of four UNSC resolutions (UNSG 1999, UNSG 2001, UNSG 2002, UNSG 2004, UNSG 2005 and UNSG 2007, and UNSC 1999b, UNSC 2000, UNSC 2006a and UNSC 2006b).⁷ The prominence given to PoC issues in UN documents is symptomatic of a new awareness of protection issues. However, an effective implementation of PoC still depends upon a number of practical challenges, especially at operational level. As emphasized elsewhere, meeting these challenges has not been easier with the UN’s emerging emphasis on the need for coordination and integration of efforts (Vogt, de Carvalho *et al.* 2008). As cases in point, the development of concepts such as Integrated Missions by the UN, the importance placed upon Civil-Military Coordination (CIMIC) as well as emphasises such as NATO’s Comprehensive Approach (see Haugevik 2007, de Coning 2007c, Lie 2008, and Schia and Ulriksen 2007), all of which seeking to merge efforts traditionally belonging to the exclusive realm of either the security, development or humanitarian segment, tend to blur the question of responsibility. As such, the effective implementation of these concepts becomes even more challenging.

Throughout the process of developing and refining the concept of PoC, the UN Office for the Coordination of Humanitarian Affairs (UN OCHA) has played a key role. Thus, UN OCHA was central in developing the *Aide-Memoire: For the Consideration of Issues Pertaining to the Protection of Civilians* (UN OCHA 2004) which reflected PoC concerns treated by the

⁶ As Mary Kaldor argues, while the majority of fatalities during armed conflict had previously been combatants, this is no longer the case. While the casualty ratio between combatants and noncombatants in armed conflict was 8:1 in the early 1900s, this ratio has been inverted today (see Kaldor 2007).

⁷ For an extended overview, see Vogt, de Carvalho, *et al.* (2008). See also UN OCHA (2008a, 2008b) for a brief institutional and chronological overview of the development of PoC.

UNSC.⁸ The *Aide Memoire* was intended both as a “diagnostic tool” reflecting the evolution in protection priorities in order to assist the UNSC, as well as a “tool that provides a systematic basis for analysis and reporting during humanitarian crisis”. The main intention behind the document, however, was that “the relevant protection needs and rights of civilians are reflected in relevant resolutions and the mandates of peacekeeping operations” (UN OCHA 2004). As such, PoC is not intended as an interventionist concept, as it does not address the importance of sovereignty and the question of when or whether the sovereignty of states is absolute—such as the related concept of the Responsibility to Protect (R2P). Rather, it is meant as a guide for *how* rather than *whether* to act. PoC does not stipulate concrete actions, but rather seeks to build a Culture of Protection (CoP)

While much remains in terms of making PoC effective, as peace operations during the last decade have grown both in number and in terms of broader executive mandates, there has been, as Victoria Holt notes, a clear trend towards including PoC issues when deciding upon new peacekeeping operation mandates, as well as when revising old ones (Holt 2005).

The ‘formal’ view: A snapshot of PoC

Between 1998 and 2006, the concept of PoC underwent many updates and developments, as reflected by the attention given to it by both the UNSG and UNSC, and a host of other UN institutions, most notably UN OCHA. UN OCHA also supported a number of regional workshops aimed at broadening the audience for PoC and listening to regional concerns, as well as mainstreaming the understanding of protection policies (UN OCHA 2008a). However, little has been undertaken since 2006, and while PoC issues have increasingly become part of UNSC mandates, training, and the organization of peacekeeping missions, the concept itself nevertheless still stands largely where it did in 2006. As such, UN OCHA’s *Aide Memoire* provides a good platform for understanding the scope of PoC issues.

The first issue emphasized in the *Aide Memoire* is (i) improving the *security for displaced persons and host communities*. This includes addressing the safety and protection needs of refugees and internally displaced persons (IDPs) through securing camps and facilitating the return to home communities. It also includes securing the maintenance of the civilian and humanitarian character of refugee and IDP camps. Furthermore, the document emphasizes (ii) the need for “unimpeded *access to vulnerable populations*” as the prerequisite for providing humanitarian assistance to these populations. It also stresses the importance of all parties respecting the neutrality of humanitarian operations and a secure working environment for humanitarian personnel as means of (iii) guaranteeing the *safety and security of humanitarian and associated personnel* in their work.

The document also stresses the need for focusing on (iv) *security and the rule of law* both in terms of the immediate provision of protection as well as in more long-term developments. Strengthening the capacity of local police and judicial systems are seen as key aspects in this respect. Means to achieve

⁸ The first version of the *Aide Memoire* was adopted in 2002. It was subsequently revised and updated on two occasions, both in 2003 and 2004 (UN OCHA 2008b).

this include the “deployment of qualified and well-trained civilian police as a component of peacekeeping operations”, as well as providing technical assistance to local actors and institutions, infrastructure for the reconstruction of these, and an effective system for monitoring violations of humanitarian, human rights and criminal law. As a means to stabilize post-conflict communities, the report stresses the need to ensure (v) *disarmament, demobilization, reintegration, and rehabilitation* (DDRR) of ex-combatants, including a special focus on women and children. The *Aide Memoire* also stresses the importance of addressing issues pertaining to (vi) *small arms and mine action*.

Furthermore, it emphasizes the importance on focusing on vulnerable groups, including (vii) the *effects and contribution of women* and (viii) the *effects on children*. These issues include addressing the protection needs of women, as well as strengthening the role played by women in “developing and implementing appropriate responses to protecting civilians”. As the protection needs of children are concerned, PoC includes ending practices of recruiting child soldiers, addressing the release of abducted children, family reunification, and reporting and preventing sexual abuse.

The *Aide Memoire* also outlines measures to address (ix) *justice and reconciliation*, including dealing with violations of humanitarian and criminal law, apprehending alleged perpetrators, and cooperation with international courts and tribunals. Moreover, a special emphasis is put on the need to provide (x) efficient *training of security and peacekeeping forces*. This includes the sensitization of peacekeepers to PoC issues through providing “appropriate training in humanitarian and human rights law, civil-military coordination, codes of conduct, negotiation and communication skills, child protection and child rights, gender and cultural sensitization, and the prevention of HIV/AIDS and other communicable diseases”.

PoC issues also include addressing (xi) the role played by *media and information* countering the occurrence of incitements to violence and promoting assistance to draft and enforce anti-hate legislation. Furthermore, it includes addressing (xii) the relation between *natural resources and armed conflict* as well as (xiii) minimizing the adverse effects of sanctions on civilians (*humanitarian impact of sanctions*).

As is clear from the brief presentation of PoC issues above, the aim of PoC is—rather than providing an exhaustive list or to provide a once size fits all format—to nurture a “culture of protection” both in the drafting of peacekeeping mandates as well as in the execution of these. The concept of PoC thus opens up for interpretation of the protection needs of civilians in different contexts; needs which will to a large extent depend on cultural and contextual factors. While all issues taken up as part of PoC are important, there may not be a need for addressing all of them in every conflict. However, there is no blueprint for which ones to select when, nor is there a formal ranking of importance. The issues dealt with in different contexts will thus to a large extent depend on political priorities as well as judgement.

However, as mentioned above, little attention has been given to PoC since 2006, and as such there is a clear gap in the literature when it comes to dealing with practical issues and field experiences related to the implementation of PoC in mission, as well as to difficulties and challenges encountered in mission. While the literature, especially UN documents, emphasizes the different aspects and scope of PoC issues, little has been done on how to ad-

dress these issues in the field. The present study aims to bridge this gap by providing insight into the practical challenges of PoC as understood by different actors in the field.

One Concept—In the Eye of the Beholder

“When I moved from Darfur to Juba I changed position into a Protection-officer. Initially, I made a lot of thinking as to what protection is, how it is defined, and how to infuse it in operations. It’s difficult. No one could really tell what it means or give a definition, but all embraced the idea. After a while I didn’t pay it that much attention anymore and rather focused more on doing my job. It’s ironic—although I can’t give a precise answer to what protection is I would hold that my work is devoted to protection. I feel I’m working on protection-issues, although what I do might be very different to what other protection officers do.”

This quote from a NGO protection officer in Juba illustrates the basic problem of the Protection of Civilians (PoC) concept, that is, the lack of a clear operational definition. This entails difficulties in creating consensus among actors working within the discursive frames of protection. Regardless of this, the very same actors share an understanding of the ideas underpinning the PoC concept. Although there exists no coherent and shared conception of PoC, actors—to a varying degree—share a culture of protection. How this culture is interpreted and translated into practice among different actors is, however, an empirical and context dependent question. Just about all informants state that protecting civilians is an overarching objective and rationale for their presence and actions in the field. This relates to the wide array of actors, ranging from UN DPKO oriented by more military and traditional security concerns, via UNDP and other NGOs dedicated to development and reconstruction efforts, to the wide spectrum of humanitarian agencies driven by immediate human concerns as relief, food, shelter and medical help.

While all actors state that protecting civilians is an overarching objective and prevailing rationale for their operational activities and field presence, they simultaneously lack an adequate unifying understanding of the issues pertaining to protection. This, consequently, renders more difficult attempts to mainstream PoC. The fact that the concept necessitates interpretation entails problems, particularly in multi-agency operations in which a concerted approach is necessary. The problem is particularly felt in operations aspiring to be integrated and comprehensive comprising civilian and military actors. Although considered a paramount idea, there is no unambiguous encompassing conception or definition to be shared by these actors that manage to bridge different actors’ distinct mandates, organisational culture and core competencies. This poses problems for concerted interagency cooperation, its operational purpose and objective and the formation of a coherent culture of protection.

It is nevertheless clear that the various actors do share a *culture of protection* in the way they embrace and elevate PoC. But as all socially constructed artefacts also the PoC becomes culturally defined in processes of reception, translation, articulation and implementation. Although the *idea* of PoC is

largely integral to the international community as a whole—no one explicitly refuted the idea or the importance of it—various actors ascribe to different conceptual comprehensions having practical implications. The formation of PoC culture is thus dependent upon spatial and temporal contextual factors in addition to organisational culture, institutional mandate and personal attributes of protection officers. The culture of protection is heterogeneous with few common denominators shared by involved actors.

International Humanitarian Law (IHL) encapsulates the minimum protection standards applicable to situations of armed conflict, and is thus central to the culture of protection. The gaps between principles and practice of protection are, however, wide and keenly felt by both recipients and implementers of PoC (cf. UN OCHA 2003). All interviewees, on whom this report rests, acknowledge that Protection of Civilians is the key feature and role of their presence in the field. Despite the wide recognition of the importance brought about with PoC, there are nevertheless diverging understandings and comprehensions surrounding the concept's proponents and users. This impinges the culture of protection that is seen as crucial for mainstreaming sensitivity to protection issues within the international community.

Although departing from IHL and the humanitarian imperative, the culture of PoC aims to be comprehensive as it addresses actors traditionally belonging to the security, development and humanitarian segments. As PoC embeds no strict rules but rather ascribes to broader humanitarian principles—the three substantive principles are humanity, non-discrimination and proportionality, and relate to the broader ideas of impartiality and independence—it is open for interpretation within the three segments. It is in the nexus where broader principles meet practice and institutional reception one needs to address the culture of protection rather than merely falling back on policy intentions formulated at strategic headquarters level. The following sections present various notions of and reflections on the culture of protection as articulated in the various segments (security, development and humanitarian) and by different actors (notably UN, NGOs and national government and civil society). This division is not meant to undermine the holistic approach of PoC and its intention of cross-cutting various sectors—it is merely a matter of presentation in order to illustrate different perceptions of issues integral to the protection discourse.

The Security Segment—Protection through Presence?

Security, understood in the traditional sense, remains the prevailing scope of military actors. In the present case this refers to the realm of UN Department for Peacekeeping Operations (DPKO). When addressing the protection discourse those integral to the security segment argue that protection issues are at the core of DPKO-activities—that the protection of civilians is the very reason for their field presence. In fact, protection is, it was argued, the reason to why DPKO initially was established. “Civilians are the main victims of war whether they are targeted directly or if they are subject to indirect collateral damage. It has always been our task to provide secure environments for civilians”, one blue helmet official asserted. This underscores the military segment's notion of protection—it relates to the perpetual idea of physical protection being an embedded part of military rationale and practice. They

understand protection on their own premises and see the humanitarian perspective, notably OCHA, as “too soft” and detached from “the real world where people live with fear for their lives. Food delivery and shelter are important, but individual physical safety comes first”. The military segment infuses a hierarchy where its own tasks come prior to others with regard to sequencing protection activities.

The military segment expressed a rather conventional approach to protection issues that largely circumscribes the intention of PoC. The typical view of this segment sees protection as “preventing physical violence against the individual”. To DPKO-officials protection is executed through UN blue helmets’ presence in the field, which basically confines their notion of PoC to community policing activities. The main obstacle to PoC is thus perceived to be lack of troops and military capacity. Those more familiar with the PoC concept as comprehended external to the military segment have a more nuanced view on military protection measures. These identify the bottleneck to the level of planning. Military rationale works according to plans and doctrines, and if “PoC is not part of the diagnosis and fully integrated in the planning process, the military won’t pursue PoC. This is simply a matter of how military planning works”. Military planning and practice are rigid and follow causal links—following instructions and the commands derived from centrally devised plans and doctrines. If not thoroughly integrated in the military planning process, PoC fails to be an integrated part of military action. To the military segment this calls forth a clear operational definition of PoC. The absence of such a PoC conception results in the military segment to inscribe itself into the PoC discourse through already ongoing activities, as e.g. the “protection through presence” perspective. The conventional notion of PoC thus functions to legitimise ongoing practice and inscribe DPKO activities into the realm of PoC, although circumscribed from the intentional meaning of the concept. Representatives of the military segment assert they provide an important, but indirect and thus not always acknowledged, contribution to PoC through its presence in the field.

PoC, moreover, refers not only to the protection of citizens but also to the protection of humanitarian actors and their access to and security in the field. This activity is, it is argued, often forgotten. “We help humanitarian organisations do their work by providing both logistics and security”. At this backdrop they find it ironic that humanitarian organisations criticise UN troops for distributing food to win “hearts and minds” as it presumably blurs the distinction between civil and military personnel and thus jeopardises humanitarian actors’ neutrality and hence security. “I see their point but I don’t buy their argument. We’re already present—often at their invitation—to help humanitarian workers and to secure the environment, so this distinction is already blurred”.

The Development Segment—Protection in Long-Term Perspective?

Representatives of the development segment are more familiar with the protection discourse as outlined in seminal PoC documents. This enables a somewhat pragmatic approach to PoC, as compared to the military segment. While military actors seek to inscribe their already ongoing activities into the PoC discourse, development actors demonstrate a more active relation to

PoC. Actors characteristic to this segment comprise UNDP and various development-focused NGOs.

The development segment is, for the sake of presentation, divided in two groups with regards to how they perceive their role within the protection discourse. The first group holds that “protection is not part of our competencies and mandate, and should be left to humanitarian actors”. The second perspective asserts that “development is protection in a long-term perspective”. While the former seeks distance to PoC practicalities, the latter explicitly seeks to inscribe itself as an important player within the protection discourse. It should be noted that of those ascribing to the “protection through development” perspective just about all operate in the Darfur-region. This correlation might be explained with reference to the protection discourse that dominates the policy realm of both humanitarian and military actors working with or in Darfur—that admittance to the Darfur region needs to go through the prevailing protection discourse. This perspective advocates for expanding PoC from what it sees as a too limited focus on physical protection and basic needs—as propagated by the military and humanitarian segments—to a comprehensive focus that includes matters integral to development.

Representatives of both the non-PoC and the “protection through development” perspectives demonstrate in-depth knowledge about the culture of protection, and none refute the PoC concept. The former merely distances itself, arguing that “protection is not part of our mandate”. This group does not attempt to inscribe itself into the PoC discourse and argues for the importance of “not stepping on each others’ turf”. This perspective largely comprises traditional development actors. One proponent of the “protection through development” perspective argues, with reference to Darfur, that “much of the conflict is about water resources. If we could increase access to water by drilling wells we would also mitigate the reason for conflict—not only patching the problems as the humanitarians do”. In brief, the perspective draws on the notion that a general increase in living standards (including access to school, health services, good government institutions, employment, etc.) throughout Darfur would provide incentives for the indigenous warring parties not to fight.

The Humanitarian Segment

The humanitarian segment, standard bearer of the humanitarian imperative, embeds the culture of protection and displays thorough knowledge of PoC. Humanitarian actors demonstrate strong ownership to the culture of protection, and notable actors as UN’s OCHA and the International Committee of the Red Cross (ICRC) see themselves as seminal proprietors of PoC and the general protection discourse. Hence, these actors have a strong view as to what PoC means and what the culture of protection implies and entails for involved actors. As a consequence they express concern over a dilution of the concept and its overarching culture as increasingly more actors external to the humanitarian community engage on protection issues, arguing that the comprehensive mainstreaming of PoC—although important—might exacerbate the culture of protection and endanger both the PoC concept and the much needed neutrality and impartiality humanitarian actors demand when working in the field.

There is, thus, a paradox internal and characteristic to the humanitarian segment. On the one side is the recognition that protection-issues need to be mainstreamed throughout the international community and not only confined to humanitarian actors, while on the other side is the fear that other actors working under the protection-umbrella might jeopardise and undermine humanitarian actors' role and work. "Humanitarianism relies on local communities' acceptance. We are impartial, but when other actors do work similar to ours, we run the risk of being associated with them. This might jeopardize how we are perceived and as a consequence challenge our much needed neutrality", one OCHA representative holds.

The conventional humanitarian notion of PoC emphasises protection against physical assault, encroachment of material goods and rights, and injustice, and access to basic services as important. It elevates the provision of individual security through establishing a secure human environment that does not contain the possibility or fear of physical violence.

Representatives of the humanitarian segment are ambiguous to the other segment's use of PoC and how it infringes the humanitarian imperative. That development actors include protection is only perceived positive, although humanitarians recognise that it might be a strategic choice as inscription into the culture of protection will release much needed funds to development actors. They do, nevertheless, see the problem that "everything becomes protection. Everything from water and sanitation, human rights, building schools to agriculture projects". If the PoC concept becomes too open and comprehensive it runs the risk of loosing operational value and applicability.

Humanitarian actors are more disdainful towards the military segment's use of PoC and how it relates to the culture of protection. In general they are positive that other actors learn from and try to include the protection discourse, but are afraid the consequences of how the military segment perceives PoC might affect humanitarian assistance. Their main concern is to be associated with military actors and the politics of peacekeeping missions and the possibility of undermining the impartiality and independence central to the humanitarian imperative and necessary to execute humanitarian assistance. This might jeopardise the security of humanitarian workers in the field and consequently affect the ability to deliver humanitarian assistance. "In the end, it is the civilian population that will suffer if we are prevented free and neutral access". Neutrality—both in the field and on the central political level—is perceived as important to not "close off access to suffering third-parties" and to remain credible when advocating for ideas perceived as universal and apolitical pivotal to the humanitarian imperative, as human rights.

Culture of Protection within the UN

This section relates mainly to PoC and the culture of protection internal to UN agencies in Sudan. UNMIS provides an interesting case as it is the first and only UN peace operation with a Protection of Civilians Section. Moreover, as UNMIS is constructed as an Integrated Mission it contains and seeks to integrate the three different segments listed above and thus poses an interesting lens to how the culture of protection is articulated, reproduced and challenged by different institutional arrangements within one organisation.

Although there is a Protection of Civilians Section—which has the double function of serving as an anchor and diffuser of PoC and the culture of protection within UNMIS—there exists no operational definition of PoC. This, to the protection officers in both Karthoum and Juba, implies practical problems in disseminating PoC as “we can’t provide a definition, which makes it difficult to disseminate a way of thinking”. Particularly the military side has problems adopting a culture of protection if not rooted in a definition that translates into operational planning. Another reason, as argued by the unit’s protection officers, is that “the protection unit is considered a pilot”, which leads many to consider it an insignificant part of UNMIS. It becomes difficult to diffuse the PoC concept when there is little agreement on what the role of the unit is and what the concept means. One UN human rights expert stated that “I thought I was doing the protection part, but that was until I realised the one sitting in the office next to me was a protection officer. No wonder I was never consulted”. The protection expert confirms the story, stating the problem to be different conceptions of protection among various actors—to some human rights is protection, to others protection means providing basic physical needs. Although supposedly integrated, not all ideas or ways of thinking diffuse throughout the mission.

The military, development and humanitarian segments all assert that there is a general lack of integration in UNMIS albeit it is supposed to be an integrated mission. All argue that the main problem preventing integration is that there are no structures or formal guidelines that promote coherence and integration between various UN agencies. In practice, the main means of integration is personal contact and building a viable relationship with persons in other units and agencies. While interagency meetings might provide such an arena, “these are characterised by flag posting and window dressing”, meaning people are more concerned promoting own ideas than engendering coherence. The extent to which integration occurs comes thus as an effect of personal relationships mainly built in social settings outside office hours. Although this might be viable enough for a minimum integration “we are here only on six to twelve months contracts. When staff is replaced we need to start over again”. This has critical implications for the formation of a culture of protection—particularly when it is not rooted in a stringent conceptual definition.

One measure taken to strengthen the culture of protection in general and bridge the culture gap between the military and humanitarian segments in particular—as represented by DPKO and OCHA respectively—is the Aide Memoire (UN OCHA 2004). It reads that protection-issues need to be included on a case-by-case basis regarding peacekeeping operations and thus aims to be context sensitive. The memoir is meant to be a practical tool to provide guidance on protection issues “...where the Council may wish to consider action outside the scope of a peacekeeping operation” (ibid.: 3). It lists 17 different “primary objectives” subdivided into 58 “issues for consideration”. As a higher official in the UNMIS’s Civil Affairs Division asserted: “The Aide Memoire needs continuous interpretation to suit operations on the ground. The challenge is not the memoir it self, it’s the interpretation of it and the operation’s overarching mandate. The mandate should have been drafted with a more explicit link between peacekeeping and protection”. It is argued that the mandate is too vaguely formulated for the protection officers to have a real impact and, particularly, for the military side to

accord to the memoir's primary objectives and issues for considerations. "The military side seems to think that they need to implement all points listed in the memoir. That's not the case. The memoir is meant to aid and help planners—it shall not be seen as a blueprint for how to protect civilians. But the military don't see it like that". It is difficult for the military side to include something which lacks a clear definition that translates into operational military planning. To the military side, the PoC concept is not clear enough and merely falling back on a culture of protection becomes too vague.

In line with the protection section of the UNMIS mandate—to coordinate international efforts towards the protection of civilians—there is a Protection Working Group (PWG) in Juba. The PWG comprises most humanitarian NGOs in the area, UNMIS's Human Rights, Gender and Civil Affairs sections and independent specialised UN agencies (UNDP, UNHCR, UNIFEM and UNICEF). Those informing about PWG assert it has little practical and operational value aside information sharing. One informant provided us the draft minutes from one PWG-meeting which he said was representative of a typical PWG-meeting.⁹ It mainly contains references from various briefings. According to the minutes, the actions decided upon are (i) UNHCR to request NRC to provide the briefing in the coming CEPWG; (ii) UNMIS to share Nimule report, and UNHCR to prepare, share and circulate draft to all participants for any further input before submitting it for further action; (iii) UNHCR to remind NRC to provide ICLA briefing at next PWG meeting; and (iv) UNHCR Protection to liaise with UNMIS Rule of Law on their contact details in order to join their prison visits.¹⁰ "Have a look, only the last point includes any practical protection activity", the note provider stated ironically to underline his disdain to the PWG.

Most informants tell about how they initially all embraced the grand ambitions and intentions of PWG but "it never materialised the way any of us thought". To most, the only purpose PWG serves is information sharing, which "is exactly the reason we stopped attending the meetings", an NGO representative stated. Although it is PoC that brings these actors together the main problem identified is—perhaps ironic but not surprising—the lack of a mutual conception of PoC. Hence, the PWG is portrayed more as a battlefield of knowledge than a coherent body for a concerted approach to protection issues. By this is meant that participants are more eager to front their own view and achievements—referred to as "window dressing" and "flag posting"—than to devise a mutual approach. A joint approach is undermined by what an NGO-worker calls "turf-protection, that people hedge their own activities and omit including others". Reference is given to UNICEF who became angry when UNMIS established its own Child Protection Unit, something UNICEF saw as its responsibility and core competency. Turf protection undermines openness and real information sharing. What remains for PWG discussions, one member stated, "is what's left when everybody else have eaten of the cake first", arguing that PWG has become a residual category for activities independent agencies are reluctant to take lead on. Another reason for the PWG's ineffectiveness is stated to be the lack of staff

⁹ Draft minutes from Central Equatoria Protection Working Group. Friday 14 September 2007 11:00 am. UNHCR Conference Room.

¹⁰ Point ii) has been abridged.

continuity—an effect of the many short-term contracts used among international actors. “Today we discuss the very same issues we addressed six months ago because there is always new staff we need to introduce to the themes”. Although a shared culture of protection might be what integrates different actors in PWG, the absence of a clear and inclusive PoC-definition that all actors can relate to negatively affects the potential of PWG.

Culture of Protection among the National Government and Civil Society

The culture of protection and PoC in particular has a totally different perception among government staff, national civil society and academia. Although also these recognise protection issues as necessary measures important to secure citizens, they simultaneously see the culture of protection as propagated by the international community as an intervention into what they perceive to be the responsibility of the sovereign state. They express concern over the politics of humanitarian assistance, arguing that the protection agenda is a means to legitimise both military and humanitarian intervention. Some even see PoC as neo-colonialism—“the international community behave just as the former colonial power by pushing their ideas onto us”.

This view parallels the response of many African states to PoC in the various workshops OCHA facilitated when developing the policy framework of civilian protection.¹¹ The workshops aimed at regional dialogue to better understand the contextual concerns related to PoC. While e.g. the Latin-American workshop focused on the right based perspective of PoC, the African workshop brought to the fore issues pertaining to national sovereignty and trusteeship by the international community.

PoC is thus interpreted in similar vein as the Responsibility to Protect (R2P). In general terms, R2P implies that states have a responsibility to protect their own citizens, and when they fail—either due to lack of capacity or willingness—the responsibility rests on the international community as a whole.¹² PoC, as R2P, is the theoretical extension of human rights, and—by intention—whereas R2P is interventionist, PoC is not. Although there is a conceptual conflation of R2P and PoC resulting from national interpretation of the protection discourse, one should not discredit how some central national stakeholders perceive PoC. Some also recognise the conceptual differences, but argue that “this is academic hair-splitting. Both R2P and PoC serve the same function in bypassing the sovereign state” and thus display the same rationale. Moreover, PoC is criticised “because it is only offered to African states, so basically it becomes a concept about Africa and weak state institutions”. Others see the protection discourse as an American idea as the same rationale underpins the rationale given for the U.S. invasion of Iraq.

Contrary to the humanitarian perspective, PoC is understood in the context of politics. National actors are sceptical that protection-issues are constructed as non-political, and blame the international actors for undermining the political aspects of both military and civilian agencies’ activities. In simi-

¹¹ From late 2002 to early 2005 OCHA arranged seven regional and two country workshops. For a full list, with downloadable summaries: www.ochaonline.un.org/HumanitarianIssues/ProtectionofCiviliansinArmedConflict/Workshops/tabid/1141/Default.aspx.

¹² For a discussion of PoC in relation to R2P, see Vogt, de Carvalho *et al.* (2008).

lar trajectory there is a lack of clarity as to what the international actors want because different agencies voice different protection concerns. This, moreover, engenders lack of trust and increases resistance to both PoC and the international community. Some argue that the international actors should explicate what they want and what their motives are, and not conceal this in ambiguous concepts as PoC. Others, conversely, embrace the internationals' efforts in protecting civilians although arguing that the current endeavours are not enough. The latter perspective does, however, concur with the former that protection issues are political. Both perspectives agree that the international community to a higher degree needs to pay more attention to local issues and understand the national and regional context (cf. Ahmed and Manger 2007) instead of promoting their own—sometimes ambiguous—agenda.

Summarising Remarks: Contested Concept, Challenging Culture

The Protection of Civilians is a highly contested and challenging concept, although it is based on ideas that just about all actors across the security, development and humanitarian segments share. There exists a culture of protection but no shared and unifying conception of PoC. The culture of protection, however, is highly heterogeneous – various actors relate to different aspects of the protection discourse as it inevitably is interpreted and shaped in dialogue with the institutional context in which it is articulated. The vast divergence of organisational culture and mandate among protection actors have critical implication for the formation of a culture of protection and largely hamper the possibility of establishing a coherent protection culture and a holistic approach to the practicalities of PoC.

A challenging dilemma relating to mainstreaming the protection discourse concerns whether to further develop and pursue either the PoC concept or the culture of protection. As indicated by the informants, the lack of a clear PoC definition conveys severe challenges in concerting different actors to protection issues. It should, however, be noted that it is precisely the lack of a clear definition that enables the vast array of actors to subscribe to the protection discourse. A rigid definition would not only increase integration among protection actors – it also runs the risk of excluding organisations which mandate and competencies fall without the definition of PoC.

Corollary it might be worthwhile to address protection issues on a contextual case-by-case basis, as indicated by OCHA and its Aide Mémoire, and further develop the culture of protection. It would be more inclusive as it opens for contextual reception and interpretation with reference not only to the field but also to the organisations and their institutionalised culture which translate the protection culture into their own realm. The problem with such a perspective is the risk of diminishing shared values. As the culture of protection perspective opens for a contextual interpretation of the protection discourse there is a chance that common denominators are reduced decreasing the chance of a joint understanding of and approach to protection issues. Another point is the difficulties some actors—notably the military—have in relating to a culture of protection when their organisational structure, man-

date and culture rely on clear operational concepts and instructions. A culture of protection is also difficult to disseminate within the existing architecture of international agencies and operations. Particularly the problem associated with short-term contracts undermines long-term thinking and the chance of establishing a joint notion of the same protection discourse.

One should be aware of the effects the PoC and the culture of protection might have on the international community's structural and policy architecture. The complexities of the current protection culture are intimately linked to the historical trajectory concerning the formation of the security discourse and its seminal actors. From 1648 and the treaty of Westphalia security, understood as *state security*, belonged to the realm of military actors. With the establishment of institutional development in the wake of the Second World War another concept of security, understood as *human security*, emerged that was principally linked to the development segment. Today we see an increased focus on security understood as *individual security*, a view that traditionally belonged to the realm of humanitarian actors. Although this conception of security dates back to the seminal Geneva Convention in 1863 it gained further operational impetus with the Universal Declaration on Human Rights in 1948 which manifested the universality and neutrality of ideas inherent to the humanitarian imperative. Over the last decade and a half—parallel to the formation of PoC within the UN system—we witness an increasing interface between the various segments and a growing conflation of the various perspectives aligning to individual security, as illustrated by concepts such as 'just war', 'humanitarian intervention' and 'military humanitarianism' (cf. Slim 2001).

Now, within the realm of PoC, the various notions of security are largely conflated as individual security. As illustrated above the various segments all propose individual security as their main rationale for action—be it response from the military, development or the humanitarian segment. Hugo Slim asserts that "as a result, the word 'humanitarian' has been mixed with that of force and militarism with varying results on the ground and much philosophical dispute in the conference room" (ibid.: 326). This paper has brought to the fore some of the philosophical disputes aligned to PoC and the culture of protection. It reveals an ambiguity, as also noted by Slim, that "...the humanitarian idea, not being a pacifist ideology, can serve wittingly or unwittingly, to alternately and even simultaneously deplore, restrain, enable and embrace violence" (ibid.). This relates to the paradox associated with protection and the use of force and coercion, namely "...that the best way to stop violence might be to use it" (ibid.). As the data shows, different actors have different conception as to how the military segment should be included in protection issues. Conversely, the formal intention underpinning PoC is simultaneously to infuse all actors with a culture of protection. For the military side this implies the possible use of force.

PoC is a contested concept and draws on an ambiguous culture of protection. It is highly contextual how this culture is articulated and how the PoC concept is comprehended. The protection discourse's underpinning tenets are, however, largely shared. No one refutes the idea and importance of protection. It is how it translates into practice and operations that create the major obstacles to involved actors. There is a need for clarifying whether one should aspire towards a more rigid conception of PoC, or if one should stick with a loose concept and rather embrace a culture of protection. Both alter-

natives have, as argued above, pros and cons. A strict definition would clarify what is protection and what is not, and thus minimise in-field debates and contestation among organisations. This would, however, jeopardise the advantage of a culture of protection which is its sensitivity to local, contextual factors.

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