



MID-TERM EXTERNAL EVALUATION OF CIVIC PROGRAM:

**Promoting the Protection of Civilians in Conflict in
Afghanistan and UN Peacekeeping Operations**

Final Report
26 May 2021

Consultant Team: Dr. Conor Foley (Team Lead), Dr. Cecilia Deme (Co-Team Lead),
Dr. Friederike Santner, Horia Mosadiq, Syed Kazim Baqeri,
Richie Lontulungu Nsombola and Gina Matalatala

TABLE OF CONTENTS

Acronyms.....	3
Executive Summary	5
Introduction	8
Contextual And Program Background.....	11
Scope And Purpose Of The Evaluation	14
Methodology And Learning	15
Main Findings	18
Overall Findings.....	18
Afghanistan Project.....	19
Peacekeeping Project	25
Lessons Learned	39
Emerging Good Practices.....	41
Conclusions.....	42
Recommendations.....	42
Annex 1: List Of Documents Consulted.....	44
Annex 2: Evaluation Questions	50

ACRONYMS

AAR	After Action Review
ACLED	Armed Conflict Location and Event Data Project
AIHRC	Afghanistan Independent Human Rights Commission
ANDSF	Afghan National Defense and Security Forces
AOGs	Armed Opposition Groups
ATAC	Afghan Technical Air Coordinator
C5	UN Budget and Programs Committee
C 34	UN Special Committee on Peacekeeping
CAN	Community Alert Network
CAR	Central African Republic
CASEVAC	Casualty Evacuation
CBP	Community Based Protection
CCMT	Civilian Casualty Mitigation Team
CCPCs	Community Civilian Protection Councils
CHM	Civilian Harm Mitigation
CLA	Community Liaison Assistant
COMAC	Conflict Mitigation Assistance for Civilians
COMRS	Commander Resolute Support
CPAS	Comprehensive Planning and Performance Assessment System
CPCCC	Commission for the Prevention of Civilian Casualties and Complaint
CPWGs	Civilian Protection Working Groups
CRSV	Conflict Related Sexual Violence
CSO	Civil Society Organization
CVR	Community violence reduction
DPO	United Nations Department of Peace Operations
DPPA	United Nations Department of Political Affairs and Peacebuilding
DRC	Democratic Republic of the Congo
EWIPA	Explosive weapons in populated areas
EWRR	Early Warning Rapid Response
FARDC	Armed Forces of the Democratic Republic of the Congo
FDLR	Democratic Forces for the Liberation of Rwanda
FIB	Force Intervention Brigade
FIOCs	Field Integrated Operations Centers
GEOINT	Geospatial intelligence
GPS	Global Positioning System
HIPPO	High Level Independent Panel on Peace Operations
HQ	Headquarters
HRDDP	Human Rights Due Diligence Policy
HRO	Human Rights Officer
IAP	Integrated Assessment and Planning
IDP	Internally displaced person
IED	Improvised Explosive Device
IPI	International Peace Institute
IRs	Intelligence Requirements
ISPs	Information-sharing protocols
ISR	Intelligence, Surveillance, and Reconnaissance
JMAC	Joint Mission Analysis Center
JOC	Joint Operations Center
JOPT	Joint Operational Planning Team
JPT	Joint Protection Team
LPCs	Local Protection Committees
MARA	Monitoring, Analysis and Reporting Arrangements

MINURCAT	United Nations Mission in the Central African Republic and Chad
MINUSMA	UN Multidimensional Integrated Stabilization Mission in Mali
MINUSCA	UN Multidimensional Integrated Stabilization Mission in Central African Republic
MONUSCO	UN Organisation Stabilization Mission in Democratic Republic of Congo
MoD	Ministry of Defence
MoI	Ministry of the Interior
MoU	Memorandum of Understanding
NAM	Non-aligned movement block of countries
NATO	North Atlantic Treaty Organization
NDS	National Directorate of Security
NGO	Non-governmental organization
NSC	National Security Council
OECD-DAC	Development Assistance Committee of the Organization for Economic Cooperation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OIOS	United Nations Office for Internal Oversight Services
P5	The five permanent members of the UN Security Council
RC	Resident Coordinator
RoE	Rules of Engagement
RPA	Remotely piloted aircraft
RS	Resolute Support
SAGE	Situational Awareness Geospatial Enterprise
SEA	Sexual exploitation and abuse
SIGAR	Special Inspector General for Afghanistan Reconstruction
SGBV	Sexual Gender-based Violence
SOPs	Standard Operating Procedures
SPM	Special Political Mission
SRSG	Special Representative of the Secretary-General
TCC	Troop-contributing country
ToC	Theory of Change
ToT	Training of Trainers
UN AFPs	United Nations Agencies, Funds, and Programs
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
UNJHRO	United Nations Joint Human Rights Office
UNHCR	United Nations High Commissioner for Human Rights
UNJHRO	UN Joint Human Rights Office
UNCTs	UN country teams
USAID	US Agency for International Development

I. EXECUTIVE SUMMARY

This is a mid-term evaluation of a program that started in June 2019 and was due to end in May 2022, funded by the Dutch government. The period being evaluated runs from the start of the program to November 2020. The program builds on a previous one implemented by CIVIC between December 2017 – May 2019.

The program promotes the protection of civilians in five different countries: Afghanistan, the Democratic Republic of Congo (DRC), the Central African Republic (CAR), Mali and South Sudan and for improvements in the policies and practices of UN peacekeeping.

The program spans two very distinct areas of work, both geographically and conceptually. The legal and normative framework governing the protection of civilians (POC) and civilian harm mitigation (CHM) can mainly be found in International Humanitarian Law (IHL), which can be applied concurrently with international human rights law. UN peacekeeping missions also receive mandates from the Security Council to ‘protect civilians from other actors’ (POCFOA) that are posing a threat to their physical safety. CIVIC advocates in support of these norms and the project contributed to their operationalization.

The conditions in which the two parts of the project were implemented remain challenging and the situations facing civilians have, in some regards, deteriorated during the period of implementation. Nevertheless, an overarching Finding of this evaluation is that direct engagement with policymakers and armed actors, as well as affected communities can yield life-saving results. Civilian harm can be prevented, minimized, and remedied. Lives have been saved that otherwise would have been lost as a result of CIVIC’s efforts. Despite the differences between the two parts of the program they do have some common elements including: an excellent contextual understanding of the environment in which they are being implemented, detailed original research, successful high-level advocacy, a firm grasp of the nuance and sensitivity required in diplomacy, and a courageous commitment to put the effective protection of civilians at the heart of all program decisions.

CIVIC’s research and advocacy work in Afghanistan gives it credibility with the Afghan government, international forces and Afghan civil society. Its training of the Afghan security forces and the mechanisms that it has created to help both them and international forces monitor and track civilian casualties does seem to have positively impacted on casualty rates. CIVIC has also empowered civilians to advocate for their own protection through community-based protection (CBP). This work is taking place within a geopolitical context in which decisions by the two main parties to the conflict – the Afghan government and its *Taliban* opponents – as well as by a new United States (US) administration will have a major impact on civilian lives. While CIVIC’s ability to influence these decisions may be limited, it should be prepared to mobilize the political capital that it has built up with these constituencies to advocate for enhanced protection of civilian lives in any emerging political settlement.

CIVIC has been highly successful at influencing the negotiations of peacekeeping mandates and budgets as well as UN peacekeeping policies and practices, strategic reviews and broader peacekeeping reform initiatives that have been introduced by the Secretary General and member states. It is an active participant in the debates currently taking place both inside and outside the UN about the future of peacekeeping. CIVIC was praised for its detailed understanding of how the UN formulates and develops its peacekeeping policies and practices. Like many advocacy organizations working in situations of humanitarian crisis, CIVIC sometimes faces the dilemma of how to maintain both access to and critical independence from its main interlocutors. CIVIC should consider how it can position itself both ‘closer to and further from’ the UN system as it takes its work forward in this area, by, in particular, addressing the question of UN accountability as part of its ongoing work.

Conclusion

This evaluation finds that by a combination of detailed research, skilled advocacy and innovative strategic thinking, this program has enhanced the protection of civilians. CIVIC should consider how to maintain the relevance of its three project objectives in Afghanistan given likely macro political developments taking place at the local, national and geostrategic level. It also needs to refine its work with UN peacekeeping, in line with the existing six project objectives, to ensure that POC remains a key focus, in policy and operational terms, and to address accountability deficits in the legal and practical framework within which the UN operates.

Lessons Learned

CIVIC's research and evidence-based advocacy at the international and country levels reinforce one another. This has facilitated access and engagement with key interlocutors. CIVIC has adapted its program in response to the changing circumstances within which it has been implemented and this can be seen in adaptations to the program Theory of Change (ToC) and its logical framework.

CIVIC recognized that its work in Afghanistan on CBP deserved considerable attention, and successfully built on the project's initial positive impact in this area. A national draw-down of international forces has continued during the project's implementation, which increasingly put the Afghan national security and defence forces (ANSDF) in the front-line of the conflict and also left many civilians more vulnerable to attacks by Armed Opposition Groups (AOGs). CIVIC has responded well to these developments, particularly through its CBP work.

CIVIC has been successful at influencing the negotiations of peacekeeping mandates and budgets as well as the wider UN peacekeeping agenda during the present program period. This has taken place, however, against an extremely challenging background for POCFOA and CIVIC has responded to these challenges with creativity and innovation. The sensitivities around conducting research and advocacy on UN peacekeeping missions remains an area that has to be navigated carefully. As the UN transitions out of many of its peace operations there are new challenges and opportunities for POC and CIVIC needs to ensure that it remains a leading actor in the debates about these.

Emerging Good Practices

CIVIC has a well-focused mandate and enjoys a good reputation in UN HQ, the North Atlantic Treaty Organisation (NATO), Resolute Support (RS), the US State and Defense Departments and the Government of Afghanistan. CIVIC's work on CBP has empowered civilians to advocate for their own protection. Its reports and briefings are discussed seriously by decision-makers and opinion-formers. CIVIC's work is also gaining increasing recognition in UN missions, with member states and non-governmental organizations (NGO) working in places where peacekeeping missions are deployed. Recent approaches to countries in the Global South during mandate negotiations could also be pursued at regional levels. CIVIC has succeeded in broadening its advocacy at the mission level and with civil society organizations (CSOs) and humanitarian actors. CIVIC's active participation in NGO platforms in CAR and the Protection Cluster in Mali opens new avenues for research, consultation and advocacy with communities at risk.

Priority Recommendations

Afghanistan

- CIVIC should begin scenario planning now to assess the likely impact of the decision by the US administration to withdraw all American troops from Afghanistan by September 2021 on the protection of civilian lives. This should include possible worst-case scenarios.
- CIVIC needs to have contingency plans in place to evacuate its own staff and to lobby the US government of its international obligations under the Refugee convention and international human rights law.
- CIVIC should be prepared to mobilize the political capital that it has built up with the Government of Afghanistan, AOGs and the US government to advocate for enhanced protection of civilian lives in any emerging political settlement.
- CIVIC should continue to support community organizations in Afghanistan through CBP training and empowerment.
- CIVIC should invest in security training and other security measures to help protect its staff and stakeholders in Afghanistan.
- CIVIC should build on the successes that it has had in developing CHM systems and CBP programs in Afghanistan to inform its work elsewhere in Afghanistan and also in the wider conflict-affected world.

UN Peacekeeping

- CIVIC should reinforce synergies between its peacekeeping project and its wider work on UN reform to ensure that it remains an innovative leader in the debates about how the UN can protect civilians.
- CIVIC should consider addressing the applicability of international human rights law to UN peacekeeping.
- CIVIC should conduct more in-depth research and advocacy on gaps between expectations, reported progress in performance and actual implementation in peacekeeping missions.
- CIVIC should consider investing more time and resources on its advocacy work with the UN Budget Committee (C5).
- CIVIC should continue to develop new communication tools and advocacy, including social media and online formats.

II. INTRODUCTION

Center for Civilians in Conflict (CIVIC) is an international non-governmental organization (NGO) working to improve protection for civilians caught in conflict zones.¹ CIVIC's mission is to support communities affected by conflict in their quest for protection and strengthen the resolve and capacity of armed actors to prevent and respond to civilian harm.² It was founded, in 2003, out of humanitarian and activist Marla Ruzicka's conviction that the United States (US) military should acknowledge and assist the civilian victims of its military operations in Afghanistan and Iraq. This is a mid-term evaluation of a program that started in June 2019 and ends on 31 May 2022 funded by the Dutch government.³ The period being evaluated runs from the start of the program to November 2020. The program builds on a previous program implemented by CIVIC between December 2017 – May 2019 as well as previous similar programs.⁴ The program promotes the protection of civilians in five different countries: Afghanistan, the Democratic Republic of Congo (DRC), the Central African Republic (CAR), Mali, and South Sudan. It also promotes good practices that may be applicable elsewhere in the world.

The program spans two very distinct areas of work, both geographically and conceptually. There is an armed conflict in Afghanistan and so the legal and normative framework governing the protection of civilians (POC) can be found in International Humanitarian Law (IHL), which can be applied concurrently with international human rights law. IHL contains 'positive' and 'negative' obligations (particularly the principles of distinction and proportionality), while the detailed jurisprudence of international human rights law 'fills in the gaps' with regards to many of the provisions that can be found in civilian harm mitigation (CHM). IHL does not require parties to 'protect civilians from other actors' (POCFOA), although this obligation can be found in international human rights law. UN peacekeeping mission also receive explicit mandates from the Security Council including those authorized under Chapter VII of the UN Charter, to use all necessary means (as outlined in the three tiers of the UN concept of POC) up to and including the use force to protect civilians from actors posing a threat to their physical safety.

The two projects also work in quite different ways. CIVIC has a country office in Afghanistan, and staff in its six target provinces, and provides training in IHL and CHM to Afghan national security and defence forces (ANSDF). It also supports community-based protection (CBP) by local organizations. CIVIC has field offices in Mali and CAR with one researcher in each country. It also has a researcher in the DRC, while South Sudan is covered by its Senior Global Researchers and DRC researcher. It also hires local consultants to contribute to research. Prior to this grant, the focus of its advocacy was at the UN HQ level where it works with the UN Secretariat, Security Council and member states to strengthen the protection of civilians at the strategic and operational level. The 2019-2022 grant specifically sought to augment advocacy at the national level of peacekeeping country contexts and in European capitals. The recruitment and deployment of staff and later the COVID-19 pandemic slowed the implementation of advocacy and engagement in the peacekeeping country contexts.

The program's results framework set out **nine (9) overall project objectives**, which can be treated as Outcome Areas related to the program's results and achievements. These are:

¹ CIVIC Home page <https://civiliansinconflict.org/>

² *Reversing the trend: putting civilians first*, CIVIC 2021 - 25 Strategic Plan, CIVIC, 2020.

³ CIVIC, Grant Proposal Submitted to The Netherlands' Ministry of Foreign Affairs, Department of Stabilisation and Humanitarian Aid, *Promoting the Protection of Civilians in Conflict in Afghanistan and in UN Peacekeeping Operations*, April 5, 2019.

⁴ CIVIC, Proposal to The Netherlands' Ministry of Foreign Affairs, Department of Stabilization and Humanitarian Aid, 8 November 2017.

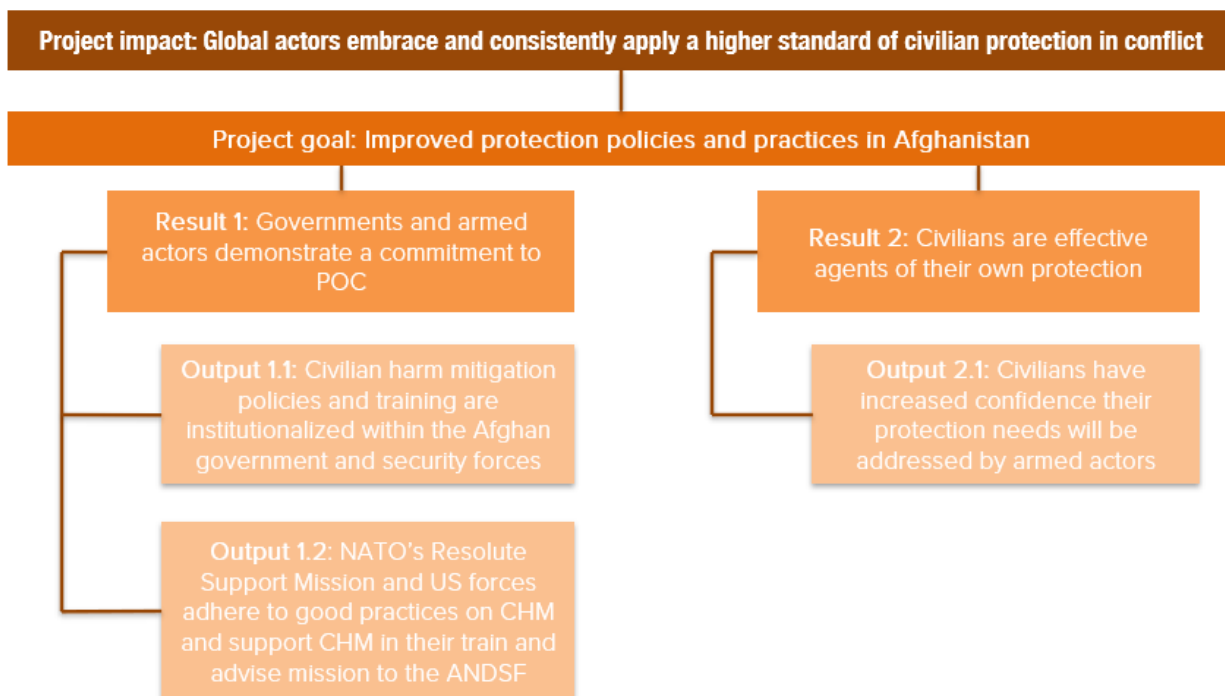
Afghanistan Project:

- 1) The Afghan government and security forces fully commit to and institutionalize the protection of civilians and civilian harm mitigation in their policies and practices.
- 2) NATO's Resolute Support Mission and US forces adopt and adhere to CHM best practices in their own operations and when partnering and providing assistance to Afghan forces.
- 3) Civilians are empowered to advocate for their own protection and feel confident that their protection needs will be met by armed actors.

Peacekeeping Project:

- 4) The UN Secretary-General and Member States continue to prioritize the protection of civilians through UN peacekeeping, and view POC as an integral part of political strategies and solutions.
- 5) Mission planning and decision-making is linked to assessments of threats to civilians.
- 6) Peacekeeping performance is strengthened by ensuring that mandates are matched with adequate means (policies, guidance, and standards; specialized civilian and uniformed personnel that are willing and able to deliver on the mandate; tools and assets; adequate budgets and financing; and effective institutional structures and processes).
- 7) Accountability systems for mission leadership and personnel are effective and transparent.
- 8) Member States, the UN Secretariat, and peacekeeping personnel understand and begin to develop capabilities to operationalize civilian harm mitigation in peacekeeping operations.
- 9) Communities at risk of violence are safely and effectively engaged in mission planning and activities to protect civilians.

Afghanistan Program Component:



UN Peacekeeping Program Component:

Project impact: Global actors embrace and consistently apply a higher standard of civilian protection in conflict

Project goal: Multinational organizations [UN] and missions in CAR, DRC, Mali, and South Sudan prioritize POC

Result 1: The United Nations, UN Member States, and UN peacekeeping operations prioritize and have improved capabilities to protect civilians

Output 1.1: Continued prioritization of the protection of civilians in UN peacekeeping by the UN Secretary-General and Member States

Output 1.2: Increased use of threats-based analysis, including gender-sensitive analysis, in peacekeeping operations' planning and decision-making

Output 1.3: Improved alignment between UN peacekeeping operation mandates and means/capabilities, including capabilities for gender-sensitive protection of civilians, to adequately enable POC mandate implementation

Output 1.4: Improved and transparent accountability systems and remedial action for peacekeeping operations and peacekeeping personnel that have repeatedly underperformed or egregiously failed to protect civilians

Output 1.5: Increased mitigation of civilian harm that could result from peacekeeping operations' presence, activities, and operations as well as harm caused by the armed actors that the peacekeeping operations support

Output 1.6: Improved civilian protection via safe and effective engagement by peacekeeping operations of communities, including women and girls

Contextual and Program Background

Assessing the results of these two projects within the overall program requires a very brief discussion of the two contextual backgrounds in which they are being implemented. Some salient points are briefly sketched out below and are expanded upon, where relevant, in the Main Findings and Lessons Learned sections of this Evaluation Report.

Afghanistan

The current phase of the conflict began in October 2001 when the US intervened to oust the *Taliban*, whom they accused of sheltering the *Al Qaeda* forces responsible for the terrorist attacks that had taken place on 11 September.⁵ The UN established an assistance mission to the country (UNAMA), with a deliberately 'light foot-print' and a token International Security Assistance Force (ISAF) was created based on the military contributions of North Atlantic Treaty Organization (NATO) members.⁶ In an abrupt change of strategy, in 2006, NATO troops were thrown unprepared into what were by then *Taliban* strongholds in the south and east of the country.⁷ A fresh surge of US troops started in 2009, but the bulk of these were withdrawn by 2012, without having quelled the insurgency or visibly diminished the *Taliban's* capacity. By the summer of 2018, the government controlled just over half of the country, with another 30 per cent contested and around 15 per cent under *Taliban* control.⁸ UNAMA reported that more civilians were killed in the Afghan conflict in 2018 and 2019 than at any time since 2009 when it began recording casualties.⁹

CIVIC's direct engagement in Afghanistan began in 2005 when it began lobbying NATO and ISAF to track, analyze, and respond to civilian harm including providing condolence payments. CIVIC persuaded international forces to create a formal method of tracking civilian casualties and to incorporate CHM into military operations. It also successfully lobbied for the US Congress to create its first non-monetary assistance program for civilians harmed by US operations. Since the end of NATO's ISAF mission in December 2014, CIVIC has offered the Afghan government practical solutions to avoid and respond to civilian harm. This has included conducting scenario-based trainings on CHM and working to develop ways to track civilian casualties. A CIVIC report¹⁰ noted that:

Prior to 2007, ISAF did not systematically record internal or external allegations of civilian harm, as this was not standard practice for militaries. Instead, notification of suspected civilian casualties was passed up the chain of command in an *ad-hoc* manner, with varying detail regarding the time, place, who was involved, and how the suspected harm occurred. In June 2008, following several high-profile incidents of civilian harm, ISAF leadership issued Fragmentary Order 221 (FRAGO 221), which required units to treat all allegations, regardless of source, as items for investigation, and mandated a reporting process for suspected civilian casualties. In August 2008, COMISAF General McKiernan ordered the creation of the Civilian Casualty Tracking Cell (CCTC), made up of civilian staff mandated to track data on alleged civilian harm. In mid-2011, the CCTC evolved into the Civilian Casualty Mitigation Team (CCMT), expanding its mandate from purely data collection to preventing, mitigating, and addressing civilian harm, as well as liaising with the UN and civil society organizations and documenting and institutionalizing best practices.¹¹

These developments coincided with a series of court cases, first at the domestic and then the international level, relating to allegations of mistreatment by NATO Dutch soldiers in Afghanistan and Iraq. For example, in *Jaloud v. The Netherlands* the European Court of Human Rights found a

⁵ Jack Fairweather, *The Good War: Why We Couldn't Win the War or the Peace in Afghanistan*, London: Jonathan Cape, 2014.

⁶ UN Security Council Resolutions 1386 of 20 December 2001; and 1401, 28 March 2002.

⁷ For discussion from two good journalistic accounts see: Ahmed Rashid, *Descent Into Chaos*, London: Penguin 2009; and Jason Burke, *On the Road to Kandahar*, London: Penguin, 2006.

⁸ *Quarterly Report of the Special Inspector General for Afghanistan Reconstruction*, April 2018

⁹ UNAMA, *Afghanistan Annual Report on Protection of Civilian in Armed Conflict 2018 and 2019*.

¹⁰ https://civiliansinconflict.org/wp-content/uploads/2017/09/ISAF_Civilian_Harm_Tracking.pdf

¹¹ CIVIC, *Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan*, 2014. See also CIVIC, *The Sum of all Parts: Reducing Civilian Harm in Multinational Coalition Operations*, 23 January 2019.

violation of the right to life due to a failure to conduct an adequate investigation after Dutch soldiers killed a man at check-point in Iraq in 2004,¹² while in *Al-Skeini* which concerned six Iraqis killed by British occupation forces in 2003, the court found that the use of force by British soldiers had thereby brought the applicants under the UK's jurisdiction for the purposes of asserting a violation of their rights.¹³ As will be discussed further in the Main Findings of this report, human rights litigation in NATO member states has complemented the advocacy efforts of CIVIC and others to operationalize CHM practices.

In November 2016, CIVIC published a report on protection concerns in four Afghan provinces, following the departure of international forces. This included analysis of how civilians were taking steps to protect themselves.¹⁴ CIVIC used this to help develop a highly innovative empowerment project as part of the present program. In 2015, CIVIC was approved to undertake an assessment to create an Afghan (CCMT) by the Afghan government and NATO's Resolute Support (RS) mission. It conducted analysis on gaps in tracking of civilian harm by Afghan forces and wrote a report with technical recommendations, reporting and analysis templates and standard operating procedures (SOP).¹⁵ RS worked with the Afghan government to implement key recommendations of this report. CIVIC also provided input to the Afghan government on its landmark 2017 national civilian casualty mitigation and prevention policy. In 2018, CIVIC began trainings with senior Afghan National Army (ANA) officers and training of trainers (ToT) on CHM.

UNAMA documented more than 3,000 civilians killed in 2020, for a seventh consecutive year. Afghan women and children made up 43 per cent of all civilian casualties.¹⁶ More women were killed in the conflict in 2020 than any year since UNAMA began systematic documentation. Armed Opposition Groups (AOGs) caused the majority of civilian casualties in 2020, which is also consistent with the pattern of recent years.¹⁷ Nevertheless, the overall number of civilian casualties in 2020 of 8,820 (3,035 killed and 5,785 injured) fell below 10,000 for the first time since 2013 and was down 15 per cent compared to 2019. As will be discussed in the Main Findings of this report, CIVIC's program and advocacy work may have contributed to some of these positive advances. The CIVIC project has also been implemented within a geopolitical context in which decisions by the two main parties to the current conflict – the Afghan government and its *Taliban* opponents – as well as by a new US administration will have a major impact on civilian lives.

UN Peacekeeping

The concept of POC has evolved considerably over the last three decades and has become a central task in contemporary UN peacekeeping.¹⁸ It is the subject of a huge body of UN Security Council resolutions, Secretary General reports, and reports of the UN Special Committee on Peacekeeping (C34). POC is also now a central concern of the Department of Peace Operations (DPO), the Office for the High Commissioner of Human Rights (OHCHR), the Office for the Coordination of Humanitarian Affairs (OCHA) as well as those of other UN Agencies, Funds, and Programs (UNAFPs). It has also been the subject of extensive external evaluations, briefings, reports, commentary and advocacy. Yet reviewing the ever-evolving literature evokes a certain *déjà vu*. As *Agenda for Peace*, noted in 1992:

¹² *Jaloud v. The Netherlands* ECHR Appl. No. 47708/08, Judgment (Grand Chamber), 20 November 2014.

¹³ *Al-Skeini and Others v. UK*, Appl. No. 55721/07, Judgment (Grand Chamber) 7 July 2011.

¹⁴ CIVIC, *Saving Ourselves: Security Transition and Impact on Civilian Protection*, November 2016.

¹⁵ CIVIC, *Addressing civilian casualties: an implementation plan for a Civilian Casualty mitigation team and Recommendations for the government of Afghanistan*, October 2015.

¹⁶ *Afghanistan: Protection of civilians in armed conflict*, Annual report 2020, UNAMA/OHCHR, February 2021.

¹⁷ *Ibid.* These were responsible for 5,459 casualties – 1,885 killed and 3,574 injured – or 62 per cent of the total, while the Afghan National Defense and Security Forces (ANSDF) were responsible for 1,906 civilian casualties – 674 killed and 1,232 injured – or 22 per cent of the total. International military forces were responsible for 120 civilian casualties in 2020, or one per cent of the total, their lowest recorded number of civilian casualties since UNAMA began documentation.

¹⁸ For the first references to POC in 1999 see, Statement by the President of the Security Council, S/PRST/1999/6, 12 February 1999. *Report of the Secretary-General to the Security Council on the Protection of Civilians in Armed Conflict*, S/1999/957, 8 September 1999. UN Security Council Resolution 1265 of 17 September 1999 and 1270 of 22 October 1999.

the basic conditions for success remain unchanged: a clear and practicable mandate; the cooperation of the parties . . . the continuing support of the Security Council; the readiness of Member States to contribute the military, police and civilian personnel, including specialists, required; effective United Nations command at Headquarters and in the field; and adequate financial and logistic support.¹⁹

The problem over the last three decades is that peacekeeping missions have been conducted in the absence of at least one and sometimes almost all of these 'conditions'.²⁰ The Security Council initially adopted POC in response to the failures of its peacekeeping missions to protect civilian populations from genocide in Rwanda and Srebrenica and also, arguably, in the context of NATO's 'humanitarian intervention' in Kosovo, without Chapter VII authorization of the Security Council.²¹ While the UN Security Council's POCFOA mandates have become increasingly detailed in the tasks that it has set missions, its member states, as a collective whole, continue to deny the missions adequate tools, financial resources, and the political support needed to accomplish these goals.²²

Most individual missions have always been under-funded and under-resourced. Troop contributions rarely met and stayed at mandated strengths and troops deployed were often not properly trained and equipped for their tasks. Most missions lack adequate air assets, hindering the mobility, information-gathering, robust operations, rescues and medical evacuations. Bad roads and lack of communication infrastructure make rapid deployments challenging. High turnover also frequently leads to loss of institutional memory, situational awareness and contacts with government counterparts and local community representatives.²³ The troop contributing countries (TCCs) who have taken up the peacekeeping burden have sometimes appeared risk-averse, imposing national caveats on when, where, and how their soldiers can be deployed.²⁴ Some military contingents have refused to take specific military actions or defend civilian-populated areas without the approval of their own governments. Peacekeeping soldiers have sometimes been reluctant to use foot and night patrols, particularly in rural areas and military staff officers in key intelligence and planning posts do not have the language or requisite skills to carry out their responsibilities. UN police suffer from a separate set of challenges related to a lack of adequate number of formed police units, insufficiently trained individual police officers, delayed POC policies and procedures, and a performance assessment system that lags behind its military counterparts. Despite strenuous efforts, the UN has also only been able to deploy very small numbers of female uniformed personnel in front-line positions.²⁵

As importantly, UN peacekeeping missions and UN headquarters fail to propose and successfully advocate for adequate budgets, including adequate posts for expert civilian personnel; the UN struggles to deploy expert personnel in a timely manner; mission leaders are not properly selected, trained, or mentored; and the performance management system of civilian personnel is broken with few prospects for real reform. Of significance, integrated mission assessment and analysis, planning and decision-making, and evaluation mechanisms (e.g. strategic planning units and regional joint operation centers) are under-resourced.

Different parts of the UN system approach the 'protection of civilians' agenda from different perspectives as can be shown in differences that sometimes emerge in the reports of the C34, DPO, OHCHR, OCHA and UNAFPs. This can exacerbate differences between the UN Secretariat and mission leaderships; the military and civilian components of each mission; and the HQ and

¹⁹ *Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping* UN Doc. A/47/277 - S/24111, 17 June 1992, para 50.

²⁰ Victoria Holt and Tobias Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Stimson Center, 2006.

²¹ Conor Foley, *The Thin Blue Line: how humanitarianism went to war*, Verso, 2008 and 2010.

²² Alison Giffen, *Assessing the doctrinal deficit: developing guidance to prevent and respond to widespread or systematic attacks against civilians*, Washington DC: Stimson Center, 2010.

²³ Victoria Holt and Glyn Taylor, *Protecting Civilians in the context of UN Peacekeeping Operations*, OCHA/DPKO, 2009.

²⁴ *Economist*, 'UN Peacekeeping is hamstrung by national rules for its troops', 21 March 2021

²⁵ *OIOS Inspection and Evaluation Division, Evaluation Report, Evaluation of the Enforcement and Remedial Assistance Efforts for Sexual Exploitation and Abuse by the United Nations and Related Personnel in Peacekeeping Operations*, IED-15-001, 12 June 2015.

field staff within missions, about how to respond to a particular POCFOA threat, where urgent and decisive action is required.²⁶ This can cause problems between mission components and between UN AFPs and peacekeeping missions. However, if peacekeeping personnel – leaders in particular – were to fully understand and be held accountable for the implementation of DPO POC policy, some of the differences could be alleviated. However, UN policies and procedures on issues ranging from reporting and obtaining authorization for action, to those surrounding staff recruitment and deployment, can sometimes also militate against flexible and timely responses.

In recent years, the UN has come under growing pressure from some member states to reduce the costs of its peacekeeping budget, while political deadlocks amongst the five permanent members of the Security Council (P5) have significantly impacted some peace operations. Russia and China continue to successfully oppose human rights, gender, CRSV, and other POC-related language in resolutions and the Action for Peacekeeping Initiative. The Secretary-General seems unwilling or unable to push back against these efforts. Some UN stakeholders continue to assert well-worn but unproven assertions that POC objectives have somehow weakened the political strategies and roles of peacekeeping missions in various contexts. Despite efforts to successfully ensure POC is prioritized in mission mandates, the leadership of those missions do not follow UN policy to ensure resources are prioritized per the mandate.

At the same time, violence against peacekeepers has been increasing and UN troops continue to face criticism for their actions and inactions.²⁷ The UN is caught in what has been described as a ‘trilemma’ where its three main strategic goals for peacekeeping – implementing broad mandates while minimizing its own costs and casualties amongst its personnel – are in constant tension.²⁸ The four peace operations on which CIVIC is working are the UN’s largest. It is difficult to separate out an assessment of CIVIC’s work on each mission from the contextual background briefly outlined here. Nevertheless, this evaluation concludes that CIVIC’s peacekeeping project has had a positive impact of protecting civilians from harm.

Scope and Purpose of the Evaluation

The main purposes of this evaluation are: Learning; Future Planning and Accountability (to CIVIC’s internal and external stakeholders, including the program donor). The evaluation results will primarily be used by CIVIC to generate and share experiences and practical knowledge to improve future programming activities, based on positive and negative lessons learnt. It should also help to inform the evidence base of CIVIC’s methodological approach and Theory of Change (ToC). The evaluation is also intended to contribute to CIVIC’s thought leadership on POC.

²⁶ *Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations* Report of the Office of Internal Oversight Services, A/68/787, 7 March 2014.

²⁷ Carlos Alberto dos Santos Cruz, William R. Phillips and Salvator Cusimano, *Improving Security of United Nations Peacekeepers*, 19 December 2017.

²⁸ Paul Williams, ‘The Security Council’s peacekeeping trilemma’, *International Affairs*, Vol. 96, Issue 2, March 2020, pp.479-99.

III. METHODOLOGY AND LEARNING

The methodological approach adopted by the Evaluation Team was outlined in an Evaluation Plan, which was discussed with CIVIC at the start of the evaluation. This set out the overall approach, the specific evaluation questions to be addressed, the methodological framework adopted, the data collection tools used and the template for the final report. The Evaluation Team applied an iterative process to triangulate results from a combination of a) a Desk Review of the project documents; b) a literature review of pieces of research and advocacy products; c) stakeholder discussions about how they think the program works. The evaluation questions are set out in Annex 2 of this report.

The Evaluation Team analyzed the Result Chains of the two projects separately, by collecting and analyzing information at different levels, from activities, outputs, and results. It identified outcomes of the projects at community, sub-national, national, and international level and explored the links between the changes that occurred and CIVIC's contribution to these changes. It also assessed how well strategic learning from the 2017-19 internal program was embedded into the current program at this mid-term stage. The analysis had a strong qualitative focus, relying mainly on information collected in face-to-face discussions. Quantitative information has also been documented using the Monitoring Evaluation and Learning (MEL) data, documented separately for Afghanistan, the four UN peacekeeping countries, CIVIC's UN team in New York, by CIVIC Program Directors, the MEL Senior Advisor, and other program staff.

Interviewees were intentionally selected, and the rationale for this strategy has been based on CIVIC's request to maintain the already established good relationships with government officials and mission leadership, including respect for the internal procedures of peacekeeping missions on how to conduct communication outreach with non-UN entities. As a result, the Evaluation Team used (1) named lists of Afghan government officials, ANSDF members, civil society organizations (CSOs), civilians recommended by the Afghan country team; (2) named lists of mission personnel from Mali, CAR and South-Sudan cleared internally by CIVIC; (3) named international-level stakeholders mainly from the UN Secretariat, member states UNAFPs and NGO partners; (4) named individuals and organizations identified individually by the Evaluation Team, based on personal connections and referrals.

The Evaluation Team used semi-structured interviews to have - and give to participants - the freedom to clarify and focus more intensely on relevant issues, or to discuss new problems arising along the course of the evaluation. This methodology helped to highlight findings under each evaluation question and provide a strong evidence base for results.

The diversified sources of information enabled the Evaluation Team to obtain critical inputs, objectively verifiable data with well-defined indicators, baselines and expected targets, coupled with expert advice and comments from CIVIC staff. This ensured a strong triangulation in formulating the findings in relation to whether or not the project's design/logic chain/targets/assumptions are holding during the program's implementation. In addition, very efficient project management, MEL data disaggregation and recording mechanisms by CIVIC were identified. Much available data was disaggregated by sex, and gender-responsive survey results- in the case of Afghanistan-, and conflict and context analysis, coupled with gender analyses which were conducted before and during the project implementation.

Afghanistan

The field mission in Afghanistan commenced in the week starting with 22 February and ended in the last week of March 2021. The field team alternated field-based data collection activities with data analysis and reporting. Travel to the five provinces was based on flexible planning, according to the security situation, based on advice from CIVIC field office in Kabul. The Evaluation Team researchers spoke to over 300 people through a mixture of interviews and focus groups. A summary of these has been integrated into the findings. The original 'raw data' has been separately forwarded to CIVIC.

Democratic Republic of Congo

In the original research proposal, the evaluation team proposed carrying out field interviews in Goma and Kinshasa in mid-March 2021. Following the inception report, CIVIC flagged the constraints of interviewing MONUSCO personnel imposed by the mission and indicated that research with civil society and communities under threat would need to be carefully thought-out to ensure it would contribute to recommendations on future work. Unfortunately, there were a series of delays in finalizing the research approach, including locations, list of people to interview, and recommendations on questions to ask. MONUSCO requires a research agreement be signed with their office of legal affairs before external stakeholders can interview mission personnel on any issue. CIVIC asked the legal office for an exception to allow the consultants to interview MONUSCO personnel, but the mission did not agree to allow the evaluators to look at research and advocacy occurring prior to November 2020. As such, the consultants were unable to interview current MONUSCO personnel on CIVIC's work and had to instead reach out to former MONUSCO personnel. In addition, CIVIC's travel restrictions meant that the Kinshasa-based team were unable to speak directly with stakeholders in Goma.²⁹ The DRC research team, therefore, decided to restrict physical meetings to Kinshasa and conducted a series of telephone and video conference meetings in Goma in early April. A summary of these has been integrated into the findings.

South-Sudan, Mali, and Central African Republic

The Evaluation Team carried out online interviews with approximately ten relevant stakeholders per country. This included mission personnel, diplomats, humanitarian organizations and national consultants. A summary of these has been integrated into the findings.

Other Interviews Conducted

The Evaluation Team also interviewed 25-30 CIVIC staff members and international-level stakeholders, including senior UN Secretariat staff, senior diplomat representatives of member states, including Security Council members, think tanks and NGO partners.

Result Chain/Theory of Change

The evaluation examined the extent to which project activities have contributed towards the expected outcomes as outlined in the proposal and the results framework. Without having an explicit ToC and underlying assumptions of how changes at each level in the Result Framework will happen, the Evaluation Team reconstructed the changes envisioned by the programme by comparing it (1) with the Netherlands' ToC for Security and Rule of Law³⁰, and (2) analyzing how the challenges, lessons-learned and opportunities outlined in CIVIC internal reporting documents have been used in the design of the second-grant proposal. Having in mind that the global ToC for Security and Rule of Law served as the overarching framework, and without questioning the validity of its assumptions as this was not part of this evaluation exercise, the evaluation team identified the human security and the rule of law component of the global ToC as the area where CIVIC's two projects in Afghanistan and the four UN peacekeeping missions can be mainstreamed.

To assess whether human security-related assumptions from the global ToC can be found in the program's Results Framework logical sequence between activities-outputs and results, the Evaluation Team studied: the lessons-learned, challenges and opportunities/recommendations from the first project; impact assessments carried out in the four UN peacekeeping mission countries

²⁹ CIVIC does not permit staff or consultant to fly on national airlines in DRC. They don't meet CIVIC's safety standards.

³⁰ CIVIC Midterm Evaluation Term of Reference

and advocacy activities in New York; and the impact survey carried out in Afghanistan to measure results across several provinces. A subjective ToC analysis has been made on the basis that those most impacted by the changes being sought have the greatest understanding of how such change occurs. Given the extensive set of secondary data collected to monitor project outputs and outcomes, the evaluation has focused on the analysis of these data and the collection of additional, principally qualitative data, to complement them. The datasets have been grouped under different outcomes, helping the Evaluation Team to differentiate between intermediate and end-outcomes, and also looking not only at tangible results, but processes and behavior changes of different actors.

IV. MAIN FINDINGS

Overall Findings

CIVIC's current global strategic plan describes its POC work as being based on three Pillars of Protection: CBP, CHM and POCFA, which were discussed above in more detail. As was also discussed the conditions in which the Afghanistan and UN peacekeeping parts of the project were implemented remain extremely challenging and have deteriorated, in some regards. Nevertheless, an overarching Finding of this evaluation is that direct engagement with armed actors, policymakers and affected communities can yield life-saving results and that civilian harm can be prevented, minimized, and remedied. Lives have been saved that otherwise would have been lost as a result of CIVIC's efforts. The program that is being evaluated builds on a previous program that ran from 2017-19 and this was itself built on CIVIC's earlier work in these countries, using a methodology that CIVIC has pioneered since its foundation. Despite the differences between the two parts of the current program they do have some common elements including: an excellent contextual understanding, detailed original research, high-level advocacy, a firm grasp of the nuance and sensitivity required in diplomacy, and a courageous commitment to put protection of civilians at the heart of all program decisions.

Afghanistan

The conflict in Afghanistan remains one of the deadliest in the world with over 10,000 civilian casualties almost every year since 2014.³¹ As previously discussed, the overall casualty rate dropped below this in 2020 and fell by 15 per cent compared to 2019.³² This reduction seems mainly have been due to fewer suicide attacks by AOGs in urban areas, and a stark drop in casualties attributed to international military forces. While this reduction is welcome, there was an increase in civilian casualties in the last three months of the year, bucking a long-term trend where the parties to the conflict tend to wind-down military activities with the onset of winter, only to resume again in the new year with a 'spring offensive'. UNAMA also documented increasing use of improvised explosive devices (IEDs) and targeted killings by AOGs in the last quarter of the year, and an increase in strikes by the Afghan Airforce, resulting in civilian harm. Indeed, while the overall casualty rate was significantly down on previous years, the death rate – of over 3,000 a year – remains fairly constant over the last seven years.

Although, it is impossible to prove a causal relationship between these figures and CIVIC's project, this evaluation does find some evidence to show that it made a significant contribution to reducing civilian harm by all sides in the conflict. CIVIC's research and advocacy work in Afghanistan has given it credibility with Afghan government and international forces and Afghan civil society. CIVIC training activities with the ANSDF planned for the current program period were significantly adapted due to COVID-19 restrictions, which made face-to-face meetings difficult and imposed significant restrictions on freedom of movement but the mechanisms that it has created to monitor and track civilian casualties do seem to have positively impacted on the above figures. CIVIC has also empowered civilians to advocate for their own protection in an innovative manner.

Peacekeeping

CIVIC has been successful at the international level in influencing the negotiations of peacekeeping mandates as well as UN peacekeeping policies and practices and strategic reviews. It is an active participant in the debate currently taking place both inside and outside the UN about the future of peacekeeping. Through its reports and policy briefs, public and private advocacy, and meetings, events, and workshops, CIVIC has engaged with UN HQ, the leadership of the four peacekeeping operations that it is monitoring as well as with national CSOs, UN ACPs, NGOs, embassies, and host-state governments to strengthen tools and capacities, such as early

³¹ *Afghanistan: Protection of civilians in armed conflict*, Annual report 2020, UNAMA/OHCHR, February 2021.

³² *Ibid.*

warning threat assessments and standard operating procedures (SOPs). CIVIC research has documented and shared the perspectives of communities under threat, local authorities, armed actors, humanitarians, and the peacekeeping personnel carrying out daily activities, often in remote locations.

As will be discussed further below, the Peacekeeping Program's outcomes are purposely inter-related and interlinked and CIVIC's research, publications, and advocacy often focus on multiple outcomes at the same time. CIVIC has been successful in formulating recommendations for political action and reforms that policy and decision-makers within the UN and its member states can take forward. The extent to which this influence has percolated down to mission level or influenced the actual protection provided to vulnerable civilians is, however, less clear.

Afghanistan Project

Outcome One: Afghan Government Institutionalizes POC and CHM

There is considerable evidence that the Afghan government is attempting to institutionalize POC and CHM into its policies and practices as a result of research and advocacy work by CIVIC and others. CIVIC has worked with the Afghan government to develop practical solutions to avoid and respond to civilian harm, including the development of a CCMT mechanism for it to track civilian casualties and training for its forces.³³

Since 2018, CIVIC conducted various trainings with ANSDF and conducted ToTs in CHM, including the design and development of curricula and materials. All of these initiatives continued under the present project. CIVIC also engages in regular public and private lobbying with the US and Afghan governments and international forces and the ANSDF regarding POC.³⁴ In June 2019, CIVIC signed a Memorandum of Understanding (MoU) with the Afghan National Security Council (NSC) to apply the CIVIC-designed POC/CHM curriculum in their training of security and defense forces and support implementation of the 2017 Civilian Casualties Mitigation and Prevention policy. CIVIC worked with the Ministry of Defense (MoD) training center in Kabul in adapting the existing training curricula and designed new training modules, including mainstreaming a gender-sensitive approach in civilian protection topics. The COVID crisis, however, forced either the postponement of a number of training events to the last quarter of the second year of the grant, and this is reflected in the lower number of trainings carried out in 2020, including the number of female participants tracked by the performance indicators. CIVIC was, however, successful in conducting POC awareness lectures at the Marshal Fahim Military Academy and a CHM ToT training in ANA 2017 Corps in Kunduz.

Some of the CIVIC trainings have been run by CIVIC in cooperation with the International Committee of the Red Cross (ICRC). In the interviews conducted with the members of the Afghan National Army in three provinces (Herat, Balkh and Kandahar) they stated that the trainings were extremely helpful and believed that it significantly assisted them.³⁵ An army officer in Herat from Education Unit of Zafar 205 Military Corps said: 'We are trained by Afghan and international trainers to make sure that civilians are protected during the conflict and it is part of our training curriculum. Meanwhile, what CIVIC is doing is to remind our personnel to make sure that civilians are protected from harm and giving us practical examples and work with the soldiers in their own local languages which we found beneficial.'³⁶ The Deputy Head of Education Unit said that 'we are

³³ See, for example, CIVIC, *Recommendations to the Government of Afghanistan to address the civilian protection challenges*, February 2019.

³⁴ See, for example, Letter to General Austin S. Miller, Commander USFOR-A, Commander Resolute Support, Kabul, Afghanistan, Re: Civilian Casualty Mitigation Efforts in Afghanistan, March 28, 2019; Letter to Ambassador John R. Bass, US Embassy Kabul, Afghanistan, Re: US Operations in Afghanistan, December 10, 2019; Letter to Mr. Assadullah Khalid, Minister of Defense, Government of the Islamic Republic of Afghanistan, Re: Summary of CIVIC's Support to the ANSDF, June 23, 2020; Letter to Shams-ud-Din Usmani, Office of Chief of Staff, Special Presidential Envoy at the State Ministry for Peace, Kabul, Afghanistan, June 9, 2020; Rough notes on two hour meeting between Sahr and OSD Policy, Joint Staff, Office of General Counsel, on Afghanistan and Iraq on August 28, 2019.

³⁵ Interviews carried out in Afghanistan 22 February - 30 March 2021.

³⁶ Interviews carried out in Afghanistan 22 February - 30 March 2021.

grateful for the work that CIVIC does, they are not only raising awareness of the military personnel on protection of civilians, they are also bringing people closer to us so that they are able to advocate for their own safety and protection.³⁷ A number of interviewees also stated that they thought that CIVIC should extend the scope of its training to other members of the ANSDF, such as police, National Security Directorate, Special Forces, Rapid Response Forces and Border Protection Forces to cover all Afghan government forces who are dealing with combat and civilians on their day-to-day military operations.³⁸

In 2020, CIVIC joined the NSC-led Civilian Casualty Mitigation Board (CAMB) that meets monthly to discuss civilian harm and efforts by ANSDF to mitigate incidents. A draft SOP on Civilian Casualty Reporting has been developed by the NSC, based around CIVIC's original 2015 recommendations and SOP templates. CIVIC is providing input to the SOP, as are UNAMA, ICRC, RS, Afghan Ministry of Interior (MOI), Ministry of Defense (MOD), National Directorate of Security (NDS). Once adopted this would significantly improve tracking and reporting of civilian harm by ANSDF. There are key areas to improve the efficacy of this SOP such as on analysis of the data, assessments and investigations which CIVIC will be advocating for and if approved provide technical support on.

In 2020 CIVIC produced two landmark studies – one on air strikes and one on assistance to victims – that provided concrete recommendations to prevent and ameliorate civilian harm.³⁹ The two reports provide excellent contrasting examples of how the CIVIC project has been able to work both proactively and reactively in identifying and remedying POC and CHM violations. The report, *Unacknowledged Harm: Hurdles to Receiving Victims' Assistance in Afghanistan*, followed the publication of a previous study, *Caring for their Own: A Stronger Afghan Response to Civilian Harm*, by CIVIC in 2013. The 2013 report traced the Government of Afghanistan's efforts to address this issue through the institutionalization of good practice policies. The Afghan government created its first victims' assistance program in 2004, which compensated the civilian victims of both operations carried out by the ANSDF and by AOGs. This scheme was, however, criticized for the low level of its payments and administrative challenges that sometimes hindered the distribution of funds. Since 2005, this scheme has been supplemented by a US Agency for International Development (USAID)-funded project, known as Conflict Mitigation Assistance for Civilians (COMAC). This provides non-monetary emergency food and medical assistance to conflict victims, and a US military *ex-gratia* payment for Afghans incidentally killed, injured, or whose property was damaged during US military operations. NATO forces in Afghanistan adopted a similar *ex-gratia* program in 2010.

CIVIC's 2013 report contained a number of recommendations to the Afghan government, including the creation of an Afghan CCMT to track and analyze civilian harm and verify claims for assistance; streamline the application process and remove bureaucratic obstacles; make the payment programs more accessible for women; and enact public awareness programs.⁴⁰ The 2020 report noted that while the CCMT now, at least in theory, exists, it is not fully integrated into the Afghan government's verification process and remains largely inaccessible to women and civilians living in *Taliban*-controlled areas.⁴¹ Despite the challenges due to COVID restrictions, the evaluation found a few relevant milestones achieved in the second half of program year Two, important for the CCMT. On September 2020, the NSC started the process of adapting a civilian casualty figure assessment, as an investigation in response to allegations included in the SOP which was mostly taken from the CIVIC's 2015 assessment on creating CCMT and the relevant templates.

Afghan government statistics show that the CCMT assisted approximately 4,000 people between March 2019 and March 2020, less than half of the 10,000 annual victims of the conflict as discussed above. CIVIC's interviews for the 2020 report showed that most civilian victims find the bureaucratic steps required for accessing the Afghan payment programs difficult, which deters them from applying. Corruption at the provincial level such as bribes to get approval signatures

³⁷ Ibid.

³⁸ Ibid.

³⁹ CIVIC, *Afghan Airstrikes: Good Practices and Challenges to Protect Civilians*, August 2020; CIVIC, *Unacknowledged Harm: Hurdles to Receiving Victims' Assistance in Afghanistan*, December 2020.

⁴⁰ CIVIC, *Caring for their Own: A Stronger Afghan Response to Civilian Harm*, 2013.

⁴¹ CIVIC, *Unacknowledged Harm: Hurdles to Receiving Victims' Assistance in Afghanistan*, December 2020.

also delayed the application process, with applicants waiting between four months to two years to receive payment. Sexual harassment by government employees who are dealing with the cases of civilians' post harm assistance is also a significant problem.

In the interviews that were conducted for this evaluation with the ICRC and COMAC, both organizations confirmed a very sound relationship with CIVIC on post harm assistance for civilians. ICRC and COMAC mentioned that they are constantly receiving cases of civilians who were harmed during the conflict from CIVIC who were identified, verified and referred to them for financial assistance.⁴² Relevant outcome-related results have been achieved by Herat CPWG that proposed to 207 ANA Corps the development of a complaint mechanisms that was put in practice in September 2020, and recorded by CIVIC as an indicator of strengthening formal institutions under Impact Indicator 3.

Outcome Two: NATO and US forces Adopt and Adhere to CHM Best Practices

CIVIC organized advocacy and coordination meetings with NATO and US Forces advisors in Kabul. It also contracted a researcher to explore in more detail and assess the concerns of civilians about their own security and protection. CIVIC monitored the achievement of this outcome by looking at the number of engagements with NATO and US Forces related to CHM practices. While CIVIC was successful in its engagement with the international armed forces in year One, COVID-19 made it impossible to continue much public advocacy in year Two. However, one important milestone achieved by CIVIC in this regard, based on feedback received by program staff is that RS is supporting ANDSF on their air strikes policy.

CIVIC clearly has managed to establish excellent personal relations with the US Embassy in Afghanistan, senior US State Department and US Department of Defense officials responsible for policy in Afghanistan and senior commanders in both the US army and other NATO forces operating in Afghanistan. It has also previously played a key role in developing CHM in US and NATO policy.⁴³ These policies are now well-embedded, but most of the progress came before the current CIVIC project, which started in 2019, or its immediate predecessor which ran from 2017-18.

Since ISAF's draw down in 2014, international military support to the ANSDF has been implemented through the 17,000-strong NATO RS mission, which trains and advises Afghan forces, while US forces retain a counter-terrorism mission against *Taliban*, *Al Qaeda*, *Islamic State* and other extreme Islamist groupings. CIVIC has conducted public and private advocacy with both the US government and RS leadership, stressing the need to prevent civilian casualties in all operations. It has, in particular, raised concerns about civilian casualties that have occurred during night raids and search operations undertaken by US Special Forces and their alleged support to paramilitary or irregular armed groups that are not under the ANDSF chain of command. In 2019 CIVIC called on the US government and military to issue a new directive on POC covering targeting procedures, US partnered search operations and better coordination between RS and the ANDSF Capacity on CHM.⁴⁴

In August 2020, CIVIC published a report, *Afghan Airstrikes: Good Practices and Challenges to Protect Civilians*, which focused on a significant rise in civilian casualties due to air strikes undertaken by international forces and the Afghan Airforce.⁴⁵ This noted that in 2019 there had been over 1,000 civilian casualties (700 killed and 345 injured) from air strikes carried out by ANDSF and international forces, the highest total since UNAMA began keeping records. The bulk of these casualties (72 per cent) had been inflicted by international forces. In 2019 alone, the US military dropped 7,243 munitions in Afghanistan, resulting in the killing of 559 civilians. This compares with the 5,000 bombs dropped at the height of the US military 'surge' in 2010-11, which

⁴² Interviews carried out in Afghanistan 22 February - 30 March 2021.

⁴³ CIVIC, *Reversing the Trend, CIVIC Blueprint for US Protection of Civilians Policy in 2021 and Beyond*, December 2020.

⁴⁴ See, for example, Letter to General Austin S. Miller, Commander USFOR-A, Commander Resolute Support, Kabul, Afghanistan, Re: Civilian Casualty Mitigation Efforts in Afghanistan, March 28, 2019; Letter to Ambassador John R. Bass, US Embassy Kabul, Afghanistan, Re: US Operations in Afghanistan, December 10, 2019.

⁴⁵ CIVIC, *Afghan Airstrikes: Good Practices and Challenges to Protect Civilians*, August 2020.

resulted in 187 civilian deaths.⁴⁶ Most of the other casualties (113 deaths and 118 injuries) had been caused by the Afghan Airforce.⁴⁷

Public outcry about civilian casualties caused by airstrikes led to Afghanistan's president calling a meeting with the most senior ANSDF and RS military commanders and a new Commander Resolute Support (COMRS) Tactical Guidance was issued in 2019. This established a minimum basis of civilian harm mitigation and prevention. It stressed that civilian casualties were 'the single greatest threat' to RS and urged 'tactical patience' to prevent civilian casualties in self-defense or in training advising, and assisting Afghan forces, and 'only to use force when required.'⁴⁸ There was a significant fall in the overall casualty rate from airstrikes in 2020 with a total of 693 civilian casualties (341 killed and 352 injured) from airstrikes. In that year, however, the ratio of responsibility between Afghan and international forces was reversed. While international forces inflicted a total of 117 casualties, a drop of 85 per cent, the Afghan Air Force were responsible for 526 casualties, a 126 per cent increase.⁴⁹

CIVIC's 2020 report on airstrikes highlighted CHM good practices as well as operational challenges. These included that air assets are not always suited to Afghanistan's rugged mountain terrain, poor ground-to-air coordination, outdated maps and a heavy reliance on human intelligence and informants when calling in airstrikes. It found that while ANSDF air force officers were aware of IHL rules on distinction, proportionality and collateral damage when drawing up rules of engagement (RoE) or making targeting decisions, they were unaware of their own government's POC policy. The CIVIC report also recommended the introduction of After-Action Reviews (AARs) on CHM and POC so that mistakes could be learned from and good practices built on.⁵⁰ Since the publication of this report, CIVIC staff in Afghanistan regularly engage with the ANSDF on this issue and are confident that air strikes are now taking place with greater care to avoid civilian casualties. Staff were able to give numerous specific examples of where airstrikes had been aborted due to concern about civilian casualties.⁵¹

During interviews conducted for this evaluation, the military personnel in the provinces of Herat, Kandahar and Balkh raised the common point that the *Taliban* often violate IHL rules themselves and then use alleged violations by the ANSDF for propaganda purposes.⁵² One military officer in Herat stated that: 'For instance, *Taliban* fighters do not have any uniform and they are dressed as a civilian unlike ANSDF who wear a uniform while on duty at all times. Whenever there is a casualty of an armed insurgent, the fighters/ family members of the harmed insurgent hide their weapons and claim that the deceased was a civilian and we have no way to prove otherwise. This is why there is sometimes a discrepancy between the figures of civilian casualties.'⁵³ Another army commander in Kandahar commented that:

the *Taliban* often use residential areas and human shield while they are involved in combat and attacking the ANSDF. We are abiding the Islamic rules, IHL and Geneva Conventions as well as other trainings we received to protect civilians, we do not launch attacks and do not use heavy artillery in civilian and residential areas, unless the attacks reach to certain threshold and causes severe casualties to our forces. Even though, we do take all the precautionary measures to avoid and mitigate any harm towards civilians such as informing community leaders of any upcoming military operations, allowing for humanitarian corridor which includes evacuation of civilians from the area or allowing civilian populations to reach

⁴⁶ *Just Security*, Sahr Muhammedly and Marc Garlasco, 'Reduction of civilian harm in Afghanistan: a way forward', 25 February 2020.

⁴⁷ *Afghanistan: Protection of civilians in armed conflict*, Annual report 2020, UNAMA/OHCHR, February 2021, 72 per cent of the casualties are ascribed to international forces, 22 per cent to Afghan forces and 5 per cent to unknown pro government forces.

⁴⁸ *Ibid.*

⁴⁹ *Afghanistan: Protection of civilians in armed conflict*, Annual report 2020, UNAMA/OHCHR, February 2021, 72 per cent of the casualties are ascribed to international forces, 22 per cent to Afghan forces and 5 per cent to unknown pro government forces.

⁵⁰ CIVIC, *Afghan Airstrikes: Good Practices and Challenges to Protect Civilians*, August 2020.

⁵¹ Interviews carried out in Afghanistan 22 February - 30 March 2021.

⁵² Interviews carried out in Afghanistan 22 February - 30 March 2021.

⁵³ *Ibid.*

out to the *Taliban* and ask them to leave the area and not to use villages and homes as a military or combat base.⁵⁴

Although the project period being evaluated ended before the announcement of the incoming US administration that it will be withdrawing all American troops from Afghanistan by September 2021, this will clearly have a major impact on this area of CIVIC's work in this Outcome Area. CIVIC should begin scenario-planning now to assess the likely impact of this decision on the protection of civilian lives, including possible worst-case scenarios. It also needs to have contingency plans in place to evacuate its own staff and to lobby the US government of its international obligations under the Refugee convention and international human rights law.

Outcome Three: Civilians Empowered to Advocate for their Own Protection

CIVIC's engagement with the government and security forces has been complemented by its work with Afghan civil society and community leaders. This evaluation finds that CIVIC's program has empowered civilians in Afghanistan to advocate for their own protection. With CIVIC support, communities have both publicly protested against attacks on civilians and made direct approaches to armed groups to persuade them to change policies that have caused civilian harm. In 2014, a Civilian Protection Working Group (CPWG) was established in Kabul by a group of Afghan CSOs, with the aim of advocating for human security and protection of the environment.⁵⁵ The project's funding ended after a year and the group was unable to sustain itself. In late 2015, CIVIC began working to more clearly focus the group on POC and increase its membership to include a wider coalition of CSOs. CIVIC organized a capacity building workshop for the group in September 2016, which included seminars on IHL and Islamic law, CHM and advocacy. In 2017, CIVIC conducted outreach in Kandahar and Baghlan and created similar CPWGs to empower local CSOs on civilian protection issues and to build their capacity to engage at the provincial level with government and security actors.

CIVIC's 2016 report, *Saving Ourselves: Security Transition and Impact on Civilian Protection*, found that communities adopted a range of strategies to increase their safety. These ranged from attempting to normalize relations with armed actors, to reducing their cooperation with the government and crafting localized agreements to reduce violence in their own areas. If all other measures failed, they opted voluntary self-displacement.⁵⁶ The report also noted that in many rural districts control regularly shifts between the *Taliban* and government forces and so these strategies sometimes had to be used multiple times.

In 2017, CIVIC created two Civilian Community Protection Councils (CCPC) led by respected community leaders from Baghlan and Kandahar to build their capacity to engage on protection with both pro- and anti-government forces. CIVIC continued to provide mentorship and hold follow-up workshops with gender and ethnic minority inclusive CCPCs and CPWGs in Balkh, Kandahar, Herat, Kunduz, Nangarhar, and Baghlan. These groups now meet monthly to discuss and assess protection concerns and advocacy. They also facilitate civil military dialogue in each province with the armed actors whose activities impact on the safety and security of civilians. CIVIC has promoted the creation of women-only community groups who meet twice a year. All of these groups develop strategies for engaging with state and non-state armed actors and develop recommendations for improving the safety and security situation of the civilian population. One civil society representative in Kandahar said:

Before we received the training from CIVIC, we would speak against civilian casualties, but we didn't know how to do fact-based advocacy. Right now, we are able to first verify the facts, they give statistics and conduct evidence-based advocacy on protection of civilians.

⁵⁷

⁵⁴ Ibid.

⁵⁵ CIVIC, *Empowering Afghan Civil Society and Communities on Civilian Protection: Key Takeaways*, 2019.

⁵⁶ CIVIC, *Saving Ourselves: Security Transition and Impact on Civilian Protection*, November 2016.

⁵⁷ Interviews carried out in Afghanistan 22 February - 30 March 2021.

CIVIC trained the CCPCs and CPWGs on advocacy techniques and the international legal framework protecting civilians during conflicts. Using language found in IHL and Islamic law, these groups advocate with both the ANSDF and AOGs to persuade them to mitigate civilian harm in line with CIVIC's mandate. This engagement has led to measurable results at the local level. In 2018, for example, the *Taliban* agreed to remove IEDs from public roads used by civilians in a district in Kandahar, while the Afghan police increased their patrols in Herat, in order to enhance public security, and a local commander allowed girls to attend school in a district in Kandahar.⁵⁸ CIVIC also developed separate training modules on gender-inclusion, and the gendered aspects of conflict and civilian protection. This work has been complemented by conducting gender-sensitive research on the protection concerns of civilians, advocating for women's rights and special needs and by creating gender-inclusive CCPC and CPWGs.

Based on interviews conducted with the members of the CCPC, CPWG and CSOs the Evaluation Team found that CIVIC is providing training and awareness raising on IHL, Geneva Conventions, methods of advocacy, lobbying, campaigning and media outreach.⁵⁹ Almost everyone interviewed in the context of this evaluation were extremely grateful and praised the level of training and capacity building they received from CIVIC. Many stated that they are now more aware of how to do advocacy, campaign and media outreach. Several participants from different provinces mentioned that the trainings from CIVIC enabled them to do more fact-based advocacy and raised their awareness of who is a civilian and when a violation of IHL happens. They said that 'without the training and support from CIVIC it would have been impossible for us to know all the technicalities of civilian protection aspects'.⁶⁰ Training events have been seriously affected by the global pandemic, but CIVIC was able to provide refresher trainings for the CPWG's between September – November 2020, considered a significant milestone in the second-year grant of the program.

During the present program, CIVIC has continued to track progress on commitments made by armed actors on protection concerns through CCPC and CPWG engagement. It has also exchanged lessons learned and identified best practices on modalities of engagement between different provincial CPWGs and CCPCs through annual meetings in either Kabul, Herat, or Mazar. CIVIC has also explored ways to highlight gender protection concerns through women-only sessions within CCPCs and CPWGs and build support with civilian men in each group to effectively work together and address concerns and support advocacy efforts to address them.⁶¹ CIVIC supported media initiatives by CCPC and CPWG to draw attention to civilian protection concerns, explored opportunities to engage with the Ministry of Hajj and Religious Affairs on integration of civilian protection during Friday sermons as a way to build awareness. In 2019, CIVIC published a report, *Empowering Afghan Civil Society and Communities on Civilian Protection: Key Takeaways*, documenting its experiences.

Members of the CCPC and CPWG are able to constantly meet with the members of the ANSDF and raise the cases of civilian casualties and propose mitigation strategies. Advocacy happens at the local level as well as at the central government level and members of the CPWG told the Evaluation Team that they believe the pro-government forces are listening to them and take action to mitigate and investigate cases of civilian casualties.⁶² These initiatives continue to yield results. In June 2020, for example, CPWG members in Balkh persuaded the ANSDF to unblock a water canal during harvest season. In July 2020, the Herat and Baghlan CPWGs' members held rallies, calling on all armed to reduce violence and for the UN to investigate civilian casualties and hold the perpetrators to account. In Herat, CPWG representatives also met with the head of the UNAMA to make similar demands. In August 2020, the CCPC and community elders in Nangahar met the *Taliban* several times, to successfully urge them to stop planting IEDs, using residential areas as a shield, and to mistreating civilians. CCPC members and tribal in Kandahar also met with the pro-*Taliban* governor to raise concerns about preserving access to markets for farmers during the harvest season. The *Taliban* governor promised to clean IEDs along the public roads in response.

⁵⁸ CIVIC, 2018 Annual Report.

⁵⁹ Interviews carried out in Afghanistan 22 February - 30 March 2021.

⁶⁰ Ibid.

⁶¹ Interviews carried out in Afghanistan 22 February - 30 March 2021.

⁶² Ibid.

In October 2020, CCPC members along with community elders in Kunduz reached out to *Taliban* local commanders to share their concerns about military operations during the rice harvesting season, basing their arguments on respecting *Sharia* law and local traditional norms. The *Taliban* commander agreed to do this as long as the ANSDF also agreed not to use heavy weapons, during the same period. The CCPC and community elders met with the ANSDF commanders based in the district to convey this offer and a mutual agreement was forged as a result. In November 2020, CCPC members in Baghlan reported that a group of gunmen were terrorizing the civilian population in both *Taliban* and government-controlled areas. Both the ANSDF and the *Taliban* took action to arrest and disarm the gunmen as a result.

The *Taliban* have also responded to criticisms of their own record in harming civilians by creating a Commission for the Prevention of Civilian Casualties and Complaint (CPCCC). In 2019 this created a standard operating procedure outlining investigations, procedures to express condolences, and directives against killing, injuring, and torturing civilians. The effectiveness of this Commission has been questioned by CIVIC and other observers. Some of the interviewees participating in this evaluation said that *Taliban*'s definition of a civilian is totally different from what is established under international law and excludes anyone that they accuse of 'collaborating' with the government or breaking their own, extremely conservative and misogynist definition of Islamic law.⁶³ The *Taliban* also often deny any involvement in civilian casualties but refuse to investigate the claims of casualties, rendering its CCCCC ineffective in these circumstances. Finally, the *Taliban* frequently threaten people who raise complaints of civilian casualties and such complaints can lead to reprisal attacks. UNAMA has also noted the failure of the *Taliban* to undertake accountability measures and its practice of attributing most casualties to other parties.⁶⁴

CIVIC does not directly engage with AOGs such as the *Taliban* and most interviewees during this evaluation felt that it would be too risky to do so. The CCPCs remain strictly neutral at all times and do not make any statements to the media, which is particularly important for their own protection in *Taliban* controlled or contested districts. CIVIC's name is also never used in CCPC or CPWG activities. Some interviewees did, however, state that CIVIC should try to sensitize AOGs on IHL and CHM as, according to one interviewee, 'it is difficult to promote observance of this when only side in the conflict is obeying the rules.'⁶⁵ Most members of the CCPCs and CPWGs reported that they are under tremendous pressure due to increased insecurity and insurgency across Afghanistan. Some members of the CCPCs experienced direct threats from the *Taliban*.⁶⁶ There is a need for security training and to teach the members of the CCPCs and CPWGs on how to make sure that they are safe and protected, including road safety and safe travel in hostile area, self-care and stress management among other things.

Peacekeeping Project

As previously discussed, the Peacekeeping Program's objectives set out in the following six Outcome Areas are purposely inter-related and interlinked. CIVIC's research, publications, and advocacy often focus on multiple objectives at the same time and so the outcomes set out separately below, may, in fact, cover more than one area.

Outcome Four: UN Continues to Prioritize POC as an Integral Part of Peacekeeping

CIVIC has been successful at influencing the negotiations of peacekeeping mandates and budgets as well as UN peacekeeping policies and practices, strategic reviews and broader peacekeeping reform initiatives, much of which took place against an extremely challenging background. The UN has opened no new peacekeeping operations since 2014 and is under pressure to wind up more of those that remain even in places where it is struggling to deliver sustainable peace.⁶⁷ Since

⁶³ Ibid.

⁶⁴ *Afghanistan: Protection of civilians in armed conflict*, Annual report 2020, UNAMA/OHCHR, February 2021.

⁶⁵ Interviews carried out in Afghanistan 22 February - 30 March 2021.

⁶⁶ Ibid.

⁶⁷ Kai Kenkel and Conor Foley, 'Responding to the Crisis in UN Peace Operations', *Contemporary Security Policy*, March 2021

2017, the UN has closed, significantly downsized or opened discussion on exit strategies in five of its largest missions in: Côte d'Ivoire, Liberia, Haiti, Darfur and the DRC all of which had POC mandates.⁶⁸ Operations are scaling down or being reconfigured into Special Political Missions (SPMs) in countries where progress in upholding human rights and the rule of law, building solid state institutions has been limited and civilians still face significant security threats from both state and non-state actors.⁶⁹

POC remains, however, a central part of the mandates and a priority task of CIVIC's four focus peacekeeping missions: the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) the Multidimensional Integrated Stabilization Mission in CAR (MINUSCA), the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and the UN Mission in South Sudan (UNMISS). The Evaluation Team was presented with strong evidence that CIVIC made a significant contribution to this Outcome Area, which was confirmed in a large number of interviews.

CIVIC has successfully lobbied to strengthen the wording of their mandates to ensure that POC remains a top priority (the term POC is being used here to include CHM, POCFOA and compliance with IHL and international human rights law). CIVIC has also substantially inputted into policy reviews, in particular the 2019 Secretary General's report on POC and a major OCHA policy paper, both of which acknowledged CIVIC's contribution.⁷⁰

CIVIC had a direct impact in shaping language related to the priority task of POC in the Security Council Resolution, which renewed the mandate of MINUSCA on 15 November 2019.⁷¹ This included inserting a reference to the fact that sources of violence against civilians can arise from different actors and to ensuring that the mission consults with local communities as part of its POC mandate and supports local mediation efforts to prevent escalation of violence. CIVIC failed to make further changes to the language of the Security Council Resolution adopted the following year, but this was because the penholder, with the agreement of the full Council, decided not to substantively change the mandate in advance of national and local elections in CAR.⁷² CIVIC's influence in the debate of these mandates at the Security Council can be shown by different drafts of the resolution, where member states copied and pasted CIVIC comments into the margins of their own documents.

CIVIC had a significant impact in shaping the language related to POC in the Security Council Resolution, which renewed the mandate of MINUSMA on 28 June 2019.⁷³ Not all of CIVIC's recommendations were adopted but the Council did add a significant second strategic priority, on the protection of civilians in Mali's central region. In the following year's debate, CIVIC had a direct, significant impact in expanding the mission task related to early warning to now include an unprecedented requirement to systematically track and analyze the mission's rate of response to early warning incidents. It also succeeded in adding a recommendation to add civilian and uniformed Gender Advisors and focal points to the mission.⁷⁴

CIVIC had a clear impact on the POC language adopted in the Security Council Resolution which renewed MONUSCO's mandate on 19 December 2019.⁷⁵ CIVIC also influenced the mandate of UNMISS when the Security Council renewed this on 12 March 2020.⁷⁶ A CIVIC recommendation to strengthen language regarding UNMISS's mission-wide early warning strategy, establishment of an

⁶⁸ Damian Lilly, *Considering the Protection of Civilians during UN Peacekeeping Transitions*, International Peace Institute, January 2021

⁶⁹ Conor Foley and Ibrahim Wani, "Evaluation of Transitions from Human Rights Components in UN Peace Operations to Other Types of Field Presences," OHCHR, June 2020.

⁷⁰ 'OCHA *Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians*, OCHA policy and studies series, May 2019

⁷¹ UN Security Council Resolution 2499.

⁷² CIVIC Impact Analysis: MINUSCA Mandate Renewal, 2020

⁷³ UN Security Council Resolution 2480.

⁷⁴ CIVIC Impact Analysis: MINUSMA Mandate Renewal, 2019; Impact Analysis: MINUSMA Mandate Renewal, 2020.

⁷⁵ UN Security Council Resolution 2502

⁷⁶ UN Security Council Resolution 2514

intelligence acquisition plan and incident tracking and analysis, were included in the resolution as was a similar recommendation to that of MINUSCA on Gender Advisors and focal points.⁷⁷

In March 2019, CIVIC submitted a policy memorandum for consideration in the drafting of that year's UN Secretary General's report POC.⁷⁸ The Secretary General's report reflected some of the CIVIC language from this brief which included references to the human rights due diligence policy (HRDDP) on UN support to non-UN security forces and stated that:

mandating of certain peacekeeping missions to participate in or conduct military operations against armed groups, or to otherwise conduct joint operations with non-United Nations forces in specific contexts, has generated important challenges for the performance of other mandated activities, including the protection of civilians.⁷⁹

CIVIC also directly influenced a major UN OCHA review paper of UN Security Council practice on the protection of civilians in armed conflict over the past 20 years and its author took verbatim CIVIC language on a range of issues.⁸⁰ The report, *'Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians'*,⁸¹ is a significant piece of work, comparable to the DPKO/OCHA report published in 2009 to mark the tenth anniversary of the first Security Council resolutions on POC⁸² and will be discussed further below.

Interviews carried out with UN mission staff, aid workers, community leaders and CSOs in the field confirmed that CIVICs work on shaping POC in mission mandates is not very broadly known in the focus mission areas. As will also be discussed further below, the Evaluation Team is aware that CIVIC does not carry out public advocacy or awareness-raising in the field. The disaggregated data per country show differences in this aspect. In South-Sudan, for example, out of 11 respondents, six had a thorough knowledge about CIVICs work on Mission mandates, obtaining this knowledge mainly from discussions and information-sharing with CIVIC's researcher, reports, briefing papers, and recommendations. Five respondents acknowledged that CIVIC might have influenced the POC strategy in UNMISS. Interviewees did, however, regard CIVIC as having a strong theoretical, contextual, operational, tactical knowledge on the UN's internal 'machinery' and felt that it was able to bring complex information to high-level stakeholders in the forms of recommendations.⁸³

The interview results from DRC show a slightly different picture about how civil society actors and local NGO's assess the application and implementation of the POC policy by MONUSCO. One interviewee said that CIVIC played a key role in prioritizing protection of civilians as one of the core components of peacekeeping missions. He also considered that the work of CIVIC had a particular influence in strengthening a mechanism for accountability and transparency at UN level vis-a-vis Mission personnel. Some interviewees said even if protection of civilians has become an essential part of peacekeeping missions throughout the world, the protection effectiveness of MONUSCO in DRC remains a challenge in face of complex and fast changing dynamics of conflicts which require concentration and permanent follow-up.

Awareness of CIVIC's work was much higher in CAR and Mali, where CIVIC has a permanent presence through a researcher each, and almost all interviewees in both countries were both familiar with and appreciative of CIVIC's work.⁸⁴ Two interlocutors in Mali called CIVIC the first NGO coming to mind or they liaised with in the topic-field of POC. CIVIC reports and inputs were used by the UNHCR in its advocacy for mandate renewal and also seen as helpful by an

⁷⁷ CIVIC Impact Assessment: UNMISS Mandate Renewal

⁷⁸ Impact Note: 2019 UN Secretary-General's Report on the Protection of Civilians in Armed Conflict, May 2019

⁷⁹ *Report of the Secretary-General, Protection of civilians in armed conflict*, S/2019/373, 7 May 2019

⁸⁰ Impact Note: CIVIC Inputs into UNOCHA Report *'Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians'*, May 2019

⁸¹ OCHA *'Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians'*, OCHA policy and studies series, May 2019

⁸² Victoria Holt and Glyn Taylor, *Protecting Civilians in the context of UN Peacekeeping Operations*, OCHA/DPKO, 2009

⁸³ Interviews carried out in South Sudan 5 – 30 March.

⁸⁴ Interviews carried out in Mali 1 – 28 March.

interviewed member state staff. MINUSCA respondents saw liaison with CIVIC as a way to back up their internal advocacy for more resources and efforts for improvements.⁸⁵

This lack of awareness in the field is hardly surprising as CIVIC has little presence in mission-hosting states and conducts most of its advocacy at UN HQ, which it often undertakes privately. It has established field researchers in DRC, Mali and CAR during the current project period and also undertook missions to DRC and South-Sudan. One field researcher has been hired in October 2020, responsible for both DRC and South-Sudan. The interviews carried out in the field showed a very positive attitude towards CIVIC amongst those who were aware of its work. CIVIC's field researchers have participated in NGO platforms in CAR and the Protection Cluster in Mali, having bilateral relationships in South Sudan. Further investment in the field presences could bring opportunities for research, consultation and advocacy with communities at risk in these countries, although it clearly requires cost-benefit ratio assessments, given CIVIC's other potential priorities and areas of work. While respondents saw CIVIC's discrete approach to advocacy as an advantage, several recommended publications to be designed in accessible ways for larger outreach.

Outcome Five: Mission Planning and Decision-Making is Linked to POC Assessments

CIVIC has produced a series of high-quality reports in this area and lobbied effectively at UN HQ level to ensure that planning and decision-making are linked to POC assessments. Its research has also helped to raise awareness of member states on need for more robust threat assessment and planning capabilities, uniformed and civilian gender advisors, guidance and training on civilian harm mitigation in peacekeeping.

In August 2019 CIVIC published a policy brief on strategic planning in MINUSMA.⁸⁶ This focused on the development of two integrated mechanisms by UN peacekeeping operations to enable the coordination of mission operations and planning: the Joint Operations Center (JOC) and Strategic Planning Unit (SPU), as well as previewing the establishment of a Comprehensive Performance Assessment System (CPAS) for missions. The previous November CIVIC had published a report on data-driven protection, which linked the development of threat analysis mechanisms to planning in peacekeeping Operations.⁸⁷ Both publications represent significant initiatives to ensure that mission-planning and decision-making is linked to POC assessments. CIVIC's October 2020 report, *"We Have to Try to Break the Silence. Preventing Conflict-Related Sexual Violence through UN Peacekeeping"*⁸⁸, provided a comprehensive analysis of factors impacting gendered analysis and of CRSV in threat analysis, as well as good practices in MONUSCO, MINUSCA and UNMISS. However, this report is primarily discussed in this evaluation under objective 6. A policy brief, published in January 2021, built on the conclusions and recommendations contained in these to trace the discussions that are currently ongoing within peacekeeping about the development of early warning and rapid response capacities (EW/RR).⁸⁹

CIVIC's report *Data-driven protection: Linking Threat Analysis to Planning in UN Peacekeeping Operations* was published at a time when UN missions were working toward improvements in their data-management processes. Nevertheless, its researchers found that while attempts to deploy new databases were ongoing, many staff were still storing and tracking information in ineffective and labor-intensive ways and integrated systems were often available only to the top leadership of a mission, rather than the staff responsible for operational planning in the field. The report noted that the UN's human resources system makes it difficult to recruit civilian personnel with the right skills to serve in analysis and coordination roles and key civilian positions stay empty for too long. It noted that while the military and police components of peacekeeping missions usually have

⁸⁵ Interviews carried out in Central Africa Republic 1 – 28 March.

⁸⁶ CIVIC, Issue Brief: *Strengthened Planning in UN Peacekeeping Operations: How MINUSMA is Reinforcing its Strategic Planning Unit*, August 2019

⁸⁷ CIVIC, *Report: Data-driven protection: Linking Threat Analysis to Planning in UN Peacekeeping Operations*, November 2018

⁸⁸ CIVIC, *We Have to Try to Break the Silence. Preventing Conflict-Related Sexual Violence through UN Peacekeeping*, October 2020.

⁸⁹ Ibid.

experienced planners in their ranks the civilian components and leadership structure of missions are rarely trained as planners. This is not a new problem and the lack of civilian planners in UN peacekeeping missions and at UN headquarters was identified as a critical gap in effective peacekeeping in the land-mark study on POC produced in 2009.⁹⁰

The CIVIC report notes that, despite their obvious importance to mission-planning the SPUs are often seriously under-staffed—consisting of only one or two individuals. It also notes that the SPUs are taking on responsibility for overseeing the newly introduced CPAS for missions, which seeks to track how, in practice Peacekeeping missions are fulfilling their mandates. These are vital practical tools for increasing the effectiveness of POC planning and decision-making but need to be adequately resourced to be effective. CIVIC's inputs on how to link threat assessments, including gender-sensitive assessments, better planning and decision-making in Peacekeeping operations have been taken up and included in mission mandates, reflected in budget and personnel policies. CIVIC influenced MONUSCO officials to pilot the SAGE database, which will help the mission link threat assessment to planning and decision-making. CIVIC also advocated for the establishment of an Information Acquisition Plan in UNMISS's 2020 mandate renewal.

Out of 11 interlocutors in South Sudan, seven know about how CIVICs public reports, research, and advocacy influence the POC policy at the Mission level. CIVIC's talking points and briefing papers on POC mandates and policies helped local partner organizations to connect their advocacy strategies and the realities on the ground to UNMISS's role and protection approaches, as stated by a few respondents. Besides that, more than 50 per cent of the interviewees mentioned that CIVIC was successful in mainstreaming threat assessment and focused on gender-related planning into UNMISS strategic documents.⁹¹ These measures have been specifically targeted to hire more female language assistants, gender officers, female peacekeepers and community-liaison assistants. One interviewee mentioned that CIVIC is the only organization in South Sudan who conveyed effectively to the humanitarian community the UN's peacekeeping principles and made the protection-focused organizations understand what are the priorities of a peacekeeping mission and how advocacy at the UN HQ level happens.

In CAR, most interviewees had read and interacted with CIVIC on its research on EW/RR and several expressed the wish that CIVIC develop concrete guidance material for MINUSCA, such as a model or examples for improvement of implementation of the work processes.⁹² In Mali, CIVIC's report on EW/RR was referred to by nearly all respondents, with especially security- and POC coordination related interlocutors being enthusiastic about the new perspective and initiative brought in by this research. As a result of this input, UNHCR and MINUSMA's POC section intensified communication and information exchange on their respective threat and risk assessment data, which shows an improvement as it is a step towards more efficient coordination.⁹³

Outcome Six: Peacekeeping Performance is Strengthened by Ensuring that Mandates are Matched with Adequate Means, Budgets, Effective Institutional Structures and Processes

CIVIC has lobbied effectively within the UN system to try to ensure that peacekeeping missions are adequately financed to fulfil their POC mandates, although this has been carried out against a context in which mission budgets have been sharply cutback. The total UN approved budget for the 2020-2021 peacekeeping year is \$6.58 billion, compared with \$7.86 billion for the 2016/2017 fiscal period.⁹⁴ The current operations with the highest annual budgets are MINUSMA, at \$1.18 billion; UNMISS, at \$1.17 billion; and MONUSCO at \$1.07 billion are also three of the ones on which CIVIC works.⁹⁵ During the period in which the current CIVIC program has been implemented, the

⁹⁰ Victoria Holt and Tobias Berkman, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Stimson Center, 2006.

⁹¹ Interviews carried out in South Sudan 3 – 30 March 2021.

⁹² Interviews carried out in Central Africa Republic 1 – 28 March 2021.

⁹³ Interviews carried out in Mali 3 – 28 March.

⁹⁴ UN News, 'General Assembly Approves Nearly \$8 Billion for 15 Peacekeeping Missions in 2016/2017', 17 June 2016

⁹⁵ US Congressional Research Service, *United Nations Issues: U.S. Funding of U.N. Peacekeeping*, February 26, 2021

UN Secretariat has advised missions to submit zero-growth or decreased budgets and some UN member states have continued to advocate for zero-growth budgets and further drawdown of missions. In other cases, mission mandates have expanded with no corresponding increase in personnel and resources.

CIVIC has produced a number of reports as part of the present project detailing both the problems caused by a lack of resources, but also practical steps that can be taken by missions to continue to fulfill their POC mandates within the constraints that this causes. These include two reports on how MONUSCO is working on community engagement and ‘projection of protection’ with a reduced field presence,⁹⁶ one on the problems facing MINUSMA due to a lack of air assets⁹⁷ and one on UNMISS’s use of static and mobile presences.⁹⁸ CIVIC has also reported on the implications of missions taking on more tasks which may lead to a *de facto* de-prioritization of civilian protection. For example, when the Security Council renewed MINUSCA’s mandate in 2019, it added two new mandated tasks – supporting elections and a new peace agreement in the country – without initially granting extra resources, a CIVIC blog post warned that:

In July of this year, the UN’s Fifth Committee reduced the budget of MINUSCA by \$20M USD compared to the previous year. In fact, MINUSCA took the biggest cut of any peacekeeping mission – \$15.4M – to its proposed budget for the 2019-2020 fiscal year. This has compounded the Mission’s long-running resource and capability constraints, and raises questions as to whether MINUSCA has what it needs to deliver on an expanded mandate . . . without additional support to deliver on additional priority tasks, the Mission could get caught between the expectations and pressure of both international and national actors to deliver on political elements of its mandate, forcing potentially difficult trade-offs between priority tasks, including the protection of civilians. The provision of security, operational, and logistical support to the elections, including the facilitation of access to remote areas, for example, could be problematic for a peacekeeping operation already struggling with flexibility and mobility, particularly in responding to protection threats.

During the mandate negotiations, CIVIC engaged closely with one Permanent Member of the Security Council – which at the time had a policy of zero growth peacekeeping budgets – to ask them to seriously consider the budgetary implications of adding the new tasks. This resulted in the Security Council member agreeing that support to the elections would require additional funding, which accompanied this additional mandated task.

CIVIC also actively engages with all UN structures related to peacekeeping. As well as following the agenda of the Security Council and Secretariat, it actively intervenes in the deliberations of the UN Budget and Programs Committee (C5) and the UN Special Committee on Peacekeeping (C34). These are two crucial committees that can help shape the Security Council’s own agenda on policy and operational issues. Both report to the UN General Assembly, but C5 may also consider urgent matters relating to the financing of a peacekeeping mission authorized by the Security Council at any of its sessions. This gives it enormous strategic influence in the debates about peacekeeping and a critical ability to turn policy recommendations into actual changes in mission practice.

Interviewees noted that in C34, there is sometimes debate between those countries who tend to take a ‘conservative’ view on mission mandates, cautious about POC and mistrustful of sovereignty intruding-tasks, and those who favor a more expansive approach. These divisions may put the countries of the non-aligned movement (NAM) on one side and the like-minded or G7 countries on the other.⁹⁹ Other regional groupings such as the Latin American and Caribbean Group (GRULAC),

⁹⁶ CIVIC, *Policy brief: Community engagement by MONUSCO with reduced field presence*, May 2018; and CIVIC, Report: *Protection with Less Presence: How the Peacekeeping Operation in the Democratic Republic of the Congo is Attempting to Deliver Protection with Fewer Resources*, January 2018.

⁹⁷ CIVIC, Report: *Protecting civilians in Mali: Why Air Assets Matter for MINUSMA*, 6 May 2020

⁹⁸ CIVIC, Report: *Moving toward mobility: Providing Protection to Civilians Through Static Presence and Mobile Peacekeeping in South Sudan*, March 2019

⁹⁹ The Group of Seven (G-7) is an intergovernmental organization made up of the world's largest developed economies: France, Germany, Italy, Japan, the United States, the United Kingdom, and Canada.

the Asia and the Pacific Group, the African Group and the blocks representing western and eastern Europe may align differently issue by issue. In the C5, however, the roles may be reversed as richer countries are reluctant to pay more for mission activities while the poorer and middle-income countries take a more relaxed approach to such expenditure. One interviewee likened this to an elaborate dance ritual with its own steps, sequencing and rhythm that take time to master and said that CIVIC is an accomplished performer.¹⁰⁰

CIVIC's intervention in these two committees was widely remarked on in interviews. Some interviewees noted that it set CIVIC apart from other advocacy groups by getting into the 'granular detail' about how the UN works and the specific tasks of peacekeeping missions.¹⁰¹ One noted that CIVIC was one of the few NGOs working in this area that knew how to produce recommendations that are immediately actionable, precise and clear. Another stated that CIVIC had taken the time to learn what 'buttons to push and levers to pull in order to get results'. It was stated that this grasp of structural detail was what made CIVIC's research reports and advocacy interventions so impressive. One diplomat commented that: 'Their field researchers identify an issue and their work is so thorough that when they tell you it is a problem you have to listen. But they also bring an actionable recommendation for how to fix it, which really is unbelievably rare.'¹⁰² A number of interviewees recommended that CIVIC invest more time and resources on its advocacy work with the C5 stating that it was far more influential at 'actually making things happen' than the C34.

In CAR, most interviewees mentioned CIVIC's advocacy on ensuring that missions were provided with adequate means and resources to fulfil their mandated tasks as having been of significance. Representatives of member states involved in the negotiations surrounding mandate renewal also stated that they had used advocacy material and language provided by CIVIC in their preparation. In Mali, most interviewees also cited the CIVIC report on air assets as being an important input into highlighting the challenges faced by MINUSMA.¹⁰³ Member state interlocutors underlined, CIVIC's evidence-based advocacy and language proposals are highly helpful to understand needs for budget and resources on the ground. Four respondents from South Sudan acknowledged CIVIC's beneficial work on advocating at the UN HQ level to match mandates with resources and stated that this was beneficial at the mission level in enhancing the level of understanding of humanitarian organizations about the benefits and challenges of mobile peacekeeping.

The climate in which UN peacekeeping has been operating in recent years has required it to make hard choices. One recent report noted that UN Peace Operations are facing 'a climate of increased scrutiny around the effectiveness of peacekeeping, as well as financial pressure for the UN to consolidate and do more with less'.¹⁰⁴ While mission mandates are still too often overloaded with tasks and 'lacking in prioritization and sequencing',¹⁰⁵ they are also being increasingly criticized for failing to fulfill central tasks. A report published in 2019, for example, noted a lack of will to pursue issues such as criminal accountability that had previously been seen as central to peace and security.¹⁰⁶ There are many other issues, related to civilian protection – such as working on conflict related sexual violence (CRSV), building better early warning and response capacity, and promoting local engagement with peace processes – on which UN missions could be doing more and on which CIVIC has conducted research and advocacy work.¹⁰⁷ All of these, however, have at least some resource implications.

CIVIC has responded to these challenges with creativity and innovation and the Evaluation Team was impressed at its efforts. Nevertheless, if current trends continue, the number of civilians

¹⁰⁰ Interview conducted New York, 15 March 2021

¹⁰¹ Interview conducted New York, 16 March 2021

¹⁰² Interview conducted New York, 19 March 2021

¹⁰³ Interviews conducted Mali 8 – 30 March 2021

¹⁰⁴ Daniel Forti and Lesley Connolly, *Pivoting from Crisis to Development: Preparing for the Next Wave of UN Peace Operations Transitions*, International Peace Institute, July 2019.

¹⁰⁵ Security Council Report, *Prioritisation and Sequencing of Council Mandates: Walking the Walk?*, 20 January 2020.

¹⁰⁶ Security Council Report, *The Rule of Law: Retreat from Accountability*, 23 December 2019.

¹⁰⁷ For further details see: CIVIC Policy Brief: *Early warning and rapid response takes root in UN peacekeeping*, January 2021; CIVIC, Report: *Preventing Conflict-Related Sexual Violence through UN Peacekeeping*, October 2020; CIVIC, Issue Brief: *Protection through Dialogue: How UNMISS is Linking Local Engagement with a National Peace Process in South Sudan*, June 2020

receiving effective protection from UN Chapter VII POC mandated peacekeeping missions seems likely to continue to fall. CIVIC may need to consider the implications that this has for its own use of resources and the focus of its research and advocacy efforts. CIVIC should reinforce synergies between its peacekeeping project and its wider work on UN reform to ensure that it remains an innovative leader in the debates about how the UN can protect civilians.

Outcome Seven: Accountability Systems for Mission Leadership and Personnel are Effective and Transparent

CIVIC has strongly advocated for greater transparency and accountability of UN mission leaderships within the UN system and the release of the Internal Guidelines on Special Investigations was partly as a result of these advocacy efforts. The establishment of the CPAS also marks a conscious effort by the UN to ensure that peacekeeping performance be measured and monitored according to a comprehensive and objective policy with clear and well-defined benchmarks. Partly as a result of lobbying by CIVIC, DPO has also called for the integration of POC in existing performance management tools and stressed the importance of both institutional and individual accountability.¹⁰⁸

CIVIC published two reports in 2016 into the violence that took place in South Sudan that year and UNMISS's response to this.¹⁰⁹ Both reports were extremely critical of the mission's actions and inactions from a civilian protection perspective, although both recognized the extremely difficult challenges that the mission faced at the time. These reports were published before the start of the present program and its immediate predecessor and so are not a part of the present evaluation. Five interviewees, however, made reference to them when discussing CIVIC's research and advocacy work.¹¹⁰ Of these, some, particularly those who served in UNMISS at the time, felt that some of the criticisms were unfair and that CIVIC researchers had 'taken advantage' of the support and access that the mission had granted to them. One commented that: 'some people felt, we opened our door to them and they denounced us. Well, we won't do that again.'¹¹¹ Others, found the reports extremely helpful in promoting the open and transparent accountability of UN mission leadership and personnel and this included some UN staff who were directly involved in investigating UNMISS's actions and performance. As a result of this UN investigation, in November 2016, the UN sacked the Force Commander of UNMISS for failing to protect civilians.¹¹²

A CIVIC report, published in 2017 on the POCFA challenges confronting MINUSCA in CAR, also contained some substantial criticisms of the mission's failures to respond to violence perpetrated against civilians.¹¹³ The report focused on three specific cases of MINUSCA responses to POC crises. It concluded that the mission had clearly 'struggled to prevent and respond to civilian harm' in two of these but had 'adopted a robust posture to prevent escalation and threats' in the third – sending attack helicopters and reinforcements to defend a town and its civilians. In the earlier two incidents, however, the mission had:

failed to halt a deadly attack on a displacement site in October 2016, which left at least 37 people dead and forced thousands to seek shelter around a UN base . . . Peacekeepers left their posts near a hospital, which was later occupied by armed groups and the site of deadly clashes outside its gates. As civilians suffered during the height of the violence, UN peacekeepers largely stayed in their bases.¹¹⁴

None of the reports published during the period of the program that is currently being evaluated, adopted such a critical tone, although this simply could be because there have been no comparable crises. CIVIC did not produce a report on the attack on the Évêché IDP site in Alindao,

¹⁰⁸ Addendum to DPKO/DFS Policy on The Protection of Civilians in United Nations Peacekeeping, May 2018

¹⁰⁹ CIVIC, Report: *Under Fire: The July 2016 Violence In Juba and UN Response*, 2016; and CIVIC, Report: *A Refuge in flames: the February 17-18 Violence in Malakal POC*, 2016.

¹¹⁰ Interviews conducted New York and South Sudan 5 – 30 March.

¹¹¹ Interview conducted New York, 16 March 2021

¹¹² *Independent Special Investigation into the violence which occurred in Juba in 2016 and UNMISS response*, 1 November 2016

¹¹³ CIVIC Report, *The Primacy of Protection: Delivering on the MINUSCA Mandate in the Central African Republic*, 2017

¹¹⁴ Ibid.

CAR, in November 2018 where at least 112 civilians were killed and over 20,000 people were displaced, which was partly due to CIVIC's capacity constraints as they did not have a researcher in CAR at the time.¹¹⁵ Rather than investigate the incident itself, CIVIC notified Secretariat personnel and Member State political experts about the incident and successfully urged them to take actions to investigate and hold appropriate actors accountable. CIVIC also joined with other NGOs in calling for the UN to mount an effective investigation into the mission's performance.¹¹⁶ CIVIC's advocacy around this incident also helped to prompt the Secretariat to finalize its policy on special investigations. This was part of a conscious advocacy strategy, which is discussed further in the next Finding below.

When it publishes reports, CIVIC consciously tries to provide a balance of cases and information in our reports as well as criticism and tough recommendations combined with praise for good practices. It sends its draft reports to the relevant missions for comment, although will only make editorial changes where it believes these to be fair. As discussed above, despite the fact that some UNMISS personnel were critical of CIVIC following its 2016 reports, it has been able to continue to work very closely and constructively with the mission. For example, when UNMISS Civil Affairs put together a strategy for community-engagement, which had been a recommendation of a CIVIC report, it invited the organization to come in and facilitate workshops with them on it. A CIVIC staff member was also invited to speak at an UNMISS political pillar retreat and later to participate as an independent consultant in the Security Council mandated 2020 Independent Strategic Review of UNMISS.

Some interviewees stated that while CIVIC's reports on the performance of individual missions were technically excellent and provided detailed, well-researched and factually accurate accounts of particular issues or themes, they sometimes seemed to fit too comfortably into the UN's own internal culture and concerns. One commented that CIVIC could be 'more proactive in seeking out areas of under-performance'.¹¹⁷ Another claimed that the style and content of some reports was too close to that of those produced by the UN itself and that an NGO should take a more critical line.¹¹⁸ Others, however, disagreed pointing out that there were several other organizations who already fulfilled that critical function.¹¹⁹ CIVIC's unique contribution, these argued, was that it could provide independent analysis and advice about structural reform, recognizing the constraints in which UN peace operations are conducted, and constructively engaging with mission and HQ leadership to improve performance. All interviews agreed that this was a fine line to walk and too much focus on individual failings, not only jeopardized access to some missions but could undermine its overall credibility amongst its target audience. One interviewee commented 'it is difficult to come up with recommendations that are hard-hitting enough to bend the curve in some of these discussions but do not get dismissed as completely unrealistic'.¹²⁰

This tension sometimes appears to surface in some of CIVIC's reports produced as part of the present program. CIVIC's June 2020 report on the UN's Human Rights Diligence Policy (HRDDP), for example, seems to downplay the human rights violations with which MONUSCO was found to be complicit that led to the policy's adoption in 2009.¹²¹ The report also notes that:

Perceptions that MONUSCO is withholding support to the FARDC *because of human rights considerations*—whether valid or not—may also provoke anti-Mission sentiment among civilians. Several civilians interviewed for this brief interpreted a lack of visible coordination between MONUSCO and FARDC operations as stemming from the Mission's unwillingness to protect communities under threat . . . One civilian in the area told CIVIC that cooperation between the FARDC and the Mission would only be good if MONUSCO's Force Intervention Brigade (FIB) "was able to *put aside its human rights* and neutralize all threats."

¹¹⁵ Interview conducted New York, 1 April 2021

¹¹⁶ *United Nations Secretary General*, 'Note to Correspondents on the findings of the Central African Republic Special Investigation', 24 January 2018

¹¹⁷ Interview conducted New York 1 March 2021

¹¹⁸ Interview conducted New York 5 March 2021

¹¹⁹ Interviews conducted New York 3 March – 8 April 2021

¹²⁰ Interview conducted New York 22 March 2021

¹²¹ CIVIC, Policy Brief: *Enabling Support by Mitigating Risk, MONUSCO's Implementation of the Human Rights Due Diligence Policy in the Democratic Republic of the Congo*, June 2020

Another civilian in the region lamented, “MONUSCO is good in observation but not in action. They are trying more to record abuses committed by the FARDC instead of supporting them to fight the enemies of peace.”¹²² [emphasis added]

While there is little doubt that many Congolese civilians do hold such views, it is at least questionable for CIVIC to have included them in an advocacy report. As will be discussed further below, the provisions of international human rights law, fill many of the ‘gaps’ contained in IHL as it applies to UN peacekeepers when implementing POCFOA mandates in compliance with the provisions of CHM. The Evaluation Team understands that there are particular issues in working with some UN missions and these do not always display exemplary approaches to transparency and accountability. For example, MONUSCO requires all external stakeholders to sign a research agreement with their office of legal affairs before can interview mission personnel on any issue and requires researchers to provide drafts of reports for review. Multiple reviews often occur with the mission and researchers to negotiate content. The HRDDP brief was the first one that CIVIC had written under the new MONUSCO research agreement and there clearly were considerable sensitivities involved. The Evaluation Team understand these sensitivities and believe that CIVIC is right to navigate these carefully.

Outcome Eight: Member States, Secretariat, and Peacekeeping Personnel Understand and Develop Capabilities to Operationalize CHM

CIVIC successfully advocated to strengthen CHM language in the 2019 DPO Policy on POC in Peacekeeping and the subsequent POC handbook. However, CIVIC did not record this in their indicator table because of lack of capacity to trace the related advocacy on the policy and handbook, which began in 2017. As discussed above, CIVIC also had a direct impact in shaping language related to the priority task of POC in the Security Council Resolution, which renewed the mandate of MINUSCA on 15 November 2019.¹²³ The mandate also contains strengthened language related to CHM to include operations undertaken by the mission in support of CAR’s national security forces.¹²⁴

to mitigate the risk to civilians before, during and after any military or police operation, including by tracking, preventing, minimizing, and addressing civilian harm resulting from the mission’s operations, including in support of national security forces.

CIVIC also lobbied for the inclusion of a reference to CHM in mission operations in the support of national security forces along the same lines as language advocated by CIVIC and adopted in the MINUSCA resolution in the renewed mission mandate of MINUSMA on 28 June 2019.¹²⁵ New language on CHM and community engagement was proposed by CIVIC and adopted in the Security Council Resolution which renewed MONUSCO’s mandate on 19 December 2019.¹²⁶ CIVIC was also instrumental in ensuring the inclusion of a paragraph on CHM in the OCHA report on POC’s twentieth anniversary:

Efforts to mitigate harm to civilians shall be taken before, during and after the planning and implementation of operations and shall inform operational planning and the conduct of operations. Before an operation, a full risk assessment must be conducted and contingency plans for the protection of civilians developed in systematic consultation with relevant civilian and police mission components and, where appropriate, host state authorities, and UN and non-UN humanitarian actors. This exercise will identify and analyse direct and indirect negative consequences, including civilian displacement, impact on livelihoods, health and education, possible reprisals against the civilian population and resulting explosive remnants of war. Mitigation measures to address these consequences shall be identified and included in operational plans, contingency plans and other orders. Operations should be followed by an after-action review which analyses the impact of the

¹²² Ibid.

¹²³ UN Security Council Resolution 2499.

¹²⁴ Impact Analysis: MINUSCA Mandate Renewal, 2019.

¹²⁵ UN Security Council Resolution 2480.

¹²⁶ UN Security Council Resolution 2502.

operations, including community perceptions and identifies lessons learned for future operations.¹²⁷

CIVIC had originally lobbied for the inclusion of CHM in mission mandates in 2013. Research carried out in DRC in 2016 and CAR in 2019 showed low levels of awareness and understanding about CHM amongst many mission personnel. In the CAR case, CIVIC conducted a private review of CHM in MINUSCA and shared this with the mission leadership. CIVIC had planned to hold a workshop in New York with UN member states on the operationalization of CHM in March 2020 but this had to be cancelled at the last minute as a result of the fast evolving COVID-related travel restrictions.¹²⁸ CIVIC instead held a briefing in June 2020 for all POC advisors in UN Missions on CHM at the request of DPO's POC unit. DPO is currently hiring a consultant to complete recommendations on next steps for implementation of this project.

As discussed in the section of this report on Afghanistan, a combination of direct advocacy by CIVIC amongst others and human rights litigation in some NATO member states helped create a formal method of tracking civilian casualties and mitigating and remedying civilian harm. Understanding and operationalizing CHM in UN peacekeeping operations must include an understanding of how IHL, international human rights law UN Charter law inter-relate with one another.¹²⁹

While IHL provides 'the minimum level of protection that must be afforded to civilians in all conflicts'¹³⁰ the provisions in both CHM and POCFOA mandates go considerably beyond this and are far more consistent with the 'positive obligations' of international human rights law. The precise relationship between IHL and international human rights law remains the subject of considerable debate,¹³¹ but it is now widely accepted that both bodies of law can be applied both concurrently and extraterritorially.¹³² Uniformed personnel participating in international military missions are, therefore, potentially bound by both bodies of law as are the states sending them.¹³³ Many violations of international human rights law are also violations of IHL. However, the two bodies of law take an entirely different approach to the use of lethal force and also treat concepts such as 'necessity' and 'proportionality' very differently.¹³⁴ The two legal frameworks also have quite different requirements about the need to investigate the use of lethal force and provide victims of its violations with the right to an effective remedy.¹³⁵ The provisions of international human rights law can, therefore, help to 'fill the gaps' in IHL when it comes to operationalizing CHM.

The HRDDP's adoption is of particular significance for the operationalization of CHM in peacekeeping operations because it is a UN-wide policy stipulating that all UN entities, including peacekeeping missions, must provide support to non-UN security forces in a way that is 'consistent with the Organization's ...obligations under international law to respect, promote and encourage respect for international humanitarian, human rights and refugee law,' with a view to bringing

¹²⁷ OCHA 'Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians, OCHA policy and studies series, May 2019.

¹²⁸ Interviews conducted with CIVIC staff, April 2021

¹²⁹ Conor Foley, *UN Peacekeeping Operations and the Protection of Civilians, saving succeeding generations*, Cambridge University Press, 2018

¹³⁰ Marla Keenan and Victoria K. Holt *Preparing to Protect: Advice on Implementing NATO's Protection of Civilians Policy* NATO ACT OPEN Publications, July 2018.

¹³¹ Nancie Prud'homme, 'Lex specialis: oversimplifying a more complex and multifaceted relationship?' *Israel Law Review*, Vol. 40, No. 2, 2007, pp. 355–95; Oberleitner, 2015, pp.83-107; and Hans-Joachim Heintz, 'Convergence between human rights law and international humanitarian law', in Hans-Joachim Heintz and Andrej Zwitter (eds), *International Law and Humanitarian Assistance*, Berlin: Springer, 2011.

¹³² See, for example, *Armed Activities on the Territory of the Congo (Democratic Republic of the Congo v. Uganda)*, Judgment, ICJ Reports 19 December 2005, ICJ Reports 2005, para 148; and *Application of Genocide Convention (Bosnia and Herzegovina v Serbia and Montenegro)*, Judgment 26 February 2007, ICJ Report 2007, para 450.

¹³³ Noam Lubell, *Extraterritorial Use of Force Against Non-State Actors*, Oxford University Press, 2010.

¹³⁴ Noam Lubell, 'Human rights obligations in military occupation', *International Review of the Red Cross*, Vol. 94 No. 885 Spring 2012, pp.317-37.

¹³⁵ The right to an effective remedy can be found in all the main human rights conventions. See also Human Right Committee General Comment No. 31 - Nature of the General Legal Obligation Imposed on States Parties to the Covenant.

violations by non-UN security forces to an end.¹³⁶ This must require some monitoring for violations committed by state forces in mission-hosting states which should be considered a vital task in any mission with a POCFOA mandate and is essential in the operationalization of CHM.¹³⁷ As the OCHA report on POC's twentieth anniversary noted, there is also a positive feedback loop between POC and human rights monitoring:

Human rights monitoring, civilian casualty recording, and civilian casualty-tracking capabilities can facilitate advocacy and contribute to a decrease in civilian casualties. This has been demonstrated by the civilian casualty recording and reporting conducted by UNAMA in Afghanistan – an example of good practice that the Council might encourage other peace operations and actors to adopt as adapted to their specific circumstances. UNAMA's recording of and reporting on civilian casualties has facilitated crucial engagement with parties to conflict on their behaviour. This engagement, in combination with measures adopted by parties to the conflict to reduce the impact of their operations on civilians, including through the establishment of dedicated civilian casualty tracking mechanisms, demonstrably mitigated civilian casualties in Afghanistan. Similarly, in the DRC, regular human rights reporting by the UN served as a basis for encouraging parties to conflict to improve their compliance with international law.¹³⁸

There is, however, a major problem of holding UN missions to account for their human rights, CHM and POCFOA obligations because no mechanism exists to judicially review actions authorized by the Security Council using Chapter VII of its Charter.¹³⁹ The UN Charter also makes clear that its provisions take precedence over other international treaties.¹⁴⁰ In 2007, for example, the European Court of Human Rights declared *Behrami and Behrami v. France* and *Saramati v. France, Germany and Norway*, inadmissible although both contained *prime facie*, violations of the 'negative' and 'positive' obligations under the Convention by KFOR soldiers in Kosovo.¹⁴¹ Dutch district courts also initially relied on this case in ruling that they lacked jurisdiction to hear two other similar cases relating to victims the Srebrenica genocide.¹⁴²

There have been numerous instances in the past few decades where UN peacekeeping personnel have been accused of violating the rights of the civilians that they are supposed to be protecting, either directly through violating CHM provisions or indirectly for failing to fulfill their POCFOA obligations. Although such incidents are regularly the subject of internal inquiries and investigations these do not always fully satisfy the requirements of a fully transparent CHM policy. In November 2018, for example, at least 112 civilians were killed in Évêché IDP site in Alindao, CAR and over 20,000 people were displaced, despite the presence of a MINUSCA base in the camp. This incident was the subject of an internal UN investigation 'to clarify allegations that their [the mission's] response was inadequate or inappropriate. This reported in December 2017 that there were 'gaps' in the training of some mission police and soldiers and their understanding of their POCFOA mandate. It concluded that:

The Mission has a well-established protection of civilians strategy and functioning early warning mechanisms. However, in the cases investigated, these did not translate into

¹³⁶ United Nations Secretary-General, "Human rights due diligence policy on United Nations support to non-United Nations security forces," UN Doc. A/67/775, S/2013/110, March 5, 2013, para. 1.

¹³⁷ *Ibid.*

¹³⁸ OCHA 'Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians,' OCHA policy and studies series, May 2019

¹³⁹ Conor Foley, The Human Rights Obligations of UN Peacekeeping Missions, *Global Responsibility to Protect*, Vol 8, October 2016, pp.431-450

¹⁴⁰ UN Charter, Article 103

¹⁴¹ *Behrami and Behrami v. France* (Appl. No. 71412/01) 31 May 2007 (Grand Chamber) Decision on Admissibility and *Saramati v. France, Germany and Norway* (Appl. No. 78166/01), (Grand Chamber) Decision on Admissibility, 2 May 2007. The first case was brought by the father of a boy killed, in March 2000, by an exploding shell, dropped by NATO during its air campaign over Kosovo the previous year, which it was alleged that French KFOR soldiers had subsequently failed to mark or clear. The second was brought by an alleged Albanian militia leader who was detained in administrative KFOR military custody for several months in 2001 and 2002 without effective access to a court.

¹⁴² *Judgment in the case of Mustafić, Court of Appeal in the Hague*, Ruling of 5 July 2011; and *Judgment in the case of Nuhanović, Court of Appeal in the Hague*, Ruling of 5 July 2011.

preventive actions and there were deficiencies in civil-military-police planning, and operations, particularly at the field level.¹⁴³

MINUSCA's human rights division also produced its own public report on the incident.¹⁴⁴ This 'did not seek to review or evaluate the MINUSCA response' to the events but did record that the peacekeepers stationed in the camp 'had previously faced accusations of inaction, bias and lack of professionalism from IDPs', including 'numerous allegations of inappropriate or even unlawful conduct.' The report also noted that a number of IDPs disputed MINUSCA claims that its soldiers had fired warning shots against the attackers claiming either that they had not fired at all or 'that they fired warning shots only to push back fleeing IDPs who tried to enter the MINUSCA base.'¹⁴⁵ Such allegations are obviously beyond the scope of this evaluation report, but they do point to deficiencies in a functioning operational CHM or POCFOA policy in current UN peacekeeping operations.

The potential dilemma here is obvious. As the UN has moved towards authorizing more robust and extensive POCFOA mandates and increased advice and operational support to host state security forces, there is a clear risk that this could lead to greater civilian harm either by UN peacekeepers themselves or the host state forces that they are supporting. The Security Council has responded to this by including more explicit provisions on CHM in mission mandates, but without full and transparent accountability, including the right to a remedy, it is difficult to see how an effective CHM or POCFOA policy can be fully operationalized. CIVIC has successfully changed UN policies and procedures in a number of areas and continues to alert the Secretariat and Member States to act on major failures. There is, however, a basic problem regarding UN accountability, which was discussed above.

Some interviewees in CAR and Mali also raised a separate but related question about the legal framework within which UN peacekeepers may be required to use force for POCFOA purposes. These referred to uncertainty about the legal framework applying to the use of force by MINUSCA and MINUSMA and whether or not they had become parties that they were sent to try and help resolve.¹⁴⁶ This question has obvious practical implications concerning the status and protection of UN personnel and the circumstances in which UN peacekeepers may be required to use force in implementation of their POCFOA mandates. This might be an issue that CIVIC should consider addressing in the future.

Outcome Nine: Communities at Risk of Violence are Safely and Effectively Engaged in Mission Planning and Activities to Protect Civilians

CIVIC has produced a number of research reports and policy briefs and advocated on the topic of community engagement. It has also reviewed good practices, challenges and gaps in the four UN peacekeeping missions and provided recommendations. The material that the Evaluation Team reviewed focused strongly on MONUSCO, where mechanisms of community engagement were developed and piloted, and UNMISS, where the initial engagement and integrated intervention at the local level in coordination with national level work has been in implementation.

In June 2020, CIVIC published an issue brief¹⁴⁷ and accompanying blog¹⁴⁸ on linking local engagement with the national peace process in South-Sudan, based on interviews conducted with civilians in Juba, Bor, Malakal, Yei, Akobo, Bentiu. The consultation process affirmed UNMISS's new approach of local community engagement and recommended more local actor mapping for

¹⁴³ *United Nations Secretary General*, 'Note to Correspondents on the findings of the Central African Republic Special Investigation', 24 January 2018

¹⁴⁴ MINUSCA, *Attack on the Displaced Persons' Camp in Alindao, Basse-Kotto Prefecture, on 15 November 2018: Breaches of International Humanitarian Law and Atrocity Crimes Committed by the UPC and anti-Balaka associated militias*, 28 February 2019

¹⁴⁵ *Ibid.*

¹⁴⁶ Interviews conducted in CAR and Mali, March 2021.

¹⁴⁷ CIVIC, Issue Brief. *Protecting through Dialogue. How UNMISS is Linking Local Engagement with a National Peace Process in South Sudan*, June 2020.

¹⁴⁸ CIVIC, Blog: *Peacekeepers in South-Sudan are Helping Minimize Threats to Civilians Through Dialogue at the Subnational and national levels*, June 2020.

better, easier selection of participants and to avoid tensions in community engagement forums. In August 2020, CIVIC produced a blog piece on community engagement in CAR.¹⁴⁹

In the report “*We Have to Try to Break the Silence. Preventing Conflict-Related Sexual Violence through UN Peacekeeping*”¹⁵⁰, CIVIC provided a comprehensive analysis of factors impacting gendered analysis and of CRSV in threat analysis, as well as good practices in MONUSCO, MINUSCA and UNMISS. The report was based on hundreds of interviews carried out in all three countries and interviewees included civilians at risk, CSOs and UN peacekeeping personnel in Juba, Bor and Wau, in South-Sudan. The report addressed protection concerns around the POC transition, especially around Wau and Bor and civilian perspectives on national security actors and prospects for peace and security in South Sudan. The report pointed out confusion of terminology impacting work, gaps in human resources, in knowledge and commitment on CRSV, in a systematic approach to data collection, analysis and response. Recommendations of CIVIC included ensuring a high engagement of women community leaders EW/RR forums and projects, dedicate time and resources to consult civilians on CRSV, provide analysis to data, promote data collection and reporting tools facilitating use of the data in mission planning.

A recent report on EW/RR, outlined the importance of strong field networks with regular engagements with communities and two-way communication, actionable data backed with analysis supporting mission planning and decisions, and the ability of rapid response by the uniformed and civilian personnel to intervene timely when tensions appear.¹⁵¹ It also highlighted gaps in EW/RR including a more limited utilization of Community Liaison Assistants by UNMISS, lack of adequate air assets in Mali and DRC, restrictions on deployment of personnel by TCC. It advocated for improved recruitment, training, utilization and gender-balance of the CLAs, and enhancement of the scope and regularity of consultations.

CIVIC has also engaged in local advocacy on this issue. In South Sudan, the majority of people interviewed were aware of CIVICs engagement at the local level with civilians, but less aware of the practical aspects of this engagement. One interviewee stated that one of CIVICs strengths is that it can bring to the UN negotiation table unheard voices from the field. Three respondents mentioned that CIVIC has a solid local network, very useful in conducting outreach activities, that helps them participate in fruitful consultative processes.¹⁵²

Interview results from MONUSCO highlighted the fact that integrating civilian perspectives into mission planning through outreach activities is difficult. Several interlocutors from Bukavu, Kinshasa and Goma informed the Evaluation Team that there is a low level of trust between the mission and local communities, especially in North Kivu. Civil society actors carrying out monitoring and documentation work with the affected communities also noted that they do not have specific channels to raise these concerns with MONUSCO and to the UN Security Council. Three interviewees expressed their wish to see CIVIC acting as a liaison between the affected communities and MONUSCO in order to get their recommendations to the mission.¹⁵³

In Mali, CIVIC community outreach was mentioned by 60 per cent of respondents. Three respondents in Mopti said, CIVIC’s work was known by local communities, who had heard in the consultations about POC, the possibility to make requests to MINUSMA and who were briefed by CIVIC on the research outcome. In CAR, all respondents were aware of CIVIC’s consultations of communities and most expressed the view that CIVIC should increase its work in this area.¹⁵⁴ Outreach to communities has been reinforced in the current project. In November 2020, CIVIC organized an online workshop on community engagement with civil society representatives and 20 professionals from UNMISS, MONUSCO, and MINUSCA, which according to a participant was a useful learning experience. In 2018, CIVIC mobilized the platform of international NGOs in CAR to

¹⁴⁹ CIVIC, *The UN Peacekeeping Mission in CAR Strengthens Community Engagement in Order to Better Protect Civilians from Ongoing Violence*, August 2020.

¹⁵⁰ CIVIC, *We Have to Try to Break the Silence. Preventing Conflict-Related Sexual Violence through UN Peacekeeping*, October 2020.

¹⁵¹ CIVIC, *Early Warning and Rapid Response Takes Root in Peacekeeping*, January 2021.

¹⁵² Interviews carried out in South Sudan 3 – 30 March 2021.

¹⁵³ Interviews conducted in Democratic Republic of Congo, 1-16 April 2021.

¹⁵⁴ Interviews conducted in CAR and Mali, March 2021.

disseminate and sign on a private advocacy letter in the forefront of MINUSCA's mandate renewal. It played a similar role in the drafting and dissemination of a public statement in the run up to the 2019 mandate renewal.¹⁵⁵ CIVIC is an active member of the platform and routinely shares its research reports with the platform members.

V. LESSONS LEARNED

The evaluation team considers CIVIC to have been mainly successful in remaining on track with the expected results of the project, considering the major impact and unpredictable nature of the COVID crisis and consequent restrictions. As a research and advocacy organization, working for normative change, CIVIC's success depends on external factors, over which it can never have full control. CIVIC has adapted its program in response to the changing circumstances within which it is has been implemented and this can be seen in adaptations to the program ToC and logical framework. The Results Frameworks have been modified after the first grant, to the new strategic interventions in Afghanistan and UN peacekeeping which were briefly discussed in the contextual background and methodology and learning sections of this report.

Afghanistan

The current program started during one of the most-deadly phases of the conflict in Afghanistan as there were more civilian casualties in 2018 and 2019 than at any time since UNAMA began recording these. At the same time, a national draw-down of international forces was taking place, which increasingly put the ANSDF in the front-line of the conflict and also left many civilians more vulnerable to attacks by AOGs. NATO and RS forces had already adopted CHM policies and created mechanisms for tracking civilian casualties and providing limited forms of redress. The Afghan government had also adopted a landmark national civilian casualty mitigation and prevention policy in 2017 but this had yet to be fully embedded in the policies and practices of both the state and ANSDF. The first CPWGs and CCPCs had already also been created and a network of these groups had been established covering five of Afghanistan's provinces. By 2018, CIVIC had started running ToT courses for the ANSDF on CHM.

During 2019, the ANSDF and RS stepped up airstrikes, which led to a significant number of civilian casualties. There was a significant fall in the overall casualty rate from airstrikes in 2020, which may have been partly the result of new tactical guidance issued by RS the previous year, following advocacy by CIVIC amongst others. At the same time as RS forces scaled back their military operations, the Afghan Air Force significantly increased its own operations, with a consequent increase in civilian casualties. CIVIC responded by giving greater emphasis to its advocacy work with the ANSDF on this issue. It has also continued its work on training the ANSDF on CHM and advocating for the effective implementation of civilian protection policies with the Afghan government. Some training courses and advocacy activities had to be cancelled or scaled back in 2020 due to COVID, which reduced the number of outputs and activities in this area.

CIVIC has emphasized its engagement and support for the continuing work of the CCPCs and CPWGs during the period of the current program being evaluated on the assumption that increasing their capacities, which will in turn translate into increased protection of the communities they represent. The possibility of creating women-only CCPCs was seen as an opportunity to enhance community groups' abilities to integrate women's and men's perspectives in designing their protection strategies. CIVIC also appears to hope that 'small wins' at the local level, where the *Taliban* view CCPC members as legitimate representatives of communities under threat. The CCPCs and CPWGs engage pragmatically with both the ANSDF, the *Taliban* and other AOGs. This engagement with communities and armed actors has started to show some results, although the program timeframe was too short to obtain significant changes in behaviour and cultural attitudes at the community level. The qualitative data gathered from the data collection process highlight considerable progress in many areas, and the need to improvement in others.

¹⁵⁵ Ibid.

UN Peacekeeping

CIVIC has been successful at influencing the negotiations of peacekeeping mandates and budgets as well as the wider UN peacekeeping agenda during the present program period. This has taken place against an extremely challenging background which many observers believe signifies a move away from the type of Chapter VII mandated POC Peace Operations that have characterized peacekeeping for the last 20 years. Mission budgets are being cut-back, missions are being closed or downsized even in places where civilians remain under threat and no new operations have opened since 2014.

CIVIC has responded to these challenges in a number of ways. It has continued to lobby on the mandates of individual missions in innovative and creative ways to ensure that POC remains central. It has lobbied for the inclusion and expansion of CHM and community engagement in mission mandates as well as the development of early warning and rapid response capacity, better intelligence acquisition, and incident tracking and data analysis. CIVIC has forged new alliances with a wider range of UN member states and regional blocks. It has mobilized support for new mandated tasks to be properly resourced. It has also supported the creation and retention of specific mission personnel posts, such as Gender Advisers and gender focal points. CIVIC has also engaged with UN Secretariat structures such as the C5 who have important strategic influence in the debates about peacekeeping and a critical ability to turn policy recommendations into actual changes in mission practice.

CIVIC has continued to position itself at the forefront of the debates about the future of POC as its interventions on the importance of CHM compliance by missions with POCFOA shows. Its input into the 2019 Secretary General's report and a major OCHA policy paper on POC show that it has influence and respect at the highest levels within the UN system and the political capital accumulated should be invested wisely. It should, in particular, consider how to reinforce synergies between its peacekeeping project and its wider work on UN reform to ensure that it remains at an innovative leader in the debates about how the UN can help to protect civilians.

During the research conducted for this evaluation, however, the Evaluation Team were continually struck by the size of the gap between the policies and procedures set out on issues relating to POC at UN HQ and the Security Council and the realities facing mission staff on the ground and the civilians that they are meant to be protecting. CIVIC has strongly advocated for greater transparency and accountability of mission leadership within the UN system and its advocacy work has contributed to the development of better guidelines for special investigations and systems for performance monitoring and accountability of UN mission personnel. There is, nevertheless, a clear legal impediment to establishing fully accountable procedures that was discussed above.

It is not surprising that CIVIC is not particularly well-known by local communities in UN mission-hosting states, given its small size and resources, but the Evaluation Team were left unsure about whether or not this was even part of the project's ambition. The deployment of researchers to CAR, Mali and DRC was clearly expected to enhance the program's capacity to engage with peacekeeping operations and affected communities. The researchers were also expected to increase the program's ability to produce research and analysis for stakeholders in UN HQ and key country capitals, using an improved and extended indicator list that will better serve the flexible nature of the program. As this evaluation report shows, this has been partially successful, although with significant limitations. Some of the external difficulties, such as the time and resources needed to set up country presences in CAR, DRC and Mali, appear to have been underestimated in the initial planning and the work and engagement of the individual researchers has also clearly been negatively impacted by the effects of COVID restrictions. Some of the Recommendations of this evaluation include measures that could increase the project's visibility and networks with local communities, but would also require significant investment. CIVIC clearly needs to consider the cost-benefit ratio of such an investment.

VI. EMERGING GOOD PRACTICES

CIVIC has a well-focused mandate and enjoys a good reputation in UN HQ, NATO, RS, the US State Department and the Government of Afghanistan. CIVICs work on CBP in Afghanistan has empowered civilians to advocate for their own protection. Its reports and briefings are discussed seriously by decision-makers and opinion-formers. CIVIC's research and advocacy work in Afghanistan gives it credibility with the Afghan government and international forces and also with Afghan civil society. Its training of the ANSDF and the mechanisms that it has created to help both them and international forces monitor and track civilian casualties does seem to have positively impacted on casualty rates.

Over the past years, CIVIC has established good working relationships with senior leadership and relevant staffs in the UN Missions, from member states, embassies, think-tanks, humanitarian organizations. Maintaining and building on this proactive approach will be of advantage. The combination of reports, papers and blogs helps to bring attention to processes inside the respective mission. A permanent CIVIC local presence established in the project countries, except for South Sudan, has helped to develop in depth expertise and up to date information on work processes and challenges in the UN missions. In combination with the effective advocacy at UN HQ and international levels, the reports and inputs by CIVIC are read and discussed seriously in the missions and the organization enjoys a good reputation among UN mission staff, relevant UN and humanitarian organizations and member states.

At the level of mandate negotiations, inroads have been made to southern countries in recent years, which could also be pursued more strongly at the mission country and regional levels (African Union, regional organizations). Regional organizations are relevant stakeholders due to the involvement, negotiation and mediation role they have, and can have, with regard to POC activities in- and outside of peacekeeping missions. An engagement with them would also benefit aspects of sustainability, subsidiarity, and local ownership, also in hindsight to possible developments in restructuring of the international peace and security architecture, where regional organizations may play a stronger role in the future. A careful step-by-step approach, combining relationship-building, advocacy, and capacity-building, e.g. through trainings, exchange events, piloting and developing actions according to progress and evolving context, could be beneficial.

CIVIC's contribution to UNMISS's introduction of a clear, uniform system of data collection on civilian casualties, procedure and reporting is a useful good practice, with related gaps and need for such efforts having been raised by respondents in Mali. Similarly, with regard to EW/RR in CAR interlocutors made recommendations for detailed SOPs being streamlined into clear, short guidance materials adequate for utilization by average uniformed staff in the challenging field contexts.

CIVIC is seen as promoting reflection and helping to effect change in the mission through the provision of external perspectives and opinions. It is also seen as an outside resource to advocate for operational means and improvements. Its discrete and constructive approach to advocacy was largely seen as beneficial, although some interviewees felt that it could sometimes be more outspoken. In CAR, CIVIC's close integration in the platform of international humanitarian NGOs brings in much valued information about questions related to MINUSCA, advocacy and research, and has a role to play in the further development of the network. A good network with UNMISS and South Sudan in general and cooperation with the NGO Forum in South Sudan, which received technical advice by CIVIC, likewise points in this direction. In Mali, CIVIC's contributions and expertise are recognized in the Protection Cluster, with potential for CIVIC being highlighted more and engaging in capacity-building on POC for civil society, humanitarian organizations and thinktanks.

VII. CONCLUSION

This evaluation finds that through a combination of detailed research, skilled advocacy and innovative strategic thinking, this project has saved civilian lives. CIVIC should consider how to maintain the relevance of its three program objectives in Afghanistan given likely macro political developments taking place at the local, national and geostrategic level. It also needs to refine its work with UN peacekeeping, in line with the existing six program objectives, to ensure that POC remains a key focus, in policy and operational terms, and to address accountability deficits in the legal and practical framework within which the UN operates.

VIII. RECOMMENDATIONS

Afghanistan

- CIVIC should begin scenario planning now to assess the likely impact of the decision by the US administration to withdraw all American troops from Afghanistan by September 2021 on the protection of civilian lives. This should include possible worst-case scenarios.
- CIVIC needs to have contingency plans in place to evacuate its own staff and to lobby the US government of its international obligations under the Refugee convention and international human rights law.
- CIVIC should be prepared to mobilize the political capital that it has built up with the Government of Afghanistan, Armed Opposition Groups and the US government to advocate for enhanced protection of civilian lives in any emerging political settlement.
- CIVIC should continue to support community organizations in Afghanistan through CHM and CBP training and empowerment.
- CIVIC should invest in security training and other security measures to help protect its staff and stakeholders in Afghanistan
- CIVIC should build on the successes that it has had in developing CHM systems and CBP programs in Afghanistan to inform its work elsewhere in the world.

UN Peacekeeping

- CIVIC should maintain its proactive engagement of stakeholders within the UN system, continue its evidence-based advocacy on prioritized needs well in advance of mandate renewal negotiations, taking into account planning procedures, time-sequences and communication and coordination structures of the respective member states.
- CIVIC should invest more time and resources on its advocacy work with the C5
- CIVIC should consider addressing the applicability of international human rights law to UN peacekeeping.
- If resources allow, CIVIC should consider reinforcing its human resources in the four project countries including establishing a permanent presence in South Sudan.
- CIVIC should consider how to build and reinforce networks, cooperation and complementary activities with CSOs active in community engagement, CBP and advocacy, using capacity-building, participative research and facilitation of information exchange as entry points.
- CIVIC should consider how to expand its recognized expertise with more in-depth research and advocacy on gaps between expectations, reported progress in mission performance and actual implementation in peacekeeping missions with even stronger information triangulation from a broader range of sources, especially local, civil society and community, and regional voices.
- As resources allow, CIVIC should consider how to provide concrete proposals and capacity-building on how shortcomings in fulfilling mission tasks and structural and mission-internal resource distribution gaps can be improved, based on analysis of the challenges of

implementation of work-tools by staff in the field. It should also build on online exchange events and continue to offer more training and facilitation of exchange for staffs from different missions.

- Work on greater coverage in various media. CIVIC should consider broadening and diversifying advocacy using multiple media and online communication, tailored to the target groups (member states, interested communities in those; mission stakeholders, local journalists, CSOs, amongst others). On social media, follow people and allow people to follow CIVIC; use simplified, translated materials. In the general media, use op. ed's formats and platforms where CIVIC can be associated with the topics in discussion.
- CIVIC should reinforce support for protection from CRSV through gender mainstreaming.
- CIVIC should review all its reports as well as articles on the website as to readability, clarity and straight-forward presentation of the contents to ensure they correspond to the state of the art on information packaging to readers.

ANNEX 1: LIST OF DOCUMENTS CONSULTED

- CIVIC, Grant Proposal Submitted to The Netherlands' Ministry of Foreign Affairs, Department of Stabilisation and Humanitarian Aid, *Promoting the Protection of Civilians in Conflict in Afghanistan and in UN Peacekeeping Operations*, April 5, 2019
- CIVIC, *Work Plan Submitted to The Netherlands' Ministry of Foreign Affairs, Department of Stabilisation and Humanitarian Aid Promoting the Protection of Civilians in Conflict in Afghanistan and in UN Peacekeeping Operations*, April 1, 2020
- CIVIC, *Reversing the trend: putting civilians first*, CIVIC 2021 - 25 Strategic Plan, 2020
- CIVIC, Proposal to The Netherlands' Ministry of Foreign Affairs, Department of Stabilization and Humanitarian Aid, 8 November 2017

CIVIC Policy Reports and Briefings:

- CIVIC, *Reversing the Trend, CIVIC Blueprint for US Protection of Civilians Policy in 2021 and Beyond*, December 2020
- CIVIC, *The Sum of all Parts Reducing Civilian Harm in Multinational Coalition Operations*, no date

UN Peacekeeping:

- CIVIC Policy Brief: *Early warning and rapid response takes root in UN peacekeeping*, January 2021
- CIVIC, Report: *Preventing Conflict-Related Sexual Violence through UN Peacekeeping*, October 2020
- CIVIC, Issue Brief: *Protection through Dialogue: How UNMISS is Linking Local Engagement with a National Peace Process in South Sudan*, June 2020
- CIVIC, Policy Brief: *Enabling Support by Mitigating Risk, MONUSCO's Implementation of the Human Rights Due Diligence Policy in the Democratic Republic of the Congo*, June 2020
- CIVIC, Policy Brief: *Charting a future for Peacekeeping in the Democratic Republic of Congo*, October 2019
- CIVIC, Report: *Protecting civilians in Mali: Why Air Assets Matter for MINUSMA*, no date
- CIVIC, Policy Brief: *POC20: Twenty years of the protection of civilians, Challenges, Progress, and Priorities for the Future*, 2019
- CIVIC, Issue Brief: *Strengthened Planning in UN Peacekeeping Operations: How MINUSMA is Reinforcing its Strategic Planning Unit*, August 2019
- CIVIC, Report: *Moving toward mobility: Providing Protection to Civilians Through Static Presence and Mobile Peacekeeping in South Sudan*, March 2019
- CIVIC, *The Sum of All Parts: Reducing Civilian Harm in Multinational Coalition Operations*, January 2019
- CIVIC, Report: *Data-driven protection: Linking Threat Analysis to Planning in UN Peacekeeping Operations*, November 2018
- CIVIC, Policy brief: *Community engagement by MONUSCO with reduced field presence*, May 2018
- CIVIC, Report: *Protection with Less Presence: How the Peacekeeping Operation in the Democratic Republic of the Congo is Attempting to Deliver Protection with Fewer Resources*, January 2018
- CIVIC Report, *The Primacy of Protection: Delivering on the MINUSCA Mandate in the Central African Republic*, 2017
- CIVIC, Report: *'Let US Be A Part Of It': Community Engagement by the Peacekeeping Mission in South Sudan*, October 2017
- CIVIC, Report: *Under Fire: The July 2016 Violence In Juba and UN Response*, 2016
- CIVIC, Report: *A Refuge in flames: the February 17-18 Violence in Malakal POC*, 2016

- CIVIC, Report: From Mandate to Mission: Mitigating Civilian Harm in UN Peacekeeping Operations in the DRC, 2016

Afghanistan:

- CIVIC, *Unacknowledged Harm: Hurdles to Receiving Victims' Assistance in Afghanistan*, December 2020
- CIVIC, *Afghan Airstrikes: Good Practices and Challenges to Protect Civilians*, August 2020
- CIVIC, *Key Takeaways from Roundtable on Protection of Civilians Challenges and Pathways to Mitigation in Afghanistan*, February 2020
- CIVIC, *Recommendations to the Government of Afghanistan to address the civilian protection challenges*, February 2019
- CIVIC, *Afghanistan: Community engagement on Civilian protection*, May 2019
- CIVIC, *Saving Ourselves: Security Transition and Impact on Civilian Protection*, November 2016
- CIVIC, *Addressing civilian casualties: an implementation plan for a Civilian Casualty mitigation team and Recommendations for the government of Afghanistan*, October 2015
- CIVIC, *Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan*, 2014
- CIVIC, *Caring for their Own: A Stronger Afghan Response to Civilian Harm*, 2013
- CIVIC, *In search of answers: U.S. Military Investigations and Civilian Harm*, no date

Iraq:

- CIVIC, *Policies and practices to protect Civilians: Lessons from ISF Operations*, 2018

CIVIC Monthly Reports (internal):

- *Peacekeeping Program, Eighteen Monthly Reports*
- November 2020
- October 2020
- September 2020
- August 2020
- July 2020
- June 2020
- May 2020
- April 2020
- March 2020
- February 2020
- January 2020
- December 2019
- November 2019
- October 2019
- September 2019
- August 2019
- July 2019
- June 2019
- *Afghanistan, Eighteen Monthly Reports*
- November 2020
- October 2020
- September 2020
- August 2020
- July 2020
- June 2020

- May 2020
- April 2020
- March 2020
- February 2020
- January 2020
- December 2019
- November 2019
- October 2019
- September 2019
- August 2019
- July 2019
- June 2019

Peacekeeping Program Impact Assessment Reports:

- 5C After Action Review
- Impact Note: 2019 UN Secretary-General's Report on the Protection of Civilians in Armed Conflict, May 2019
- Impact Note: CIVIC Inputs into UNOCHA Report '*Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians*'
- Impact Analysis: MINUSCA Mandate Renewal, 2019
- Impact Analysis: MINUSCA Mandate Renewal, 2020
- Impact Analysis: MINUSMA Mandate Renewal, 2019
- Impact Analysis: MINUSMA Mandate Renewal, 2020
- Impact Assessment: MONUSCO mandate renewal, March 2020
- Impact Assessment: UNMISS Mandate Renewal
- Impact Analysis: 2020 MONUSCO Mandate Renewal

CIVIC Program Donor Reports:

- Narrative Report: June – August 2020, Afghanistan and Peacekeeping, 30 November 2020
- Annual Narrative Report, Afghanistan and Peacekeeping, Promoting the Protection of Civilians, September 2020
- Annual Narrative Report, June 2019 – May 2020, Afghanistan and Peacekeeping, Promoting the Protection of Civilians, 1 September 2020
- Third Quarter Program Report, Afghanistan and Peacekeeping, 29 May 2020
- Second Quarter Report, September - November 2019, Afghanistan and Peacekeeping, Promoting the Protection of Civilians, Submitted on: February 28, 2020
- Final Program Report, 31 October 2019
- Quarterly Program Report, Strengthening the Protection of Civilians in Conflict, Reporting Periods: December 1, 2018 – February 28, 2019
- First Quarter Report, June – August 2019, Afghanistan and Peacekeeping, Promoting the Protection of Civilians, Submitted on: November 27, 2019
- Quarterly Program Report, Strengthening the Protection of Civilians in Conflict, Reporting Period: Dec. 1, 2017–Feb. 28, 2018
- Quarterly Program Report, Strengthening the Protection of Civilians in Conflict, Reporting Periods: March – May, 2018, June – August 2018, September – November 2018
- AF Indicator Table (June-Nov 2019), FINAL
- Afghanistan Indicator Table for Q3 Report
- Afghanistan Indicator Table Final Report 31 October 2019
- Peacekeeping Indicator Table, December 1, 2017 - May 31, 2019

- AFGHANISTAN Indicator Table (June-Aug 2019)
- PK Indicator Table-25Nov19_Dutch-Final
- CIVIC Promoting POC_PY1_Indicator Table-AFG
- CIVIC Promoting POC_PY1_Indicator Table-PK
- CIVIC MEL SOP Final Pdf
- Dutch Afghanistan Project Framework Final
- Dutch Peacekeeping Project Framework Final
- Theory of Change for Security & Rule of Law (DSH, 2015)

UN Reports (chronological order):

- *Afghanistan: Protection of civilians in armed conflict*, Annual report 2020, UNAMA/OHCHR, February 2021
- *Report on the independent strategic review of the United Nations Mission in South Sudan pursuant to Security Council resolution 2514 (2020)*, S/2020/1224, 15 December 2020
- *Report of the Secretary-General, Protection of civilians in armed conflict*, S/2020/366, 6 May 2020
- OCHA *'Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians*, OCHA policy and studies series, May 2019
- *Report of the Secretary-General, Protection of civilians in armed conflict*, S/2019/373, 7 May 2019
- MINUSCA, *Attack on the Displaced Persons' Camp in Alindao, Basse-Kotto Prefecture, on 15 November 2018: Breaches of International Humanitarian Law and Atrocity Crimes Committed by the UPC and anti-Balaka associated militias*, 28 February 2019
- *Secretary-General's Planning Directive for UN Transition processes*, February 2019
- *Report of the Secretary-General, Protection of civilians in armed conflict*, S/2018/462, 14 May 2018
- Carlos Alberto dos Santos Cruz, William R. Phillips and Salvator Cusimano, *Improving Security of United Nations Peacekeepers*, 19 December 2017
- *Restructuring of the United Nations peace and security pillar Report of the Secretary-General*, A/72/525, 13 October 2017
- *Independent Special Investigation into the violence which occurred in Juba in 2016 and UNMISS response*, 1 November 2016
- Marie Deschamps, (Chair) Hassan B. Jallow and Yasmin Sooka, *Taking Action on Sexual Exploitation and Abuse by Peacekeepers: Report of an Independent Review on Sexual Exploitation and Abuse by International Peacekeeping Forces in the Central African Republic*, 17 December 2015
- *Report of The Advisory Group of Experts for the 2015 Review of The United Nations Peacebuilding Architecture. The Challenge of Sustaining Peace*, 29 June 2015
- *Preventing Conflict, Transforming Justice, Securing the Peace, A Global Study on the Implementation of United Nations Security Council resolution 1325*, 2015
- *Report of the High-Level Independent Panel on Peace Operations*, 16 June 2015
- *Policy on the Protection of Civilians in UN Peacekeeping*, DPKO/DFS Ref. 2015.07, 1 April 2015
- *Protection of Civilians: Implementing Guidelines for Military Components of United Nations Peacekeeping Missions*, February 2015
- *Evaluation of the implementation and results of protection of civilians mandates in United Nations peacekeeping operations*, OIOS UN Doc A/68/787, 7 March 2014
- Patricia O'Brien, statement by the under-secretary-general for Legal Affairs and UN legal counsel delivered to the International Law Commission, Geneva, May 23, 2013
- United Nations Secretary-General, "Human rights due diligence policy on United Nations support to non-United Nations security forces," UN Doc. A/67/775, S/2013/110, 5 March 2013

- *Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal*, Endorsed by the Secretary General, 4 February 2013
- *UN Infantry Battalion Manual Volume I*, DPKO/DFS, August 2012
- *Framework for Drafting Comprehensive Protection of Civilians (POC) Strategies in UN Peacekeeping Operation*, OCHA, 2011
- *Draft Framework for Drafting Mission-wide Protection of Civilians Strategies in UN Peacekeeping Operations*, DPKO, 2010
- Simon Chesterman, *The use of force in UN peace operations*, DPKO, 2003
- *Secretary General's Bulletin, Observance by UN Forces of International Humanitarian Law*, ST/SGB/1999/13, 6 August 1999
- *Supplement to an Agenda for Peace: Position Paper of the Secretary-General on the Occasion of the Fiftieth Anniversary of the United Nations*, A/50/60 – S/1995/1, 25 January 1995
- *Review of the efficiency of the administrative and financial functioning of the United Nations: Restructuring of the Secretariat of the Organization: Report of the Secretary General*, A/48/882, of 29 September 1992
- *Report of the Secretary-General Agenda for Peace: Preventive Diplomacy, Peacemaking and Peacekeeping*, A/47/277 - S/24111, 17 June 1992

External Books, Briefings and Reports (alphabetical order):

- Autesserre, Séverine, *The Trouble with the Congo, local violence and the failure of international peacebuilding*, Cambridge University Press, 2010
- Brockmeier, Sarah & Rotmann, Philipp, *Civil Affairs and Local Conflict Management in Peace Operations. Practical Challenges and Tools for the Field*. Berlin: Global Public Policy Institute, 2016
- Burke, Jason, *On the Road to Kandahar*, London: Penguin, 2006
- Day, Adam and Sherman, Jake, *Political Solutions Must Drive the Design and Implementation of Peace Operations*, International Peace Institute Global Observatory, 20 June 2018
- De Coning, Cedric 'Is Stabilisation the new normal in UN Peace Operations?' in Cedric de Coning, Chiyuki Aoi and John Karlsrud (eds), *UN Peacekeeping Doctrine in a New Era, Adapting to Stabilisation, Protection and New Threats*, Routledge, 2017
- De Coning, Cedric 'Principled Peacekeeping Works', *Political Settlements Research Programme (PSPR)*, 28 February 2020
- *The Diplomat*, Monish Tourangbam and Nandita Palrecha, 'Trump's Strategy in Afghanistan: The Beginning of an Indefinite End', 15 June 2018
- Faite, Alexandre and Grenier, Jérémie Labbé(eds), *Report on Expert Meeting on Multinational Peace Operations: Applicability of International Humanitarian Law and International Human Rights Law on UN mandated forces*, Geneva, 11-12 December 2003
- Fairweather, Jack, *The Good War: Why We Couldn't Win the War or the Peace in Afghanistan*, London: Jonathan Cape, 2014
- Findlay, Trevor, *The Use of Force in UN Peace Operations*, Oxford: Oxford University Press, 2002
- Foley, Conor and Wani, Ibrahim, "Evaluation of Transitions from Human Rights Components in UN Peace Operations to Other Types of Field Presences," OHCHR, June 2020.
- Foley, Conor *UN Peacekeeping Operations and the Protection of Civilians, saving succeeding generations*, Cambridge University Press, 2018
- Foley, Conor *Rebuilding the Justice Sector of Afghanistan*, *Journal of international Peacekeeping*, Vol. 21, Issue 3/4, April 2017, pp.246-270
- Foley, Conor *The Human Rights Obligations of UN Peacekeeping Missions*, *Global Responsibility to Protect*, Vol 8, October 2016, pp.431-450

- Foley, Conor What do we mean by Protection? *Michigan State International Law Review*, Spring 2015, pp.701-43
- Foley, Conor The evolving legitimacy of humanitarian interventions, *SUR, International Journal of Human Rights*, Vol. 10, No. 19, December 2013, pp.75-95
- Forti, Daniel and Connolly, Lesley, *Pivoting from Crisis to Development: Preparing for the Next Wave of UN Peace Operations Transitions*, International Peace Institute, July 2019
- Giffen, Alison, *Assessing the doctrinal deficit: developing guidance to prevent and respond to widespread or systematic attacks against civilians*, Washington DC: Stimson Center, 2010
- Gowan, Richard, *The Politics of A4P*, Challenges Forum Policy Brief 2019: 3 February 2019
- Gray, Christine, *Use of Force in International Law, Third Edition*, Oxford: Oxford, University Press, 2008
- Holt, Victoria and Taylor, Glyn, *Protecting Civilians in the context of UN Peacekeeping Operations*, OCHA/DPKO, 2009
- Holt, Victoria and Berkman, Tobias, *The Impossible Mandate? Military Preparedness, the Responsibility to Protect and Modern Peace Operations*, The Stimson Center, 2006.
- International Crisis Group, *Toward a Viable Future for South Sudan*, 10 February 2021
- Jackson, Ashley, *Protecting civilians: the gap between norms and practice*, Humanitarian Policy Group, Policy Brief 56, London: Overseas Development Institute, April 2014
- Lilly, Damian, *Considering the Protection of Civilians during UN Peacekeeping Transitions*, International Peace Institute, January 2021
- Lubell, Noam, *Extraterritorial Use of Force Against Non-State Actors*, Oxford University Press, 2010
- Mackintosh, Kate, 'Beyond the Red Cross: the protection of independent humanitarian organisations' in Hans-Joachim Heintz and Andrej Zwitter (eds), *International Law and Humanitarian Assistance*, Berlin: Springer, 2011
- Mamiya, Ralph, 'Protecting civilians after UNAMID: Options for a follow-on mission in Sudan', Effective Peace Operations Network, 22 April 2020
- Morris, Justin and Wheeler, Nicholas, *The Security Council's Crisis of Legitimacy and the Use of Force*, London: Palgrave Macmillan, 2007
- Novosseloff, Alexandra, *Assessing the Effectiveness of the UN Missions in the DRC*, Norwegian Institute of International Affairs 2019
- Rashid, Ahmed, *Descent Into Chaos*, London: Penguin 2009
- Security Council Report (SCR), *Prioritisation and Sequencing of Council Mandates: Walking the Walk?*, 20 January 2020
- Sheeran, Scott and Case, Stephanie, *The Intervention Brigade: Legal Issues for the UN in the Democratic Republic of the Congo*, New York: International Peace Institute, November 2014
- SIGAR, *Quarterly Report of the Special Inspector General for Afghanistan Reconstruction*, April 2018
- US Congressional Research Service, *United Nations Issues: U.S. Funding of U.N. Peacekeeping*, February 26, 2021
- Van der Lijn, Jaïr, *Assessing the Effectiveness of the United Nations Mission in Mali (MINUSMA)*, Institute of International Affairs 2019
- Williams, Paul, 'The Security Council's peacekeeping trilemma', *International Affairs*, Vol. 96, Issue 2, March 2020, pp.479-99

ANNEX 2: EVALUATION QUESTIONS

The evaluation team assessed the four broad evaluation questions proposed by CIVIC and deconstructed the Outcome Areas to which they refer to into several sub-questions. These sub-criteria served as better identifying the areas of intervention, the impact/outcomes and the contribution CIVIC has made to achieve relevant results. This methodology provided the evaluation team relevant information available and conducive to providing focused answers.

Afghanistan:

Key Evaluation Questions	Specific Evaluation questions
1. What are the program's performance and achievements to date	1.1. How and to what extent CIVIC's CHM approach influenced the Afghan Government and Security Forces? 1.2. How and to what extent the project influenced the NATO Resolute Support Mission and US Forces in applying CIVIC's recommendations on CHM? 1.3. How and to what extent the project enhanced communities' protection capacities in dealing with armed actors? 1.4. What role did the gender-inclusive POC and CHM approach and methodology play in achieving or not the expected results of the project and how do project participants assess the added value of the gender-promotion initiatives?
2. Are the projects' design/logic chain/targets/assumptions holding during the program's implementation or should they be adapted?	2.1. How did the project build on previous CIVIC initiatives/first grant findings in a continually changing complex environment?
3. What projects' results have been achieved to date (including unintended and/or negative results)?	3.1. How and to what extent the project contributed to government representatives, civilians and armed actors' attitude and behavior-change related to CHM and POC?
4. What recommendations should be considered for implementation going forward?	4.1. How CIVIC can strengthen its engagement with Government, armed actors and the civilian population, both nationally and internationally? 4.2. Are there specific approaches or methods that can be developed in the future that could be used to measure advocacy outcomes?

UN Peacekeeping Missions:

Key Evaluation Questions	Specific Evaluation Questions
1. What are the program's performance and achievements to date?	1.1. How and to what extent the project influenced the UNSG and Member States to prioritize POC through UN Peacekeeping? 1.2. How and to what extent the project enhanced decisions and steps for improved threat assessment at international and mission levels, including gender-mainstreaming? 1.3. How and to which extent the project contributed to strengthening of peacekeeping performance, ensuring that mandates are matched with adequate means (policies, guidance, and standards; specialized civilian and uniformed personnel willing and able to deliver on mandate; tools / assets; adequate budgets and financing; effective institutional structures and processes)? 1.4. How effective was the project in advocating for better effective and transparent accountability systems for mission leadership and personnel? 1.5. How and to what extent the project influenced policy and decision-makers to acknowledge the importance of mitigating and to address harm to civilians caused by UN PK operations and other armed actors supported by it? 1.6. How and to what extent the project enhanced communities' engagement in mission planning and activities to protect civilians?
2. Are the projects' design/logic chain/targets/assumptions holding during the program's implementation or should they be adapted?	2.1. How the project built on previous CIVIC initiatives/first grant findings in a continually changing complex environment? 2.2. How do project partners and interlocutors from humanitarian organizations, relevant civil society assess the added value of the project's research advocacy and technical assistance initiatives?
3. What projects' results have been achieved to date (including unintended and/or negative results)?	3.1. How and to what extent the project contributed to UN Secretariat, Member States, UN Peacekeeping Missions' attitude and behavior-change related to CHM and POC?

4. What recommendations should be considered for implementation going forward?	4.1. How CIVIC can strengthen its engagement with the UN Secretariat, Member States, Mission Leadership, government institutions, armed actors and the civilian population, both nationally and internationally? 4.2. Are there specific approaches or methods that can be developed in the future that could be used to measure advocacy outcomes?
---	---