

**Remarks of Ms. Ilene Cohn, Chief, Security Sector Reform Unit, United Nations DPKO**  
***The armed forces as peacekeepers and peace enforcers: implications for ombuds institutions***  
**10th International Conference of Ombuds Institutions for the Armed Forces**  
**30 October 2018**

Emperors Palace Hotel, Johannesburg, South Africa, 28-30 October, 2018

## **INTRODUCTION**

Thank you to the Government of South Africa and DCAF for convening this meeting and inviting the United Nations to participate.

This session will focus on the role of ombuds institutions in relation to armed forces involved in multilateral or regional peacekeeping. We will be breaking out into four groups to consider this issue in the context of UN, AU, ECOWAS and NATO missions. My introductory remarks are limited to UN peace operation missions, to which many of your countries contribute contingents or staff officers.

## **CURRENT ENVIROMENT AND NEW CHALLENGES**

First, I would like to briefly recall how dramatically the challenges facing peacekeepers have changed in recent decades. The settings we are deployed into have grown more complex, our mandates have become more demanding, the dangers to peacekeepers have increased, and specialized skills and costly equipment are required to do the job.

Many UN operations are mandated by the Security Council to protect civilians using all necessary means, including the use of deadly force to prevent or respond to imminent threats of physical violence against civilians. Some mission mandates call for the neutralization of armed groups or reduction of the presence and threat of armed groups.

Neutralizing armed groups is dangerous and difficult, but more importantly it is not sustainable unless it is done in the service of a political solution, which can be slow to advance. Meanwhile, protecting civilians from highly mobile armed groups on vast territories that lack infrastructure is a daunting task. The nature of armed groups has also expanded, and may include paramilitary organizations, private security elements, terrorist groups, organized crime and drug traffickers.

Most distressing is the fact that the blue helmet and the UN flag are increasingly targeted. Just this weekend our mission in Mali, MINUSMA, reported the killing of two troops from Burkina Faso and multiple wounded from Togo. I attended many funerals for peacekeepers in the year I spent in CAR.

## **WHAT IS THE ROLE OF OMBUDS INSTITUTIONS IN RELATION TO UN PK PERSONNEL?**

*Ombuds institutions can help improve peacekeeping performance*

Troop contributors to UN missions do not generally deploy ombudspersons with peacekeeping contingents. However, ombuds institutions may play an important role during the pre-deployment stage. This includes ensuring that personnel are selected according to fair and transparent criteria, and in line with your national regulations and UN guidance.<sup>1</sup> Ombuds institutions may be called upon to investigate complaints of bias or discriminatory selections, including gender bias in selection processes.

Your institutions may engage in pre-deployment training to ensure readiness to deploy, at which time you might explain the standards of conduct and warn of the consequences of misconduct or SEA.

We are very committed to improving peacekeeping performance. In the *Declaration of Shared Commitments on UN Peacekeeping*, endorsed in September at the HLGA, 150 Member States committed to “provide well-trained and well-equipped uniformed personnel and to support the effective development and delivery of peacekeeping training.” The ill-equipped or unprepared peacekeeper not only faces unacceptable risks to her or himself but more importantly, may fail to protect civilians, neutralize armed groups, and shape and hold ground in the effort to extend state authority.

Your role in ensuring appropriate selection, training, induction, and deployment with appropriate equipment may contribute directly to peacekeeping performance.

*Ombuds institutions may play a role in protecting the rights of armed forces personnel in international missions and host country civilians*

At the 8<sup>th</sup> ombuds conference, participants recognized the important role of ombuds institutions in protecting the rights and freedoms of armed services personnel in international missions as well as the local population, and observed that mission personnel should have clear guidance about the complaints mechanisms that should exist to protect both armed forces personnel and civilians.

The UN does not have a procedure for troops to lodge complaints about their administrative treatment or conditions of service, as these are matters addressed by and within the TCC.

Complaints against military members of the same contingent are handled internally, according to national standards and often treated as minor misconduct dispensed with through the unit’s disciplinary structures.

The UN does have procedures and guidelines for civilians in the host country to report complaints or allegations of misconduct and SEA against peacekeeping personnel, including troops. And the UN does investigate staff and take particular steps to follow up on allegations

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<sup>1</sup> The “Guidelines for the Selection, Deployment, Rotation, Extension, Transfer and Repatriation of United Nations Military Experts on Mission in United Nations Peacekeeping Operations”.

against troops. However, the UN cannot produce guidance on the role of the ombuds institution or any other national entity<sup>2</sup> because members of national contingents [...] are subject to their Government's exclusive jurisdiction in respect of any crimes or offences, acts of misconduct or serious misconduct, which are allegedly committed by them while deployed to a UN peacekeeping operation. In light of the variation in TCC responses to allegations of misconduct, the resolution tabled by Germany on intensified partnership between ombuds institutions for the armed forces proposed some elements of a solution.

## **CONCLUSION**

I look forward the breakout groups and hope to learn (1) how you prepare your personnel for participation in peace operations, (2) how TCC ombuds institutions collaborate, (3) how the contributors and the host country ombuds institutions interact, and (4) whether the answers to these questions varies depending on the organization leading the mission.

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<sup>2</sup> Neither the UN SOP "Implementation of amendments on conduct and discipline in the model Memorandum of Understanding between the United Nations and Troop Contributing Countries" or the GA's "Report of the Special Committee on Peacekeeping Operations and its Working Group on the 2007 resumed session" refer specifically to ombudspersons.