



UN Police Component Role and Responsibilities in Addressing CRSV

Introduction.

1. Sexual and gender-based violence (SGBV) is a persistent and universal problem that happens in all societies and across all social classes. It is widespread during conflict and post-conflict situations where sexual violence can be used in relation to the conflict. Within the context of the PoC framework, the police have a critical role in actions related to all the three tiers - I (Political Process), II (Physical Protection) and III (Protective Environment). The United Nations Police (UNPOL) Standardised Training Curriculum on the Prevention and Investigation of SGBV in post-conflict environment and the UNPOL Gender Toolkit: Best Practices on Gender Mainstreaming in Peacekeeping (2015) provide standardised training materials and tools relevant to the role of UNPOL on responding to SGBV/CRSV.

Aim

2. To provide an overview of the UN Police Component role and responsibilities in prevention and response to CRSV.

Scope.

3. The session on the UN Police Component's role and responsibilities to prevention and response to CRSV comprises:
 - a. Part I: UN Police Component's Approaches to address SGBV/CRSV
 - b. Part II: Preventive Measures employed
 - c. Part III: Response Measures employed
 - d. Part IV: Police and Military Component Coordination
 - e. Part V: Definitive points the Police Component are directed to follow

Learning Outcomes.

4. The session intends to bring out the following:
 - a. Comprehend/understand UNPOL's role and responsibilities;
 - b. Understand the nuances of designing preventive and response measures to address SGBV/CRSV;
 - c. Highlight the preventive and response measures the Police Component employ.

Part I: UN Police Component's Approaches to address SGBV/CRSV

5. **Approaches.** The UNPOL support the provision of public order and safety while building capacity of the host-State policing and other law enforcement agencies in order to deliver better security and access to justice. It provides specialized capacities to fulfil mandates to protect civilians, as well as to create or strengthen national capacity to address challenges, particularly those related to community-oriented policing, transnational organized crime and border management.
6. **Responsibilities.** Major responsibilities of UNPOL:
 - a. To support the reform, restructuring and rebuilding of National police and other law enforcement institutions;
 - b. To provide operational support to the host State police; and
 - c. To carry out executive policing functions as an interim measure until the local police are able to perform such functions effectively.



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7. **Police Component Entities.** The Police Component functions under a Police Commissioner and have the following primary entities to execute the mandates:
- a. **Individual Police Officers.** Individual Police Officers (IPO) are experienced, skilled and highly-qualified specialists (experts in management, planning, operations, training, investigations, forensics, administration, technology and change management) conversant in the language of the Mission; and
 - b. **Formed Police Units.** Formed Police Units (FPU) are rapidly deployable, well equipped and trained to act as a cohesive body capable of responding to a wide range of contingencies. They are self-sufficient, able to operate in “high-risk” environments and are deployed to accomplish policing duties such as crowd control rather than to respond to military threats. FPUs comprises usually of company strength (140-160 armed personnel). The core tasks of FPUs are:
 - i. Patrolling.
 - ii. Public order management;
 - iii. Protection of UN personnel and facilities;
 - iv. Supporting police operations that require a formed response and may involve higher risk.

Part II: Preventive Measures

8. **Overview.** Except in the case of ‘Interim Policing’, host State police have the primary responsibility in the following functions:
- a. Crime Investigation, including preservation of evidence.
 - b. Arrest, Detention and Prosecution.
 - c. Protection of victims/survivors and witnesses.
9. **Responsibilities.** Mission Police Component will have only a support role as defined in the mandate. As such UNPOL response to SGBV/CRSV incidents are limited to the provision of operational support and capacity building of the host State police within reform, restructuring and rebuilding processes. In some situations, where functioning rule of law institutions are absent, UNPOL may be requested to provide interim policing and other law enforcement functions, effectively becoming the police service of the country. They are, among other things, entrusted with powers to arrest, detain and search.
- a. **Operational support:** Provide operational support to the host State police to ensure physical protection of civilians through advice on planning and conducting operations and investigations into incidents and joint patrols in high risk areas such as escorting people/IDPs during collection of firewood, on the way to the market/schools etc. (e.g. UNPOL in MINUSTAH and UNMIL are co-located with the host State police specialised units dealing exclusively with SGBV cases).
 - b. **Physical protection:** If mandated to perform interim executive policing,ⁱ UNPOL shall be directly responsible for physical protection of civilians against imminent threats, e.g. through force projection and/or high visibility and increased patrolling.
 - c. **Assessment and planning:** Include the different security needs and vulnerabilities of women, men, boys and girls, in particular threats related to SGBV/CRSV, during police assessment and planning processes (e.g. the Standing Police Capacity has undertaken an assessment of



SGBV crimes in the protection of civilian sites in South Sudan in support of a project implemented by an UNPOL Specialised SGBV Team).

- d. **Criminal information analysis:** Assist the host State police and the field mission in providing criminal information analysis that is aimed to prevent, deter or mitigate SGBV/CRSV threats to civilians. This includes identifying high risk areas and vulnerable groups.
- e. **Community engagement:** Assist the host State police in engaging with communities, especially women, through patrols, regular forums (including female-only community forums), problem solving approaches and outreach programmes aimed to jointly identify SGBV/CRSV threats and solutions for preventive measures. Community-oriented policing programmes help strengthen relations between communities and the host State police over time, which will improve early warning of, and rapid response to SGBV/CRSV threats to civilians (e.g. community activities such as sports events, skills training (e.g. English language, crafts) by UNPOL in UNMISS; regular community forums in UNMIT and UNMIL).
- f. **Provision of security-related public information:** Assist the host State police in providing security-related public information and contribute to a public awareness campaign to prevent SGBV/CRSV together with relevant public information partners.
- g. **Policy and standard operating procedures (SOP) on SGBV investigation:** Assist the host State police in developing, implementing, monitoring and evaluating a policy and SOP on the investigation of SGBV cases (e.g. UNPOL Specialised SGBV Team activities in MINUSTAH and UNMISS).
- h. **SGBV prevention strategy and action plan:** Assist the host State police in developing, implementing, monitoring and evaluating a strategy and action plan to prevent SGBV crimes (e.g. UNPOL Specialised SGBV Team activities in MINUSTAH and UNMISS).
- i. **Specialised SGBV police units/one-stop centres:** Assist the host State police in setting up specialised SGBV police units or one-stop centres that are especially staffed with trained investigators and equipped to investigate, respond, counsel and refer victims of SGBV. There should be an equal participation of female officers in the units (e.g. the UNPOL Specialised SGBV Team in MINUSTAH has set up SGBV police units all over Haiti; specialised units exist in police services worldwide – e.g. Women and Children Protection Service in the Liberian National Police; Vulnerable Persons Unit in the National Police of Timor Leste, Domestic Violence Unit and Trafficking in Human Beings Unit in the Kosovo Police; Family Support Unit in the Sierra Leone Police; one-stop centres that bring together various victim support services such as medical, legal, social assistance and the police also exist in Haiti, Jordan, Rwanda etc.).
- j. **Standardised training on SGBV investigation:** Assist the host State police in developing and rolling out a standardised training curriculum to UNPOL and host State police trainers, investigators and senior police leadership officers on SGBV investigation and management according to an agreed SOP (e.g. The UNPOL Specialised SGBV Team in MINUSTAH has assisted in developing a training curriculum that was integrated in the Haitian National Police Academy and was used to train over 1,000 investigators across the country).
- k. **Victim support referral system:** Assist the host State police in establishing victim referral systems in collaboration with relevant field mission entities (e.g. gender advisers, women



protection advisers, rule of law officers, human rights officers etc.), governmental authorities, international and national non-governmental organisations and UN agencies.

- l. **SGBV crimes database:** Assist the host State police in creating an SGBV crimes database to ensure reliable information on SGBV cases. Support the gender-sensitive monitoring, analysis and reporting arrangements (MARA) in the field mission. (e.g. UNMIL Human Rights section has piloted an SGBV tracking system; UNPOL in UNMIL have set up a crimes database that includes gender-disaggregated data and SGBV crimes).
- m. **Mentoring of host State police:** Co-location and mentoring of host State police officers on the investigation and management of SGBV/CRSV cases, as well as on community-oriented policing approaches (e.g. UNPOL in MINUSTAH and UNMIL are co-located with the host State police specialised units dealing exclusively with SGBV cases).
- n. **Police oversight mechanisms:** Assist the host State in establishing police oversight and accountability mechanisms that include community feedback on police performance on SGBV prevention.

Part III: Response Measures

10. Overview: The recommended response measures are:

- a. **Pre-emptive measures:** Identification of areas for mission patrols and monitoring and conducting joint or UN-led patrols in known risk areas. Maintenance of a presence at IDP camps or team sites near highly vulnerable areas.
- b. **Response measures:**
 - i. **If mandated to perform interim executive policing,ⁱⁱ** UNPOL shall be directly responsible for the physical protection of civilians against imminent threats through:
 - Force projection and/or high visibility and increased patrolling.
 - Arrest, detention and search of perpetrators: According to the Interim Standard Operating Procedures on Detention in UN Peace Operations (2010), detainees “shall be released or handed over to National law enforcement officials of the Host State or other relevant authorities as soon as possible.”
 - Investigation of cases for prosecution: The investigation process should be implemented according to the host authorities’ legal provisions. See attached SOP on SGBV investigations from the UNPOL Gender Toolkit.
 - ii. **Physical protection:** Undertake deterrence activities such as high-visibility patrols (e.g. mobile SGBV units in IDP camps in MINUSTAH; setting up of checkpoints in MINUSCA), providing escorts (e.g. firewood patrols in UNAMID), assisting military in moving civilians out of harm’s way and provide joint public order management operations together with the host State police (e.g. FPU in Liberia).
 - iii. **Operational support:** Provide operational support to the host State police to ensure physical protection of civilians through advice on planning and conducting operations and investigations into SGBV/CRSV incidents.
 - iv. **Survivor referral and assistance:** Assist the host State police in providing referral services to survivors of SGBV/CRSV and ensure proper first response procedures (e.g. collaboration with NGOs for victim assistance in MINUSTAH; UN agencies such as UNFPA has supported the Timor-Leste ministry dealing with social welfare to set up an SGBV victim referral system in collaboration with UNMIT).



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- v. **Community-based early warning mechanisms:** Support community-based early warning mechanisms and host State police engagement through participation in reconciliation efforts jointly with civil society groups (e.g. UNPOL played an important role in averting genital mutilation of 50 girls in Chad through engagement with tribal leaders and women's civil society groups).
 - c. **Consolidation measures:** Promote community engagement on SGBV/CRSV issues, advising on consolidating public safety and investigating SGBV/CRSV cases and related human rights violations in cooperation with mission human rights actors and host State police.

Part IV: Police and Military Component Coordination

11. **Coordination:** The Military and Police Component function together in accomplishment of the Mission Mandate. At the Mission HQ level, the Military Operations Centre and Police Operations Centre must have well defined information sharing protocols. The Military and Police Components conducts joint operations or assist/support each other in execution of their specific roles. Joint planning, coordination, establishment of joint HQ, defining specific responsibilities of each component, etc. are important.

- a. **Areas of Coordination.** Some of the areas of coordination are as follows:
 - i. Information Sharing.
 - ii. Public Disorder Management.
 - iii. Joint Operations.
 - iv. Crowd Management.
 - v. Detention.
 - vi. Elections.
 - vii. Crisis Management.
- b. **Co-location.** Depending on the operational necessities IPOs or FPU's may be co-located with the military units/sub-units.
- c. **Integrating Female Police Officers.** Female police officers forming part of either IPOs or FPU's may be required to provide support to military units/sub-units in joint patrolling, joint community engagements and other operational activities where their presence will have a positive effect in mandate implementation.

12. Perspectives on related Issues

- a. **Sexual violence as an international crime:** Sexual violence can amount to an international crime – i.e. crime against humanity, war crime or an element of genocide. As such, it is important to refer to the host authorities' legal provisions regarding international crimes.
- b. **Domestic Violence.** Domestic violence is a law and order issue (not part of CRSV) and therefore best dealt by host State police. However, military detachments are expected to intervene and protect a victim from physical violence, when the act is committed in their presence. Assistance to the survivor and detention of the perpetrator may be carried out depending on the gravity of the situation. The matter should be immediately reported to the



host State police and constructive engagement of community leaders (including female leaders) must be carried out.

- c. **Transnational Crime.** As part of its mandate to create stable and secure environments UNPOL are working with international policing and law enforcement experts to find ways to prevent, disrupt and dismantle organized crime in post-conflict situations. UNPOL assist domestic law enforcement authorities to establish mechanisms to deal with organized criminal activities, including drug production and trafficking, human trafficking, exploitation of natural resources and weapons trafficking. Military units and sub-units may be required to support host authorities through proactive operations.
- d. **Human Trafficking.** Human trafficking is the illegal trade of human beings for the purposes of commercial sexual exploitation and forced labour. The occurrence of human trafficking is a serious crime. In the context of CRSV, the Military and Police Components need to work closely with the host nation and execute operational tasks as per mandate.
- e. **Harmful traditional practices.** Harmful traditional practices including honour killing, female genital mutilation, bride burning etc. while a cultural issue, is a human rights violation and a crime that are legally prohibited in most countries. Being a sensitive issue, the Military and Police Components need to make the local law enforcement agencies respond proactively to prevent violation of the legal provision.

Part V: Definitive Points the Police Component are directed to follow

13. **Do's:**

- a. Be a 'Role Model' (good conduct and discipline, representation of female police peacekeepers and respecting local women) and be approachable;
- b. Follow the standard operating procedures on responding and investigating SGBV if available;
- c. Respect the dignity and confidentiality of the survivor;
- d. Document/record the incident and preserve evidence;
- e. Obtain necessary information for reporting of the incident (if possible). Actionable information that can prevent further human rights violations/SGBV/CRSV must be acted upon immediately;
- f. Report through chain of command and to the designated WPA/CPA;
- g. Assist and protect the survivor(s) and witnesses as required;
- h. Obtain informed consent from the survivor(s) (on whom to inform, which service provider to be approached, etc.);
- i. Follow 'Referral Arrangements' for transfer and handover of the survivor to the designated service provider;
- j. Follow detention procedures in handling perpetrators;
- k. In case of doubt, assume sexual violence has taken place;
- l. Follow Directives of Use of Force. Ensure command and control, restraint, maturity and discretion; and,
- m. Do No Harm/Avoid collateral damages.

14. **Don'ts:**

- a. Do not reveal the particulars of the survivor (maintain confidentiality and anonymity - name, details of the family, village, personal identification, photos, etc. not to be reflected in reports).



Takeaways

15. UN police peacekeepers addressing SGBV/CRSV are:
- a. authorised to according to mission mandate:
 - i. Prevent and respond to all forms of sexual violence in support of the host State police, remembering that women, men, boys and girls are all at risk of SGBV/CRSV, although women and girls can disproportionately be affected;
 - ii. Search, disarm and detain SGBV/CRSV perpetrators in support of the host State police; and
 - iii. Use force, including deadly force, in combating SGBV/CRSV in support of the host State police.
 - b. To be conversant with:
 - i. The guidelines on advocacy with the parties to the conflict to end/prevent SGBV/CRSV;
 - ii. Gender-specific SGBV/CRSV early-warning indicators; and,
 - iii. Referral pathways to assist survivors.
 - c. Carry out proactive and targeted community engagement with the local populace, including with local women and girls, women leaders and women's organisations.
 - d. Support WPAs in MARA.
 - e. Maintain a parallel reporting channel with designated WPA.
 - f. Support other Mission components in addressing SGBV/CRSV.

Conclusion

16. In conclusion, protection of civilians as a mandated task in peace operations echoes the basic tenet of policing and law enforcement – that is the protection of lives and property. For UNPOL - protection is a core concept of international policing in peacekeeping. UNPOL play an essential role in POC in providing physical protection and ensuring a protective environment to prevent SGBV/CRSV.

ⁱ Interim policing responsibility as part of United Nations transitional administrations, as was the case in Kosovo (UNMIK) and the United Nations Transitional Administration in East Timor (UNTAET). Interim executive policing mandate means directly responsibility for all policing and other law enforcement functions and for the maintenance of law and order.

ⁱⁱ Ditto.