

OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS

East-Asia Pacific Workshop Report on “*Humanitarian Challenges in Complex Emergencies*” Kobe, Japan (14-15 November 2002)

Preliminary Conclusions

1. OCHA held the second regional workshop on the Protection of Civilians in Armed Conflict in Kobe, Japan on 14-15 November 2002. Local arrangements for the workshop were supported extensively by OCHA’s Kobe Office and the UN University in Tokyo. The workshop was attended by approximately seventy people drawn primarily from ministries of foreign affairs, defence and interior, representing eleven countries in the East Asia-Pacific region as follows: Cambodia, China, Indonesia, Japan, Laos, Malaysia, Philippines, Republic of Korea, Singapore, Thailand, and Viet Nam. There were also a number of academic and civil society participants from the countries involved. **(Participants list attached)**
2. The aims of the workshop were:
 - To introduce and outline the concepts contained in the Protection of Civilians in Armed Conflict reports to participants in ministries and organizations that have responsibilities in this area.
 - To provide participants with experience in using diagnostic tools such as the ‘Aide Memoire’ and other materials that would assist in defining the threats to the security and protection of civilians in domestic and regional complex emergencies.
 - To apply these concepts and analytical tools in the East Asia-Pacific region with the intention of providing a regional perspective on the protection needs of civilians in armed conflict for inclusion in the Secretary-General’s third report on the subject.
3. The workshop consisted of a series of roundtable presentations led by expert speakers drawn from UN departments and agencies engaged in various aspects of the protection of civilians. Part of the workshop also involved a simulation exercise in which participants had to identify the threats to civilians in a fictional regional scenario and make recommendations to the UN Humanitarian Envoy and the Security Council on the protection measures required. The final component consisted of a structured discussion on the protection issues facing the region. **(Workshop agenda attached)**
4. The nature of the issues faced within the East Asia-Pacific region in the protection of civilians differ from those in other regions. Conflicts tend to be communal or ethnic in nature, leading to concerns caused by refugee spill-overs and internally displaced persons. A number of countries are involved in UN peacekeeping operations and

training, yet there is little sharing of experiences in this area. Moreover, the region does not have a strongly developed multilateral framework for coordination on security and protection issues.

5. The workshop made a number of general observations and recommendations concerning the protection of civilians in the region as follows:

- As the primary holders of responsibility for the protection of civilians, national authorities need to overcome issues of political will, avoid double standards, and work through the Security Council when considering and taking action on existing or potential complex emergencies.
- The UN Security Council must ensure that peacekeeping operations are adequately supported in terms of mission size and mandate if they are serious about fostering a culture of protection.
- Spill-over effects from refugees and IDPs pose a major concern to countries within the region who lack capacity for coping with large influxes or shifts in populations. One consideration should be greater attunement to the needs of host communities and those who remain in their communities, in addition to the needs of refugees and IDPs, to avoid inequalities in the provision of assistance and subsequent resentment. The UN system and NGOs are well positioned to draw attention to and help fill gaps in the protection of IDPs
- The recent Bali bomb attacks underscore that terrorism is a major threat to the protection of civilians within the region. Terrorism not only threatens the physical security of civilians, but counter-terrorist measures risk subjugating civilian rights with the increased blurring of civilian status. Greater cooperation is required on multiple levels among regional governments and with the United Nations to address this challenge. Areas cited for potential cooperation are in internal capacity-building, contingency planning and the drafting of new counter-terrorist legislation that is consistent with overall responsibilities for the protection of civilians. Participants noted that differences exist in the protection of civilians during conventional conflicts and in the aftermath of terrorist attacks, which need to be reflected in such legislation.
- The need for a common approach towards terrorism was extended to conflict prevention and training programs for peacekeepers. Mainstreaming of the protection of civilians standards into training materials would ensure that peacekeeping personnel are fully aware of the challenges and responsibilities involved in protecting civilians during complex emergencies. Moreover, a number of participants noted the need for peacebuilding and prevention activities in relation to protection of civilians.

- Coordination is further challenged by the desire on the part of some humanitarian entities to keep a distance from the military aspects of peacekeeping, in order to maintain their neutrality. A number of participants cited the need for greater government awareness of the standards and codes of conduct to which international NGOs, private corporations and other civil society actors are held to improve transparency. Participants agreed that interaction between agencies, and cooperation with NGOs could be improved through reliance on umbrella organisations.
- Closer cooperation is required within the region in institutionalizing protection of civilians concepts within domestic procedures. In this regard, the United Nations should develop a comparative database on training and codes of conduct within Member State armed forces and national police to promote standardization and greater cooperation. The Aide Memoire could be used as the basis for a common code of training and development of standard training modules.

6. There was considerable commitment to follow up action to this workshop. Participants found the Aide Memoire to be a useful tool in identifying the primary issues for consideration in the protection of civilians, and expressed interest in its continued update. A number of delegations indicated that they planned to incorporate the 13 core objectives within their particular decision-making structures and to promote it more broadly within their governments. Follow-up action is required with the Government of Indonesia, which requested that a country-specific workshop be held in Indonesia next year given the extent and specific nature of the protection issues faced there.

Mark Bowden
PDSB
6/12/2002