

# Australian Defence Force’s Approach for the Protection of Civilian (POC): Perspectives of Guidelines, Training and WPS

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## Introduction: The Protection of Civilian as the Operational Challenge of Military Force

This paper is based on the research conducted at Australian Human Rights Centre, the University of New South Wales, including the interviews with those working in the relevant field of the Protection of Civilian (POC) in Australian Government. It aims to propose

potential approaches for the POC by examining the relevant measures of Australian Defence Force (ADF). It focuses on ADF's perception about the issues of POC in peace operations and the possible actions in its operations.

According to the Draft Concept of the UN Department of Peacekeeping (DPKO) and Department of Field Support (DFS), the issue of POC should be addressed around the three tiers: "Protection through political process", "Providing protection from physical violence", and "Establishing a protective environment"<sup>1</sup>. The root cause of the conflict must be solved through political process among the warring parties. The role of the military force in the POC is to take limited actions to meet humanitarian need during and after the peace process when the implementation of peace agreement at political level is neglected on the ground. The term "POC" in this paper refers only to such roles of the military force.

Considering today's situation in which non-combatant population constitutes the majority of victims of armed conflicts, the POC is the real-world issue that every single peacekeeper may encounter. Besides, the military force is expected to address POC more highly than ever. It is evident from the fact that most of the ongoing PKO missions have POC mandates<sup>2</sup>.

Australia is one of the countries that proactively studies and values the whole concept of POC by the military. Based on its experiences and lessons learned in peacekeeping in East Timor and elsewhere, Australia has produced "Mandated to Protect"<sup>3</sup>, which is the internationally disseminated educational material about the POC. They also developed the breakthrough

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<sup>1</sup> U.N. Department of Peacekeeping Operations and U.N. Department for Field Support, *Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations* (URL : <http://www.peacekeeping.org.uk/wp-content/uploads/2013/02/100129-DPKO-DFS-POC-Operational-Concept.pdf>)

<sup>2</sup> According to the UN DPKO, the POC mandate was first given to UN Mission in Sierra Leone (UNAMSIL) in 1999. As of February 2017, 10 of the 16 ongoing UN missions have POC mandate (UNMIL [Liberia,2003~], UNIFIL[Lebanon,2006~], UNOCI [Cote d'Ivoire, 2004~], MINUSTAH [Haiti, 2004~], UNAMID [Darfur, Sudan, 2007~], MONUSCO [Republic of Congo, 2010~], UNMISS [South Sudan, 2011~], UNISFA [Sudan, 2011~], MINUSMA [Mali, 2013~], MUNUSCA [Central African Republic, 2014~..])

<sup>3</sup> "Mandated to Protect: The Protection of Civilians in Peacekeeping Operations" produced by Australian Civil Military Centre (ACMC) is the documentary film that covers the interviews with people with POC field officers and practitioners. It is referenced in the Specialized Training Materials (STM) on Protection of Civilians. The video clip is available on line: [https://www.youtube.com/watch?v=y8y8\\_GaxC3I](https://www.youtube.com/watch?v=y8y8_GaxC3I)

“Australian Guidelines for Protection of Civilian (POC Guidelines) <sup>4</sup>” in December 2015. These efforts aim to improve the capabilities of the military to address POC under threat situations, rather than fundamental solution of threats on the ground. At the core of their idea is determination that POC must be addressed for humanitarian need<sup>5</sup>. Instead of asking about their conventional capability (“Can we, or can we not?”) and about the adequacy of conducting POC (“To do, or not to do?”), these products are based on Australia’s awareness of the need for clarifying how the military should implement POC.

Besides, the development of the POC Guidelines is one of the action item set forth in Australia’s National Action Plan on Women, Peace and Security (NAP)<sup>6</sup>, which Australia developed to implement the UN Security Council Resolution 1325. The Australian plan made clear that POC is the key element of Woman, Peace and Security (WPS) <sup>7</sup> and provided an impetus to Australia’s commitment including the development of the POC Guidelines. The

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<sup>4</sup> The development of POC Guidelines was triggered by Australia’s National Action Plan on Women, Peace and Security (NAP) articulating the development of “guidelines for the protection of civilians, including women and girls” (Action 2.1) ) Although the Guidelines is not just for ADF but for whole of Australian Government, ADF and Australian Federal Police (AFP) are supposed to develop their doctrines based on the Guidelines. POC Guidelines, therefore, is the document that shows the basic of the ADF’s POC concept.

<sup>5</sup> The foreword of the POC Guidelines says “In contemporary conflicts civilians are increasingly the targets of systematic and opportunistic violence, including indiscriminate or disproportionate attacks, sexual and gender-based violence and other violations of international law. This situation continues despite the existing protections provided by international humanitarian and human rights law. Clearly, more needs to be done.” (Australian Civil-Military Centre, *Australian Guidelines for Protection of Civilians*, URL: <http://www.mod.go.jp/js/jsc/jpc/research/image/jap07.pdf>)

<sup>6</sup> National Action Plan (NAP) is implementation plan of Security Council resolutions concerning WPS that are respectively developed by UN member states. NAP reflects each country’s existing measures and situations. The Security Council has called on the member states to develop NAPs. (Source: Ministry of Foreign Affairs of Japan website [in Japanese]: <http://www.mofa.go.jp/mofaj/files/000023403.pdf>)

<sup>7</sup> The UN DPKO’s *Draft DPKO/DFS Operational Concept on the Protection of Civilians* also articulates that the concept of WPS includes that of POC: “Addressing sexual and gender-based violence (SGBV) in peacekeeping operations includes protecting civilians, particularly women and girls, from all forms of sexual violence, either pursuant to thematic Security Council resolutions on women, peace and security such as 1820 (2008) and 1888 (2009) or mission specific resolutions. Missions are responsible for fostering prevention of SGBV across all its mandated tasks, including through pursuing judicial and legal reforms. The police for example may play a role in providing protection through child and family protection officers. Six missions have this mandated task.” (“Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations”, p. 7)

linkage characterizes the Australia’s unique efforts for POC. We will briefly touch on how the issue of the WPS incorporate the POC.

The structure of the paper is as follows. First, we will show a brief overview of the “military aspect” and “policy aspect” of the background of Australia’s efforts for POC, namely ADF’s POC experience in East Timor and Australia’s involvement in international discussion. The policy aspect will centre around the two important factors: Australia’s contribution to the UN and international community’s efforts for the POC and the promotion of the POC as part of WPS.

Second, based on the background and the perceptions about POC, we will introduce the two major efforts of Australia: the development of the POC Guidelines and the POC training module for ADF.

Finally, we will introduce the ADF’s works for WPS that are affecting the ADF’s overall operations, serving as the major driving factor of two aforementioned measures. WPS is the area that whole Australian Government is endeavouring to strengthen its efforts for, not only as part of their international engagement but also from the perspective of domestic promotion of women’s empowerment and participation. ADF is particularly active in WPS. They develop and implement various policies and products including Defence Implementation Plan that aims to integrate WPS into their operations. This section is aimed at demonstrating the relevance between the POC and the WPS, as such perspective is essential to fully understand the operational concept of Australia as Japan’s quasi ally, and to seek possibilities of further joint activities.

## 1. The Overview and the Background of Australia’s efforts for POC

### (1) Military Aspect: ADF’s Operational Experiences of POC in East Timor

One of the operational experiences affecting Australia’s perception of POC is said to be the deployment in East Timor<sup>8</sup>. East Timor has gone through an atrocity after the pro-

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<sup>8</sup> Australia has a rich history of contributing to the peacekeeping in various trouble spots of the world since the end of the World War II. It instantaneously contributed to the UN military observers in Indonesia in 1947 followed by more than 30 peace missions. Six of the multilateral peace operations were led by Australian Commander (military Observers in Kashmir [1950-66], UNTAC [Cambodia,

independence result in the UN-mediated independence referendum from Indonesia in September 1999, leading to the series of massacres by the anti-independence militia. In addition, an armed insurrection by the local resident was imminent. There was a growing public opinion in Australia that it should intervene somehow. To respond to such a situation, John W. Howard administration gained support from the UN Secretary General and the United States to make a decision to deploy ADF as the lead nation of multi-national force providing peace and security in the lead up to a UN PKO mission to be formed (INTERFET : International Force for East Timor, whose duty subsequently took over by UNTAET in February 2000)<sup>9</sup>. Based on this decision, ADF responded to the turbulent situation in East Timor before the inauguration of UNTAET, carrying out a transport operation of Australian national (Operation Spitfire) and by leading the intervention by INTERFET (Operation Stabilize). A measure of stability was realized when most of the militia force left East Timor by the end of October 1999.

INTERFET was the multi-national force (not the UN Force) authorized by the UNSCR 1264 (1999). The tasks of the multinational force as stipulated in the resolution were "...to restore peace and security in East Timor, to protect and support UNAMET (United Nations Mission in East Timor) in carrying out its tasks and, within force capabilities, to facilitate humanitarian assistance operations." The POC was not among the clear mandates. However, in the effort to calm the violent situation where civilian population were at risk, ADF predominantly implemented the POC based on International Humanitarian Law and International Human Rights Law<sup>10</sup>, not a specified provision within the UN mandate. In other words, Australia took action for POC as the broad moral responsibility<sup>11</sup>.

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1992-93], MFO [Sinai Peninsula, 1994-97], INSCOM [Iraq, 1997-99], UNTSO [Middle East, 1998-2000], INTERFET [East Timor, 1999-2000].

<sup>9</sup> INTERFET was the multilateral force that brought together the forces of 22 countries in total. The majority of military force was ADF, contributing maximum 5,500 manpower including infantry brigades. ADF continued to provide about 2,000 personnel even after the handoff to UNTAET. INTERFET is the largest deployment of ADF after the Vietnam War and the first case that Australian took Command of multilateral force (Australian War Memorial website "Australians and Peacekeeping", URL : <https://www.awm.gov.au/atwar/peacekeeping.asp>)

<sup>10</sup> Interview with LtCol Nash on 27 November 2015.

<sup>11</sup> Under IHL, civilians are "protected persons" – they cannot be targeted and their life and dignity must be respected. Civilians are presumed not to directly participate in the hostilities and are therefore entitled

Even though the INTERFET operation in East Timor was not conducted under a clear mission or guidelines of the Australian Government on POC, Australia gained many lessons about POC from the experience.

The first point is that it is very difficult to set definitive objectives of a POC operation. This lesson was drawn from the scene where the home government started to consider the withdrawal of the troops facing the deteriorating situation. The threat against civilians was escalating, but the force commander opposed to withdrawal option because the local population would be massacred by the militia if Peacekeepers left. In this case, the contingent would be abandoning the people possessing the right to be protected under the International Humanitarian Law<sup>12</sup>. The Peacekeepers (ADF) as the military force should act somehow to protect them. On the other hand, if the Peacekeepers had implemented high-intensity / high-casualty operations to protect civilians under a high-threat situation, can they claim their legitimacy? The conflict between the “moral responsibility” under the international law, and internationally/domestically approvable “legitimacy” of the military force, posed both the Government and the contingent with a difficult dilemma. “Yes, we should do it”, would everyone echo from the distance. However, we would all ask ourselves “What is national outcome?” once we actually face a possible escalated and ongoing situation.

The second point, in addition to limitation on use of force and the legitimacy of the UN as Peacekeepers, the issue as above, troops cannot use conventional tactics (the use of proactive measures such as reconnaissance in force, assault, capture, and seizure of territory from enemy) under the situation where who poses threat to whom is so unclear<sup>13</sup>. In such a situation, the contingent must use rather “passive” measures such as provision of strong defensive posture and deterrence as the main elements of POC operation. Such operations are extremely challenging in situations like East Timor where multiple stakeholders (rebels,

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to full protection from attack. Civilians lose this protection only if, and for as long as, they "directly participate in hostilities. (*Draft DPKO/DFS Operational Concept on the Protection of Civilians in United Nations Peacekeeping Operations*)

<sup>12</sup> The most fundamental law providing the definition of civilian to be protected is Geneva Convention relative to the Protection of Civilian Person in Time of War of August 12, 1949.

<sup>13</sup> Indeed, the response of contingent to the situations of POC largely depends on Rules of Engagement (ROE). ROE needs to be established based on a thorough consideration on complex factors including force providing nation’s relation with host country, the UN Charter, consistency with the mandate and so on.

militia, criminals and so on) constitute a threat to the population. These stakeholders might possess not just small arms but larger and more lethal weapons systems than the Peacekeepers. Peacekeepers need to assess the capabilities of threat groups as precisely as possible in order to take appropriate action promptly once a POC situation develops. In such a situation, peacekeepers must continue to face further operational questions: who are those posing the threat; can we distinguish them from civilians or other groups; where are the bases of threat groups; who is supporting the group? Because Peacekeepers may not have all this information beforehand, POC operations tend to become “passive” one in which the contingent respond to the threat “as needed”. Eliminating or persuading the threat becomes very hard in such an operation. These all indicate that POC require very sensible decisions at all the levels of operation, with clear limitation and expectation laid out to the force, including target setting, planning, risk appetite, implementation and conclusion.

The third point is the question of “who are civilians in the first place?” In PKO missions, “civilian” is the protected person that is synonym to “civilian” under international humanitarian law. In other words, “civilian” refers to “a person not directly participating in hostilities.” Peacekeepers are expected to make a clear distinction at all times between civilians and other stakeholders or ‘combatants’<sup>14</sup>. However, it has been recognized from the early days of the POC efforts that peacekeepers would hardly be able to make the most fundamental judgement on whether or not the person they encounter on the ground are entitled to protection<sup>15</sup>. For example, a person should not be regarded as combatant simply by the fact of possessing weapons. They may be entitled to protection if they do not directly participate in a conduct of hostilities (ex. person possessing weapons for the purpose of self-defence or property protection). There are cases of unarmed local persons visiting the UN compound gate and judged to be “civilians”, who then go back to armed groups after a few days. On the other hand, there are obvious civilians such as children,

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<sup>14</sup> United Nation Secretariat, *Secretary-General’s Bulletin : Observance by United Nations forces of international humanitarian law* (ST/SGB/1999/13 ) , URL: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/230/42/PDF/N9923042.pdf?OpenElement>

<sup>15</sup> UN Department of Peacekeeping Operations - UN. Department for Field Support, “Module 1: Introduction to POC” *Specialized Training Materials on Protection of Civilians and Prevention and Response to Conflict-related Sexual Violence* (2015, URL: <http://dag.un.org/bitstream/handle/11176/387387/Introduction%20to%20POC%202.pdf?sequence=2&isAllowed=y>), p. 20.

women and men in family groups. It is therefore impossible to uniformly judge who the civilians are. Threat groups such as rebels and mass murderers may or may not be treated as civilians depending on relationship among such groups and relevance with the conflict situation. They must be carefully observed to judge whether or not to protect them.

As such, the POC by military force is an extremely challenging operation in a complex situation where neither threat nor people to be protected are clearly recognizable. It also requires totally different method from that of conventional infantry tasks. However, as mentioned above, the ADF deployment in East Timor conducted the POC based on International Humanitarian Law, not the existing doctrines, and they had not been thoroughly trained in POC. That means they have incorporated broad moral principles (treatment of civilians under the International Law) and the relevant UN Security Council resolutions to operations on the ground. In such a case, moral and political pressure on the contingent commander making decisions in the complex and changing POC situation must have been enormous. Therefore, the ADF learned to recognize that proper guidance and trust to support decision making and thorough training were necessary to respond to various POC situations, and they must have been consistent with the UN standard

## **(2) Policy Aspect-1: Contribution to the POC in International Community**

Then, how did Australia engaged in the UN discussion on the POC to meet its standard?

In the UN framework, United Nations Mission in Sierra Leone (UNMSIL) in 1999 was the first mission with POC mandate. It became standard in the early 2000's to include POC mandate in PKO missions. After that, the UN Department of Peacekeeping Operations (DPKO) started substantial studies on the conduct of the military for POC to boost full-fledged discussions after the series of failed POC efforts in various PKOs. Until then, the UN had recognized the importance of POC, but had left the issue of how to actually deal with POC to the military. The shocking fact unveiled by the study efforts was that the military were neither trained for nor learned of POC, although they knew how to fight a war. Also, the UN lacked perspectives of using civilian component, such as aid and development sector, to facilitate establishment of protective environment and building a culture of peace. Through such discussion, the most basic fact that the POC is the



complex issue involving multiple sectors, both military and civilian, was finally recognized.<sup>16</sup>

Australian government, attaching a high value on its roles in the UN framework, became increasingly interested in the POC, as it received a lot of focus there. When the UN started concept development, Australian government tried to offer a niche capacity. However, it became apparent that Australia had no unified concept of what POC meant for Australian government. In other words, there was no common understanding about the definition of POC, how protection mandate can be implemented and how they can be prioritized across Australian government agencies.<sup>17</sup>

As was described above, POC is the challenge that overarches multiple sectors. In order for Australia to offer a Government-wide strategy, it was important to make a common definition of POC across the Australian Government agencies, including ADF and relevant offices of Department of Defence<sup>18</sup>. This was the background at political and strategic level to Australia's decision to develop the POC Guidelines.

### **(3) Policy Aspect-2: Promotion of POC in the context of Women, Peace and Security (WPS)**

In addition to the ADF's field experiences in East Timor and the growing focus in the international society, the other impetus that enhanced the awareness about POC was Australia's efforts for Women, Peace and Security (WPS) and relevant domestic and international moves toward it<sup>19</sup>.

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<sup>16</sup> Keynote speech by Dr Michael Heller Chu at International Peace and Security Symposium on 16 December 2016.

<sup>17</sup> Presentation by Ms. Amy Sheridan Chu at International Peace and Security Symposium on 16 December 2016.

<sup>18</sup> ADF, APMC, Department of Defence (Defence Legal [Directorate of Operations and Security Law], Defence Peacekeeping Operations Training Centre, Defence Director National Action Plan for Women Peace and Security, Joint Doctrine Centre), Department of Foreign Affairs and Trade, Department of the Prime Minister and Cabinet, Office for Women (Australian Guidelines for the Protection of Civilian, Annex 1)

<sup>19</sup> According to the UN document, WPS refers to '... bringing gender perspectives to the centre of all UN conflict prevention and resolution, peace-building, peacekeeping, rehabilitation and reconstruction efforts'. Australia also depends on this definition. (*Women, Peace and Security : Study submitted by the Secretary-General pursuant to Security Council resolution 1325 (2000)*, 2002, URL: <https://www.un.org/ruleoflaw/files/womenpeaceandsecurity.pdf>)

WPS was first incorporated into the peacekeeping by the UN Security Council Resolution 1325<sup>20</sup>. Based on the recognition that women and girls are disproportionately affected by contemporary armed conflicts, the resolution calls on the member states to address four focus areas to improve such situations: Participation (participation of women at decision-making levels in the mechanisms for prevention, management and resolution of conflicts), Protection (protection of women and girls from gender-based violence), Gender-mainstreaming (In Australian terms, Gender perspective: incorporation gender-perspective into peacekeeping operations), Prevention (respect for international law applicable to the right and the protection of women as well as to the elimination of discrimination against women)<sup>21</sup>. The resolution made clear that WPS covers the aspect of POC by including “Protection” as one of the focus areas.

Australia drew up its National Action Plan (NAP) corresponding the UNSCR 1325 in March 2012. Australian NAP articulates that almost 90 percent of victims of contemporary armed conflicts are civilians, the majority of which are women and girls. It also claims that sexual and gender-based violence (SGBV) is used as the weapon of warfare<sup>22</sup>. As such, it clearly states that protection of women and girls from as SGBV is to be treated as the issue of POC<sup>23</sup>. NAP sets forth the schedules for reviews of 2012-2016.

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<sup>20</sup> Besides the UN Security Council resolution 1325, other UN resolutions related to WPS include UNSCR 1820(2008), 1888 (2009), 1889 (2009) and 1960 (2010).

<sup>21</sup> Ministry of foreign affairs of Japan website (in Japanese) URL : <http://www.mofa.go.jp/mofaj/files/000023403.pdf#search=%27>

<sup>22</sup> Australian NAP describes the impact of armed conflict on women and girls as following “Although often not engaged in combat, women and girls can be disproportionately affected by conflict. It has been estimated that up to 90 per cent of casualties in contemporary conflicts are civilians, the majority of whom are women and children (...). Increasingly, targeted gender-based violence is being used as a weapon of war. Women and children are at heightened risk of gender-based violence during and after conflict.” (*Australian National Action Plan on Women, Peace and Security 2012–2018*, URL: [https://www.dss.gov.au/sites/default/files/documents/05\\_2012/aus\\_nap\\_on\\_women\\_2012\\_2018.pdf](https://www.dss.gov.au/sites/default/files/documents/05_2012/aus_nap_on_women_2012_2018.pdf)).

<sup>23</sup> Australian NAP claims about the use of SGBV against women girls under armed conflict as following: “Increasingly, targeted gender-based violence is used as a weapon of war. Women and children are at heightened risk of gender-based violence during and after conflict. There are many acts that constitute gender-based violence, including rape, sexual slavery, genital mutilation, forced pregnancy, abortion and sterilisation. These acts have particular significance in times of conflict and instability, as they are often used to achieve military or political objectives. The use of this type of violence is a violation of international human rights law and, in situations of armed conflict, international humanitarian law.”, *Australian National Action Plan on Women, Peace and Security 2012–2018*, , p6. Based on this understanding, NAP sets a action 4.10, “Incorporate the protection of the rights of women and girls in bilateral and multilateral discussions on the protection of civilians in conflict and post-conflict situations, particularly with regard to gender-based violence” (Ibid, p. 24). POC Guidelines, too, clarify

Progress reports were compiled in 2014 and 2016, and the implementation of NAP at various levels of ADF works are closely monitored, including documents and policies at the strategic level, as well as works at operation and tactical level, such as training<sup>24</sup>. Table 1 (below) shows the ADF responsibilities set forth in the NAP.

NAP actions related to POC (categorized by the author)	
ACTION 1.1	Policy frameworks of relevant Government departments are consistent with the objectives and intent of UNSCR 1325
ACTION 1.2	Develop guidelines for the protection of civilians, including women and girls.
ACTION 4.4	Consider the use of specific strategies to promote the participation and protection of women and girls in fragile, conflict and/or post-conflict settings, for example ADF Female Engagement Teams and the use of gender advisers.
ACTION 4.10	Incorporate the protection of the rights of women and girls in bilateral and multilateral discussions on the protection of civilians in conflict and post-conflict situations, particularly with regard to gender-based violence.
ACTION 5.1	Foster ongoing civil-military cooperation and information sharing in operations, to protect women and girls.

**Table 1: ADF responsibilities under Australian NAP<sup>25</sup>**

\*Other actions that ADF takes responsibility for include wide variety of measures related to the ADF organization: “Assess and further build on training programs for Australian defence, police and civilian personnel to enhance staff competence and understanding of Women, Peace and

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“Responding to violent attacks, and sexual and gender-based violence (SGBV) with all necessary means, including the use of force, where permissible” as the example of activities relative to provision of physical protection, one of the Australia’s focus areas (p10).

<sup>24</sup> 2014 Progress Report shows the actual measures for NAP implementation. For example, Defence inaugurated the position of Director National Action Plan for Women, Peace and Security (“Director”) to coordinate and implements the WPS measures within Defence. The Director coordinated to develop “Defence NAP Implementation Plan” and established the monitoring and reporting scheme. NAP is also reflected to Defence Corporate Plan, the 2014 Defence Annual Plan, the Defence International Engagement Strategy and the Defence Regional Engagement Strategy. Operational guidance on Women, Peace and Security was supposed to be included in the Chief of the Defence Force Planning Directives. ((2014 Progress Report: Australian National Action Plan on Women, Peace and Security 2012-2018, p.15. URL:<https://www.dpmc.gov.au/sites/default/files/publications/progress-report-2014-nap-women-peace-security-2012-2018.pdf>)

<sup>25</sup> Australian National Action Plan on Women, Peace and Security 2012–2018

Security.”(NAP action 2.1) and “Ensure women have opportunities to participate in the AFP, Defence and ADF and in deployments overseas, including in decision-making positions” (2.2); the rule of law: “Ensure formalised complaints mechanisms for the safe reporting of allegations of gender-based violence and harassment in Australian peace and security institutions are established and supported.” (2.3) and “Investigate all reports and allegations of gender-based violence involving Australian defence, police, civilian or contracted personnel.” (2.4); and the capacity building issues: “Support capacity building for women in fragile, conflict and/or post-conflict settings through promoting opportunities for women’s leadership and participation in decision-making at a country level.” (4.1) and “Promote women’s involvement in the development of institutions, including national judiciary, security and governance structures in fragile, conflict and/or post-conflict settings so that women can access and benefit from these structures.”(4.6).

Among its action items at strategic level, NAP sets forth Action 1.2, “Develop guidelines for the protection of civilians, including women and girls (Action 1.2)” as the clear milestone, along with “Policy frameworks of relevant Government departments are consistent with the objectives and intent of UNSCR 1325 (Action 1.1).” The set lifespan of NAP (2012-2018) accelerated the process for Australia’s efforts for POC strategy

In addition, NAP also included the specific efforts of ADF, “the use of specific strategies to promote the participation and protection of women and girls in fragile, conflict and/or post-conflict settings, for example ADF Female Engagement Teams and the use of gender advisers (Action 4.4.)”

Furthermore, some elements that naturally boost the efforts for POC in the context of WPS were also included. Such items are “Incorporate the protection of the rights of women and girls in bilateral and multilateral discussions on the protection of civilians in conflict and post-conflict situations, particularly with regard to gender-based violence (Action 4.10)” and “Foster ongoing civil-military cooperation and information sharing in operations, to protect women and girls (Action 5.1.)” These were the international moves for WPS that had crucial influence on Australia’s efforts for POC.

On the other hand, there was a strong domestic move for cultural reform. Based on the acknowledgement that alleged mistreatment of ADF female personnel (cases of sexual assault and sexual harassment) impeded its capability and operations, ADF was working on the gender reform. The reform was triggered by the audit report on treatment of women in

ADF (so-called “Broderick Report”<sup>26</sup>). The report pointed out that gender perspective were hitherto absent within ADF organisation, and incorporating this would be essential for enhancing the ADF capability. Such perspective specifically refers to the need for diversity within the leadership by appointing more women in leadership roles, prevention of sexual violence detrimental to ADF capability, and lifting the limitation on combat roles for female personnel as the essential measures for NAP implementation<sup>27</sup>. Stressing the effectiveness of WPS that impacts ADF operational capability, the report was accepted by the high level of ADF. Various efforts for ADF internal reform facilitated the understanding about gender questions. The relevance between the gender reform and WPS is also demonstrated by NAP actions concerning women’s participation

In summary, gender reform by itself was originally the efforts to address the rights of female personnel. At the same time, such efforts were recognized as necessary for enhancing ADF capability. As a result, it seems that the concept of WPS as the integral part of POC was smoothly accepted, and the elements of POC were incorporated with ADF’s works related to WPS without much friction<sup>28</sup>.

POC is the issue overarching multiple sectors. Although the development of POC is not so simple, in terms of the impacts on ADF operations, it seems that Australia’s efforts for POC has been driven by the three major factors as above: (a) POC as the operational challenge based on ADF experience in East Timor; (b) Efforts for defining Australia’s

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<sup>26</sup> Australian Human Rights Commission, *Review into the Treatment of Women in the Australian Defence Force Audit Report*, 2014, URL : <https://www.humanrights.gov.au/sites/default/files/document/publication/adf-audit-2014.pdf>

<sup>27</sup> The reason for the third point is that lack of experience in combat roles is regarded as the major obstructive factor for the promotion of female personnel. It is claimed that lifting the limitation to offer opportunities for female personnel to rank up to the command level is necessary to reflect the women’s perspective to ADF operations and tactics. (The Human Rights Sub-Committee (Parliament of Australia), *Australian Department of Defence Submission to the Joint Standing Committee – Inquiry into the Human Rights Issues Confronting Women and Girls in the Indian Ocean – Asia Pacific Region* , Paragraph 21, URL : [https://www.google.co.jp/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwi5wujrl\\_HSAhWPQpQKHbtiAe8QFggiMAE&url=http%3A%2F%2Fwww.aph.gov.au%2FDocumentStore.ashx%3Fid%3D291ebc3d-9c60-4c50-a6d0-671e263f0213%26subId%3D298279&usg=AFQjCNErW5BQD4Y5rnBYwApjfzGCrEbmZg&bvm=bv.150729734,d.dGo&cad=rja](https://www.google.co.jp/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwi5wujrl_HSAhWPQpQKHbtiAe8QFggiMAE&url=http%3A%2F%2Fwww.aph.gov.au%2FDocumentStore.ashx%3Fid%3D291ebc3d-9c60-4c50-a6d0-671e263f0213%26subId%3D298279&usg=AFQjCNErW5BQD4Y5rnBYwApjfzGCrEbmZg&bvm=bv.150729734,d.dGo&cad=rja)

<sup>28</sup> ADF website explains that WPS is not directly related to Broderick-McGregor Reviews, but the aspects of both reviews support the intent of UNSCR 1325, and contribute to the NAP’s strategies.(Department of Defence website, URL : <http://www.defence.gov.au/Women/NAP/FAQ.asp>)

unified concept that was to be introduced to the UN and international fora; and (c) POC as the element of WPS. Based on such idea, the next three parts will elaborate the specific measures of ADF for promoting the POC.

## 2. Specific measures of ADF for promoting the POC

### (1) Defining Australia's unified concept of POC: development of the POC

#### Guidelines

As mentioned previously, POC Guidelines was developed to be introduced to the UN as well as to set a Whole of Government concept of the POC. It was published in January 2016. Based on the interviews, this section will show the overview of the objectives of the Guidelines, the making process, challenges and expected outcomes and explain what impact this strategic-level concept has on potential POC operations on the ground.

#### a. Overview of the POC Guidelines

POC Guidelines has two main objectives. One is to establish the common understanding about the POC between ADF and Australian Federal Police (AFP). The other is to provide the common guidelines overarching ADF and AFP. ADF and AFP are supposed to develop their own plans to reflect the strategic guidance provided by the Guidelines to their operational and tactical level works. In addition, the Guidelines principles would also be introduced to ADF and AFP operations through trainings and information packages.

POC Guidelines has three key elements.

The first element is "Definition". It is the first and foremost important element providing the starting point for all the activities and the necessary considerations. In order to determine a unified definition for Australian Government, Australian Civil Military Centre (ACMC), the lead organization for developing POC Guidelines, conducted a thorough research on description of the POC in the international law and the discourse, including the definition of ICRC. They drew up the proposed definition that is consistent with the international standard, then gathered and coordinated the opinions from offices concerned. The unified definition was made this way allowing Australian Government to have the strategic discussion based on the common understanding given by it.

The second element is the POC Principles guiding Australia's activities on the field. In addition to Australia's basic idea, "POC strategies will support the host state's protection efforts or inform actions to protect civilians when the host state is deemed unable or

unwilling to protect its own civilians, or when government forces themselves pose a threat to civilians”, it clarifies the various needs of people to be protected, including “women and girls, men and boys, the frail and wounded, people with disabilities and ethnic minorities, refugees and internally displaced persons, and professionals at risk such as medical personnel”.

The third element is Australia’s focus areas consistent with that of the UN. These focus areas are aligned with the three tier approach of the UN DPKO/DFS Policy on the Protection of Civilians in United Nations Peacekeeping<sup>29</sup>, which are “Protection through dialogue and engagement,” “Provision of physical protection” and “Establishment of a protective environment.” These focus areas assure that any ADF activities would not deviate what the UN says about the POC. The Table 2 shows the Guidelines structure and the overview.

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<sup>29</sup> “Tier I: Protection through dialogue and engagement”, “Tier II: Provision of physical protection”, “Tier III: Establishment of a protective environment”. (United Nations Department of Peacekeeping Operations /Department of Field Support, *DPKO/DFS Policy: The Protection of Civilians in United Nations Peacekeeping*, URL : <http://www.futurepeaceops.org/wp-content/uploads/2016/01/2015-07-Policy-on-PoC-in-Peacekeeping-Operations.pdf>) The three-tier POC concept is further elaborated in Takashi Kawashima, *Jinkenhosho-ni-yoru Heiwa Kochiku (Peace building through Human Rights* [in Japanese], URL : <http://www.mod.go.jp/js/jsc/jpc/research/image/jap06.pdf>, pp. 185~189.)

## Introduction

- Australia's commitment to POC
- Purpose of the Guidelines  
(Strategic level guidance for Australian agencies involved, articulation whole-of-government principles and focus areas, consistency with existing legal and policy frameworks)
- How to use the Guidelines  
(Specific operational and tactical level instruction at agency level, primarily aimed at ADF and AFP commanders and Staff.)

## Understanding Protection of Civilians

- Defining Protection of Civilians  
POC includes all activities aimed at ensuring full respect for the rights of civilians in accordance with the law, including human rights law, international
- Responsibility to Protect (R2P) is separate to POC
- International legal and policy framework
- A shared responsibility: States and the international community

## Australia's Approach to the Protection of Civilians

- Guiding principles for protection of civilians
  - a. POC is integral to Australia's contribution to international peace and security.
  - b. POC strategies reflect Australia's international legal obligations including, where applicable, international humanitarian law, international human rights law, international criminal law and international refugee law
  - c. POC strategies will support the host state's protection efforts or inform actions to protect civilians when the host state is deemed unable or unwilling to protect its own civilians, or when government forces themselves pose a threat to civilians
  - d. POC strategies will include planning and consultation with civil society organisations and local community members with a view to creating a sustainable impact
  - e. POC strategies will recognise and address the different needs of vulnerable groups including women and girls, men and boys, the frail and wounded, people with disabilities and ethnic minorities, refugees and internally displaced persons, and professionals at risk such as medical personnel
  - f. Australian agencies will act in coordination with all protection actors including military, police and civilian components
  - g. Across all operations Australia will support, and not detract, from POC
- Australia's focus areas for protection of civilian
  - a. Protection through dialogue and engagement
  - b. Provision of physical protection
  - c. Establishment of a protective environment
- Australia's Three Focus Area  
(Elaboration and examples of activities relevant to the three focus areas)
  - Annex 1 – Participating Australian Government Agencies
  - Annex 2 – Australia's Normative and Policy Frameworks
  - Annex 3 – List of Acronyms

Table 2 : POC Guidelines Structure and Overview

### b. Process of the Development



POC Guidelines was developed as the Whole-of-Government strategic document that allows Australian Government to establish a unified concept about POC.

ACMC conducted the broad works for the Guidelines developing, including identifying issues, advocacy to relevant ministers and politicians and research on relevant works of other countries. Such works were only available in the UK<sup>30</sup> and Switzerland<sup>31</sup> back then.

In this process, Whole of Government Working Groups were held to build a consensus among the concerned parties. It took almost two years to conclude the discussion in the Working Groups. The Working Groups representatives from ADF and Defence were 7 offices including Defence Legal, Joint Operations Command (JOC) and International Policy. It is worth noting that Operation side (JOC) had participated in the strategic-level concept process from the beginning. NGO perspectives were integrated into the development of the POC Guidelines through the Australian Council for International Development, the peak NGO body in Australia. The other agencies involved were Department of Foreign Affairs and Trade (DFAT), AusAID (now integrated with DFAT), and Attorney-General's Department.

### c. Implementation of POC Guidelines in ADF Operations

POC Guidelines summarized and articulated the Government guidance consistent with the UN concept and existing norms of international law, rather than providing a unique idea of Australian Government. The Guidelines are supposed to set a starting point for ADF to develop their own operational concept of the POC. In order to fill the gap between the strategic-level guidance and the ADF operations, tactical level doctrines are expected to come up.

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<sup>30</sup> Foreign and Commonwealth Office, *UK government strategy on the protection of civilians in armed conflict* (2011), URL : [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/32950/ukstrategy-protect-civilians-arms-conflict.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/32950/ukstrategy-protect-civilians-arms-conflict.pdf)

<sup>31</sup> Federal Department of Foreign Affairs, *Strategy on the protection of civilians in armed conflicts* (2014), URL : [https://www.eda.admin.ch/dam/eda/en/documents/publications/MenschenrechtehumanitaerePolitikundMigration/Strategie-zum-Schutz-der-Zivilbevoelkerung-in-bewaffneten-Konflikten-2013\\_en.pdf](https://www.eda.admin.ch/dam/eda/en/documents/publications/MenschenrechtehumanitaerePolitikundMigration/Strategie-zum-Schutz-der-Zivilbevoelkerung-in-bewaffneten-Konflikten-2013_en.pdf)

According to the Defence submission to the Parliament<sup>32</sup>, the scope of the concept of the POC would apply in armed conflict situations, which may include South Sudan and East Timor. These countries are assumed as the potential fields of POC implementation because of the presence of actual challenges of POC as well as the Australia's proactive involvement. However, ADF's current presence and nature of the activities in the two countries so far, do not seem to signal full-fledged POC operations straight away. Therefore, we need to wait until the completion of relevant doctrines and deployment of major scale troop to the potential POC fields to see how the actual ADF operation would look like.

## **(2) Development of POC Training Modules**

Although no ADF operation with direct POC tasks is underway as of March 2017<sup>33</sup>, there is a set of useful information that suggests the ADF's POC concept at operational and tactical levels. That is Peace Operations Training Centre (POTC)'s works. POTC is the ADF's principal training centre for training of Peacekeepers and military roles in Humanitarian operations. ADF POTC develops and delivers training materials and education policies to international audiences. This section will show the overviews of POTC training methodology from the perspectives of three significant areas<sup>34</sup>: POTC's POC Training system; the perceptions about POC and the basic idea guiding POC training; and development of the new POC training module.

Especially, the development of a POC training module deems significant for its contents strongly reflects the experiences and the lessons identified from ADF's actual military operations.

### **a. POC Training system**

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<sup>32</sup> The Human Rights Sub-Committee (Parliament of Australia), Australian Department of Defence Submission to the Joint Standing Committee – Inquiry into the Human Rights Issues Confronting Women and Girls in the Indian Ocean – Asia Pacific Region, p. 12.

<sup>33</sup> ADF personnel are not deployed in combat roles; instead they fill important UNMISS headquarters positions such as military liaison officers, aviation, logistics support roles, and a national support element. The ADF contingent comprises of up to 25 personnel from Air Force, Navy and Army who deploy to Operation ASLAN for between six and nine months. (Department of Defence, URL : <http://www.defence.gov.au/operations/southsudan/>)

<sup>34</sup> Interview with LtCol Nash on 27 November 2015.

POTC is the UN certified training institution. It uses the UN Core Pre-deployment Training Materials (CPTM) and its thematic variation, Specialized Training Materials (STM), which also include the contents relevant to WPS. These UN materials include the relevant UN Security Council Resolutions and policy documents that provide the basis for the ADF implementation of the mandates of POC during UN missions. They also conduct Train the Trainers courses, as well as sending their trainers to international training courses of other institutions to acquire and further develop knowledge.

The POTC education resource is a combination of the UN materials, the standard law of armed conflicts (Geneva Conventions, etc.) and the UN Security Council Resolutions that Australia adheres. These are regarded as the main resources for PKO education. In addition, they use various educational videos<sup>35</sup> to cover the political background of missions including who in the policy side are concerned. It is to inform contingent commanders about the considerations necessary for various decision making. These videos are mostly the products of ACMC and other organisations of Australian Government

#### b. POC as the Moral Obligation

As described, ADF has the history of implementing POC using International Humanitarian Law and International Human Rights Law as the legal basis, not the mandate provided in recent UN resolutions. POC Guidelines also articulate Australia's commitment to POC<sup>36</sup>. Therefore, the basic idea is that every single ADF contingent should respond in a reasonably achievable way to any situations where civilians suffer harm. Such situations seem to include where POC is not a specified part of their mandate or mission. POC, as a result, is never regarded as the stand-alone challenge, rather an implied task in dealing with a population within an area of operations. It is the integral part of a larger security challenge that military operations or a peace mission may at any time encounter. Therefore, they cover the POC in various standard exercises and courses.

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<sup>35</sup> "Mandated to Protect" is also applied to JPC training courses.

<sup>36</sup> "The Australian Guidelines on the Protection of Civilians (the Guidelines) represent Australia's commitment to enhancing the protection of civilians (POC) across all international operations and engagements in which Australia is involved, whether they be mandated by the United Nations Security Council (UNSC) or other multinational, regional or national operations." (*Australian Guidelines for the Protection of Civilians*, p.1)

For instance, an engineer unit may be deployed to a mission with a road and infrastructure development task. They face a situation where the continuity of the mission is threatened by rebels aiming to destroy infrastructure and community development. In such a case, even the engineer unit, whose main mission is construction work, bear the POC mandate as Peacekeepers and should address the situation within their own capability. One possible response by the unit in such a case may be to report to the Headquarters about the situation (ex. The unit is conducting roadwork, not armed, using bulldozers, and not able to respond) and if the necessary support (ex. Armoured vehicles, infantry and armed police support, etc.). Therefore, contingent commanders need to be trained to clearly explain the unit's capability and its reasonable limit to protect civilians and the units mission, and to make the best decision 'on the fly' responding within these limitations, therefore avoiding the failure of POC by taking measures that exceeds their capability or by doing nothing.

The POC is the very complex issue that never happens in isolation to the rest of the mission. It involves lots of relevant issues (power balance between the friendly and hostile forces, capability of the local security service, identification, ROE, when to permit the use of firearms, restriction of use of weapons, offence/defence method, etc.) The limitation and restrictions on these issues define the range of the activities that a commander can consider to protect civilians and successfully complete the mission. A contingent commander, therefore, needs to be able to acknowledge the best possible response within the capability of subordinate units, taking into account national limitation and caveats, in able to make the best possible decision based on available information in various situations and events.

### c. New Training Method to Improve Decision Making of Contingent Commanders

POTC is working jointly with ICRC to develop new training material for improving the decision making under the complex situations of POC. Based on computer simulation, it utilises a game graphics engine to produce vignettes that can simulate virtual POC situations.

One of the scenario concerns role playing of a patrol commander making series of decisions when one of the villages in the area of responsibility is under attack. The benefit of virtual system is that it is cheap, can be quickly replicated and can be provided to partners. POTC is cooperating with ICRC to develop and disseminate such material. Furthermore, avatar technique including face and voice recognition and translation is used

to simulate various people to be protected, and negotiated with, such as a warlord or local rebel and commander or local women.

One reason why POTC is developing this project is because there is no definitive flow chart or checklist for successful POC. It is extremely difficult to conduct POC operations as prepared training scenario and counterplan, due to the complexity of possible outcomes and level of negotiation and mediation required. Therefore, the aims of such training is to enhance the ability to make quick and reflexive decisions by simulating interactive and high-precise communication with various players that the contingent may meet with in POC situations. This training aims to expose trainees to various situations (a man in panic, NGO workers at risk, etc.) in order to make them consider what the possible responses are needed in each situation and prepare for quick but well thought out decision making.

Such method is expected to become more and more common for command and staff training in the difficult area of POC.

The ADF seem to have learned the importance of improving decision making in the field from their experiences in East Timor and early operations, and reflected this to their training as the important factor to improve effectiveness of the operations. Avatar training material is a reasonable approach to such an effort and should well be expected to become more widely used. In addition, comprehensive arrangements that support the overall capability development is also necessary, such as enhancement of intelligence capability to improve overall situational awareness<sup>37</sup>, appropriate authorization for contingent commander to smoothly make decisions, and proper planning and acceptance that commanders must have the trust of national headquarters to allow for difficult and timely decision making at times of risk during difficult POC operations. These issues must also be considered by other sections such as operations and personnel.

### 3. POC as the essential element of WPS

The ADF effort for WPS includes various strategies that significantly impact ADF's POC capabilities. Besides, WPS also has more tactical and operational elements.

The following part introduces operational elements of WPS relevant to POC.

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<sup>37</sup> The practical field intelligence collection method to spot signs of POC situations include surveillance using drones, "blue-hat patrol" (patrol in uniform), and "green-hat patrol" (patrol in plain clothes).

## **(1) Female Engagement Team (FET) and Gender Advisor (GA)**

What are the impacts of the NAP action 4.4, “Consider the use of specific strategies to promote the participation and protection of women and girls in fragile, conflict and/or post-conflict settings, for example ADF Female Engagement Teams and the use of gender advisers?”

Development of Gender Advisor and Female Engagement Capabilities are as described as the clear tasks of Defence’s NAP implementation plan. According to (Navy) Captain Jennifer Wittwer, the inaugural Director National Action Plan for Women, Peace and Security (“the Director”), currently with UN Women, explained the role of Gender Advisor (GA) as following:

“The GA is not just for human rights. The role of Gender Advisor is to understand the highly gendered impact of conflict on men, women, boys and girls, to better inform operational responses to lines of effort of operations –counter insurgency, security sector reform, stability operations – and to advise the commander.”<sup>38</sup>

The first JOC GA and the former GA in Resolute Support Mission Headquarters in Afghanistan, Colonel Amanda Fielding, explained her role as “advising how gender perspectives can enhance operational capability in different operational settings”, and therefore, GA is “tactical”.<sup>39</sup> Of the 16 ongoing UN missions as of October 2017, GAs are deployed to MONUSCO, MINUSCA, MINUSMA, UNAMID, UNIFIL, UNMISS, the missions with strong POC roles (Australia contributes UNMISS GA). All the other missions have Military Gender Focal Points holding gender responsibility concurrently with other job in the missions.<sup>40</sup> Female Engagement Team (FET: also called “Female Engagement Capability” representing more comprehensive meaning) concerns analysing whether an adequate gender balance is assured, whether women’s capabilities are necessary, and in what situations such capabilities are needed in lines of executing missions. FET/FEC is therefore expected to enhance operational effectiveness. The concept has

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<sup>38</sup> Interview with Captain Wittwer on 4 December 2015.

<sup>39</sup> Interview with Colonel Fielding on 4 December 2015.

<sup>40</sup> Interview with Lieutenant Colonel Grime, the UN DPKO on 25 September 2017.

been further refined. “Mix (=female and male) Engagement Capability” is more current description reflecting the idea that not only women’s but also men’s capabilities and perspective are also necessary.

ADF contributed female personnel to Female Engagement Team of their Provincial Reconstruction Teams in Afghanistan. Their activities involved communicating with local women in order to find out about the security needs. The FET in Afghanistan engaged with local women through such activities as education programs, economic development and the provision of health services to the local population as well as the opportunities to openly communicate needs and concerns of their daily life. The FETs also provide school supplies and medicine to the villagers.<sup>41</sup>

The background to such gender-conscious activities was the severe situations of Afghan women. The Constitution of Afghanistan guaranteed gender equality and states that any kind of discrimination between citizens of Afghanistan shall be forbidden. However, discriminatory perception about women embedded in Afghan culture was deep-rooted. Even after the enactment of *Law on the Elimination of Violence Against Women* in 2009, the number of prosecution were small and convictions were rare. There were even increasing number of cases of violence against women<sup>42</sup>. As NATO aimed to protect women by supporting Afghan Government’s efforts to eliminate discrimination and violence against women, and to promote sustainable stability and economic development as the means to enhance security of the country, these gender issues became priorities in all the lines of operations, including planning, command and control.<sup>43</sup> In 2009 (reviewed in 2012), Bi-Strategic Command Directive 40-1<sup>44</sup> was released by NATO’s Supreme Commander Allied

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<sup>41</sup> Australian Army, “Female Engagement Teams in Afghanistan”, URL: <http://103.11.78.168/Our-work/News-and-media/News-and-media-2012/News-and-media-March-2012/Female-Engagement-Teams-in-Afghanistan>

<sup>42</sup> Wittwer, Jennifer A. “The Gender Agenda: women, peace and security in the conduct of NATO-led operations and missions” *Australian Defence Force Journal* (July-August 2013), URL: [http://www.adfjournal.adc.edu.au/UserFiles/issues/191%202013%20Jul\\_Aug.pdf](http://www.adfjournal.adc.edu.au/UserFiles/issues/191%202013%20Jul_Aug.pdf), p.60.

<sup>43</sup> Wittwer, *Ibid.*

<sup>44</sup> North Atlantic Treaty Organization, *Bi-Strategic Command Directive (BI-SCD) 40-1 Integrating UNSCR 1325 and Gender Perspective into the NATO Command Structure* (2012/08/08), URL: <http://www.defence.gov.au/Women/NAP/Docs/Bi-SC%2040-1%20REV%201%20Aug12.pdf>

Powers Europe (SHAPE) and Allied Command Transformation (ACT)<sup>45</sup>. It clarified the role of Gender Advisor: “(to) provide gender analysis specific to the area of operations, as well as subject-matter expertise on resolution implementation and the protection of civilians”<sup>46</sup>. Gender analysis is defined as “the systematic gathering and examination of information on gender differences and social relations in order to identify and understand inequities based on gender.”<sup>47</sup> A gender analysis should be done prior to any operational planning process. Therefore, it is desirable that Gender Advisors are assigned to various levels from Headquarters through field-level. When it is not feasible to deploy full-time Gender Advisors, double-hat personnel (“Gender Focal Points”) can concurrently take the GA’s role to establish the network among relevant units. The network would provide the mechanism of gender analysis and to maintain the consistency of operational responses.<sup>48</sup>

ADF took these lessons learned from ISAF and started to deploy Gender Advisors to different levels nationally. Colonel Fielding of Joint Operations Command was one of such GAs. The ADF now has a number of strategic GA, including GA to Chief of Defence Force and each of the Service Chiefs. They are responsible for both internal gender reform and implementation of the NAP.

The effect of Gender Advisor and Female Engagement Teams to POC as observed in Afghanistan is that they boosted the confidence building with local women through various projects and engagement that enables them to collect and report the detailed information. Such information may help the contingent to read the signs of POC situations. In addition, the network of Gender Advisors would facilitate information sharing among different levels of the contingent. Such information would be hardly be provided by men-dominated government and local authorities in countries where human rights of women and girls are rather neglected. If these pieces of information are handled by Gender Advisors who

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<sup>45</sup> Allied Command Transformation promotes and leads many initiatives designed to transform NATO's military structure, its forces, capabilities and doctrine. Allied Command Transformation's main responsibilities include education, training and exercises, as well as conducting experiments to assess new concepts, and promote interoperability throughout the Alliance. (ACT homepage, URL: <http://www.act.nato.int/who-we-are>)

<sup>46</sup> Wittwer, *Ibid.*, p.58.

<sup>47</sup> *Bi-Strategic Command Directive (BI-SCD) 40-1*, p.6.

<sup>48</sup> *Bi-Strategic Command Directive (BI-SCD) 40-1*, Annex 1.



thoroughly understand both gender and operation matters, and properly reflected to military planning, command and control, the contingent would have better chances of conducting effective POC operations that would be otherwise handled only responsibly. Therefore, capabilities of GA and FET would be a model of coordination mechanism for protection of civilian, not limited to women but including wider population of women, men, girls and boys.

Gender Advisor is also utilized in HA/DR operations, demonstrating the universal feature of Gender Advisor capabilities. HA/DR will be mentioned in the next section. It is fair to say that such capabilities, is giving significant impact on ADF operation as a whole.

## **(2) Integration of WPS into multilateral joint exercise: Talisman Sabre**

NAP action 5.1 “Foster ongoing civil-military cooperation and information sharing in operations, to protect women and girls” seems to be relevant to biannual multilateral joint exercise Talisman Sabre. Talisman Sabre will be held in 2017, too, but session in 2015 was the first time that WPS was integrated into the exercise.

Talisman Sabre is biannual military exercise jointly conducted with the US Forces. The 6<sup>th</sup> exercise in 2015 involved up to 30,000 military and civilian personnel from Australian, the US and other countries. The contents of exercise involved special forces activities, amphibious landings, parachuting, land force manoeuvre, urban operations, air operations, maritime operations and the coordinated firing of live ammunition and explosive ordnance<sup>49</sup>. The main objective of 2015 exercise was to enhance of amphibious warfare capability and interoperability. Leveraging this occasion, the Japan Ground SelfDefense Force (JGSDF) dispatched about 40 to conduct the bilateral training with the US Marine Corps<sup>50</sup>.

Integration of WPS into the exercise was led by ACMC (the lead organisation of development of POC Guidelines). They took responsibilities of securing inter-agency participation, analysis and assessment of lessons and capability, proposing tasks to be handled in the exercise, advocacy and so on. The reason why ACMC wanted to incorporate WPS in Talisman Sabre was because it was important to understand how to

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<sup>49</sup> Department of Defence, URL : <http://www.defence.gov.au/Exercises/TS15/>

<sup>50</sup> Euan Graham “Talisman Sabre 2015: Bigger and more amphibious”, *The Interpreter*, URL : <https://www.lowyinstitute.org/the-interpreter/talisman-sabre-2015-bigger-and-more-amphibious>

implement the UNSCR 1325 in the real world and how ADF can operationalize it. The figure shows the milestones of the exercise planning. According to Ms. Amy Sheridan, who led the integration of WPS, people tended to think that WPS was the issue that only mattered in stabilisation and reconstruction phases. However, the planning and execution of the exercise proved that WPS is important in all the phases of military operations as the milestone shows

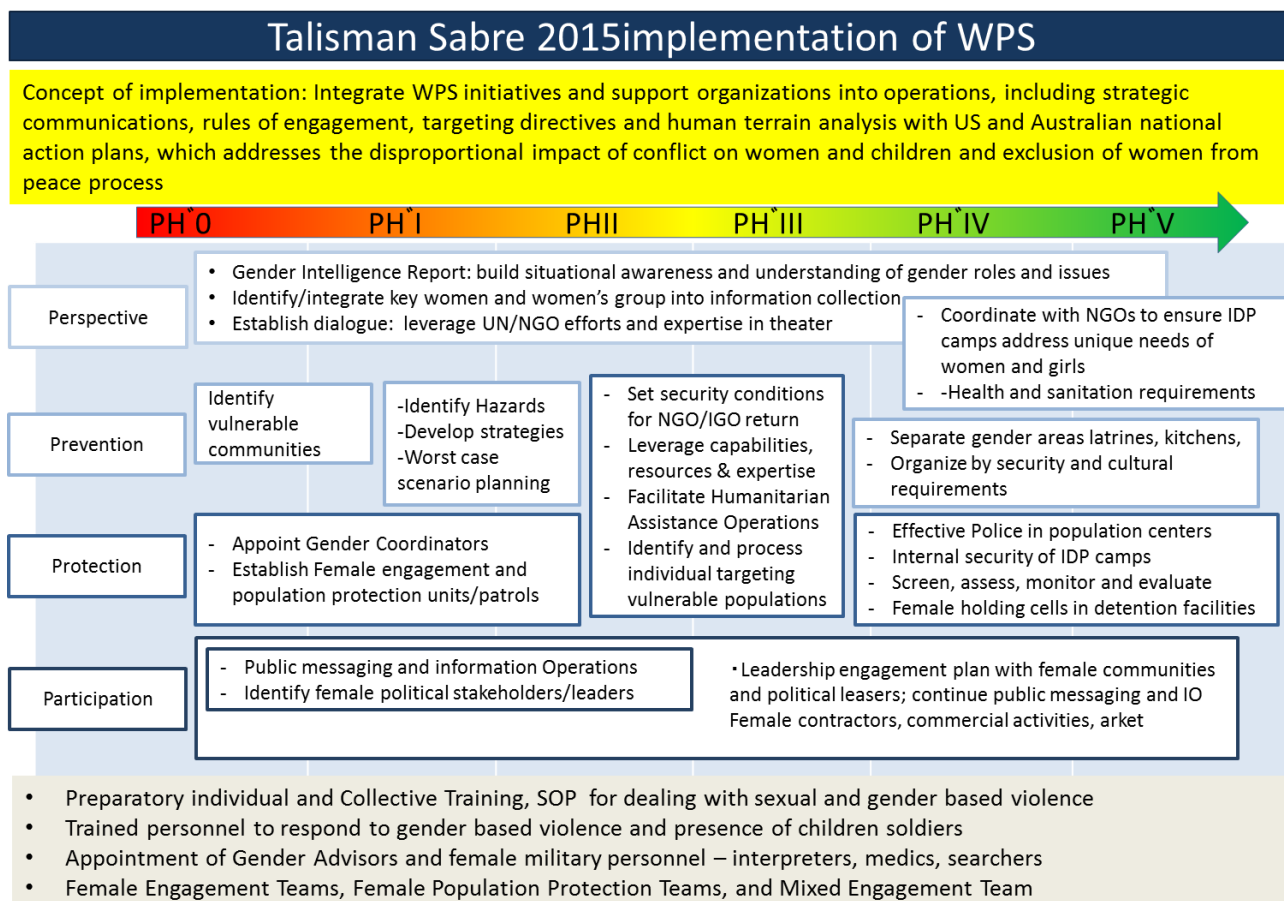


Figure 1: Milestone for Integration of WPS into TS2015  
(Source: Presentation material of ACMC)

ACMC also led the scenario development. They developed 4 WPS scenarios relevant to 4Ps (Protection, Participation, Prevention, Gender Perspective) of NAP. For example, “Prevention” scenario was about SGBV. “Protection” scenario concerned child soldier, IDP, protection of women and girl in humanitarian atrocity, and “Participation” was about key leader engagement. They also set up a fictional country as the exercise setting and incorporated stories about various women and relevant data in the country fact book.

## Key Event Title: Women, Peace & Security

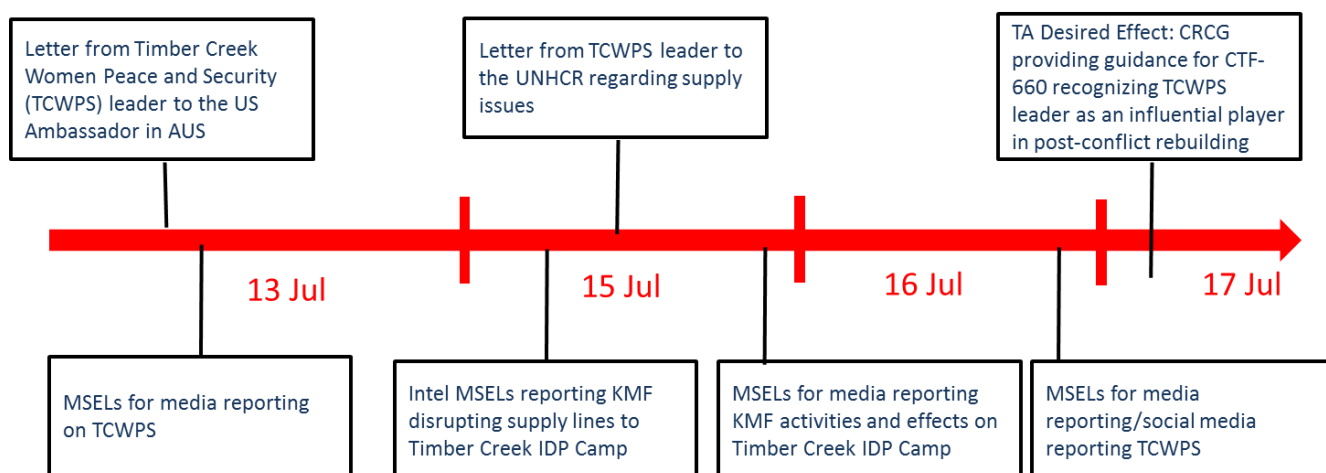


Figure 2: WPS-related events during the Talisman Sabre 2015.

(Source: Interview with Ms. Sheridan)

Talisman Sabre produced various lessons learned and relevant documents. “Commander’s Guide on Implementing UNSCR 1325 into military planning” was produced based on the lessons<sup>51</sup>. 10 Gender Advisors from the US and Australia created “Gender perspective check list”, which is a clear guidance that identifies the gender perspective relevant to different levels of military operations and guides the military and other organisations concerned what to do in different situations. They also created “Soldier’s Card” for reference on the field. These exercise products would be reflected to the ADF guidance and doctrines and eventually implemented in ADF operations.

Talisman Sabre also exposed thousands of exercise participants to the concept of the UNSCR 1325. For example, they integrated WPS into the exercise military planning of ground force.

The first real world test case of incorporating lessons learned of Talisman Sabre 2015 was HA/DR operation in Fiji in the aftermath of cyclone Winston, Operation FIJI ASSIST in March 2016. Lieutenant Commander (LCDR) Jacqueline Swinton was the Legal

<sup>51</sup> Amy Sheridan “WPS and Talisman Sabre: learning from the past, looking to the future” *The Strategist*, 9 Mar 2017, URL: <https://www.aspistrategist.org.au/wps-talisman-sabre-learning-past-looking-future/>

Officer and Gender Advisor in this operation. According to her, the role of Gender Advisor in Fiji was “to advise the Commander on the integration of a gender perspective and consideration of the experiences and needs of women and girls, across a range of complex issues in the planning and execution of operations.”<sup>52</sup> The experience of LCDR Swinton was presented at Maritime Security Symposium of Rim of the Pacific Exercise (RIMPAC 2016)<sup>53</sup>, and may be reflected to RIMPAC exercise in the future.

As explained, the main part of Talisman Sabre was amphibious warfare, and WPS was not necessarily the core element. JGSDF participants, unfortunately, were not involved in the WPS elements. However, in terms of impact of Talisman Sabre on the POC, the exercise proved that the POC including the protection of women and girls is not only the issue of traditional PKO field, such as post-conflict reconstruction, but of all the phases of military operations. This demonstrates the significance of improving the WPS-related capability that would also improve overall operational capability as well.

After all, what seems to be the most evocative is that high level commitment served as the important driving force. WPS was the new item that ADF was not familiar with. Some were not necessarily sure whether such efforts are necessary. There were advocacy and outreach efforts to pave the way for agreement. However, it was determination by the political leadership that crucially encouraged the integration of WPS into Talisman Sabre. Department of Foreign Affairs and Trade successfully included WPS as the priority of Australia-US defence cooperation in the joint statement of AUSMIN. The agreement with the US facilitated the understanding of ADF that WPS is the strategic issue, and it was such shared perception that provided the momentum for the large-scale tactical/operational efforts, like Talisman Sabre<sup>54</sup>. In a nod to the fact that WPS is now the joint effort of Australia and the US, we believe that studying WPS from both international policy aspect and military perspective is important for Japan.

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<sup>52</sup> “Donations directly support Fijian women”, *Navy Daily* (2016/03/29), URL:<http://news.navy.gov.au/en/Mar2016/Operations/2802/Donations-directly-support-Fijian-women.htm>

<sup>53</sup> Lt. Cmdr. Jacqueline Swinton “Women, Peace and Security: Bringing personal experiences to RIMPAC”, *Navy Life* (Official Blog), (2016/08/06), URL:<http://navylive.dodlive.mil/2016/08/06/women-peace-and-security-bringing-personal-experiences-to-rimpac/>

<sup>54</sup> Interview with Ms. Amy Sheridan on 4 December 2015.

## Conclusion

As mentioned at the beginning, the POC requires parallel efforts in three processes: political process, physical protection and establishing protective environment. The role of the military in POC is therefore only a part of it. Implementing POC requires the government to assure a thorough coordination among various organisations and sections involved.

Australian Government first clarified the direction for developing a POC policy in the context of WPS (NAP), and POC Guidelines set a common understanding. Today, ADF is said to be working on operational/tactical level planning. They are also working on the training module to answer the questions from the field experiences quickly. It is important to follow the development of operational aspects of the POC in ADF.

## Acknowledgement

Japan and Australia have pursued the common interest through their peacekeeping efforts. It is clearly demonstrated by Japan-Australia Joint Declaration on Security Cooperation, which articulates “the strategic partnership between Japan and Australia is based on democratic values, a commitment to human rights, freedom and the rule of law, as well as shared security interests, mutual respect, trust and deep friendship.” Both states also have taken the common approaches in the common strategic areas.

The common strategic areas in the past include Cambodia, East Timor and South Sudan, the countries that both Japan and Australia contributed peacekeepers. The case of east Timor (UNMIT and UNTAET) was the largest PKO deployment for both countries, a good example that suggests the common geopolitical interest. The common approaches also extends to humanitarian assistance, support for nation building including infrastructure development, and capacity building in security sector reform. These have been the steady efforts that both countries have endeavoured.

The main reason why we decided to write this paper is because Australian perspectives for POC is not necessarily well known, or even overlooked, despite our history of field-level cooperation.

The interviews we conducted to write this paper owe much to the support of Ms. Elizabeth Broderick, previously the Sex Discrimination Commissioner with Australian Human Rights Commission leading the ADF gender reform. She introduced us to Australian Government officials. Captain Wittwer (currently with the UN Women New York) not only accepted my interview, but also invited us as observer to ADF’s inaugural workshop for WPS training.

Colonel Fielding with JOC shared with us her insightful operational knowledges and her experiences in Afghanistan and efforts within ADF.

Colonel Orchard who succeeded Captain Wittwer as the Director NAP WPS, supported the Australia-Japan Fund research project<sup>55</sup> by joining the workshop in Sydney. He also delivered keynote presentation at Symposium in Tokyo. On this occasion, he also visited JPC with LCDR Swinton to present ADF's efforts for WPS. In Japan, WPS is rather regarded as the issue of gender equality and international development. Not much attention was paid to WPS from the perspective of operational capability of military. Therefore, the ADF efforts in WPS provided an excellent lesson for JPC staff to acknowledge the usefulness of WPS for military. Lieutenant Commander Swinton also shared with us her fresh lessons learned from the operation in Fiji. It impressed us that WPS is also effective in HA/DR that JSDF sees as the important international cooperation item.

Ms. Amy Sheridan from APMC visited JPC including participation to International Peace & Security Symposium 2016 as the panellist. Her cooperation with JPC includes coordination to post the Japanese translation of POC Guideline on JPC website. Her cooperation significantly benefited JPC in our outreach efforts in POC issue

Lieutenant Colonel Nash allowed us to observe POTC training and to have a long interview. The discussion on decision making in POC operations has fed us with the core idea of this paper.

All the insightful knowledges that aforementioned ADF officials shared with us are full of useful elements for studying the challenges of international peace cooperation.

We would like to extend our sincere appreciation for those who supported our study in Australia and in Japan.

<p>This research is a part of the JPC's research efforts on international peace cooperation activities, not representing any views of the Joint Staff, the Japan Ministry of Defense, or the Japan Self Defense Forces.</p>
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<sup>55</sup> "Operationalising human rights norms in peace missions" (Australia-Japan Foundation grant 2015-16 (Security and Regional/International Relations) , URL: <http://dfat.gov.au/people-to-people/foundations-councils-institutes/australia-japan-foundation/grants/Pages/ajf-grant-recipients-2015-16.aspx#security>