

Legal Aspects of cantonment

(a) Brief description of the project (Not more than three paragraphs in total)

The project is to better understand the cantonment of ex-combatants within the framework of disarmament, demobilization and reintegration (DDR) or related programmes in new contexts of operation and in particular its legal aspects (and potential risks and for liability of the Organization). As the Action for Peacekeeping (A4P) initiative recognizes the increasing challenges faced by UN peacekeeping and calls “*for strong, collective and strategic-level commitments*” to address these political and operational challenges today, this DDR project on the legal aspects of cantonment of ex-combatants is timely. Cantonment is an important tool for DDR programmes as it allows addressing formed units of armed groups to be demobilized together – an approach that allows the practitioners to see for themselves and thus better understand command-and-control structures they aim to dismantle. It is a critical pre-DDR security measure as it takes groups that are not yet disarmed away from front lines, areas of operation and areas inhabited by civilians on which armed groups oftentimes prey, ultimately enhancing to the Protection of Civilians. Finally, it also allows for efficiencies in training and briefing of ex-combatants, especially on cross-cutting subjects (HIV-AIDS, Prevention of Sexual Violence, Gender, Human Rights etc.), for which individual briefings within their communities would be prohibitively expensive.

In traditional post-conflict contexts, cantonment as a matter of policy is voluntary. However, in new realities, its voluntary nature has been recently questioned. This occurred when the DDR process was related to an enforcement operation (e.g. FIB in DRC), when cantonment became protracted due to delays in programming and when it has a protective nature due to the risk for combatants themselves (e.g. in case of defecting fighters). If deprived of its voluntary quality, cantonment could in theory be classified as detention or internment. Better understanding of this new risk is therefore crucial from the standpoint of (a) United Nations duty of care for DDR beneficiaries; and (b) protecting the Organization and its staff against reputational risk and any legal liability.

Legal analysis of the topic will allow for an educated decision whether any policy changes in the United Nations’ approach to cantonment are needed or additional programmatic measures would allow for prevention against any potential issue. It would allow for better planning and execution of DDR programmes or any other programmes concerning armed groups which require measures similar to cantonment.

(b) Expected Outcomes, Outputs and Proposed Activities

Outcomes	Outputs	Proposed Activities
Preserved due diligence when planning for cantonment in Peacekeeping and beyond	Desk review and three case studies on past and current cantonment initiatives;	Three-month legal consultancy to: <ul style="list-style-type: none"> • Conduct a desk study • Conduct interviews and other necessary remote research • Travel to three mission areas • Develop, consult and finalize required reports and recommendations
Avoided reputational and potentially legal risks of the United Nations and its	Legal analysis of the impact of changes in the operating environment on	

staff in conducting cantonment and similar activities	cantonment as a part of DDR process	
	Policy recommendations regarding any future cantonment initiatives.	

(c) Implementation Timeline¹

Within one calendar year.

(d) How does this project relate to internal (DPKO and DFS) and external United Nations partners (ie. DPA, DM, etc)?

N/A. In peacekeeping setting DPKO is accountable for cantonment operations.

(e) How gender aspects been included in the design and implementation of the project?

N/A. However note than in its protection-of-civilian aspect, cantonment of armed groups increases the security of populations including predominantly vulnerable groups.

(f) Brief explanation of any risks that the implementation of the project may face and how to mitigate them.

No risks for implementation can be foreseen at this point.

(g) Proposed Budget

Item²	Brief Description	Total Amount
Consultancy	Three-month consultancy to conduct research and travel to three mission areas to collect prima facie evidence	USD 24,000
Travel	Travel to three mission areas	USD 30,000
Programme Support Costs (13%) ³		USD 7,000
		Total: USD 61,000

¹ Determine whether the project will be implemented in a calendar year or longer and whether there are any dated events that may limit the timing of the funding. For instance, the project will fund a conference already schedule and therefore the funds are required before the conference. There is no need to provide a detailed timeframe of events.

² Post estimates need to include salary for the period together with standard costs, which include the following costs: (i) Rental Premises; (ii) Office Supplies; (iii) Telephone and Fax; and (iv) Computing Services. For the most recent scale of salaries and standard costs, please consult with the Executive Office. If you need a salary list, please contact OCOS or the EO.

³ Mandatory Programme Support costs to be calculated against the subtotal of the programme support costs.