THE REPUBLIC OF RWANDA

Rwanda Issue Paper # 01

CLAIM OF A MAJOR EQUIPMENT LOST OR DAMAGED DUE TO HOSTILE ACTION

1. ISSUE PAPER THEME

Major Equipment

2. SUMMARY / BACKGROUND / PREVIOUS HISTORY

With the increasing complexity and intensity of conflicts, UN peacekeepers, in their quest to protect civilians, face multifaceted challenges due to hostile actions, which have caused more casualties among personnel and their equipment. According to the 2023 COE Manual A/78/87, Hostile action is defined as an incident of short or sustained duration resulting from the action(s) of one or more belligerents that has a direct and significant hostile impact on the personnel and/or equipment of a troop/police contributor Chapter 6 IV, Para 7-9).

The same document, para 9 indicates that, Troop/police contributors are responsible for loss of or damage to major equipment resulting from a single hostile action or forced abandonment for each item of major equipment whose individual Generic Fair Market Value (GFMV) is below the threshold value of $80,000 or when the collective GFMV for loss or damage is less than the threshold value of $250,000 for actions within one United Nations budget year.

Currently, there is no problem in reimbursing personnel death or casualty due to hostile action. The question is, why the limitation on the GFMV for an equipment already classified as major equipment? One can imagine if the equipment does not have a replacement. Another serious concern in this policy is an instance a T/PCC may face a one-time or a unique threat which may cause damage to various pieces of equipment that may collectively be valued less than USD 250,000 (in the same FY), and yet many major equipment have been individually affected, beyond economic repair, and the operational readiness of the contingent has been seriously affected.

The policy on reimbursement of lost or damaged equipment as a result of hostile action punishes the T/PCC in two ways. On the first hand, there may be human casualties and damage to the equipment, and on the other hand, the force has lost its operational capability because of the damaged equipment, without any hope of replacing it soon.

For the TPCC, reimbursing lost or damaged equipment allows replacement. In case of no replacement, the unit and by extension the mission experience capability gaps, which affect the operational readiness. It is worth noting that the operational worth of major equipment does not necessarily depend on its cost, but on the mission of the force.

3. DETAILED PROPOSAL

- An equipment is classified as major because of its cost but also due to the important role it serves in the mission accomplishment, hence the reimbursement should not be an issue of its cost, but the extent of its damage.
- All major equipment should be reimbursed regardless of the cost.
- The replacement of such equipment should be at the expense of the United Nations, like any other loss during initial deployment of personnel and or equipment.
- The method of calculation for the reimbursement of such equipment should be based more on its current physical value and the GFMV rate than on the cumulative payment.
- The responsibility for TPCC reimbursement when the GFMV of the damaged or lost equipment is below **USD 45,000**.

END

4. FINANCIAL IMPLICATIONS

5. PROPOSED 2026 COE MANUAL TEXT

Refer to para 3. DETAILED PROPOSAL of this IP.