UNSC: THE PROTECTION OF CIVILIANS



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Many peacekeeping missions have a mandate to protect civilians, in particular those under threat of physical harm.

The Protection of Civilians (POC) is a responsibility which includes all parts of a peacekeeping mission, civilian, military and police functions. In many cases, peacekeeping missions are authorized to use all necessary means, up to and including the use of deadly force, to prevent or respond to threats of physical violence against civilians, within capabilities and areas of operations, and without prejudice to the responsibility of the host government.

The POC mandate in peacekeeping is guided by a set of principles:

- Protecting civilians is the primary responsibility of governments;
- Peacekeepers with a mandate to protect civilians have the authority and responsibility to
 provide protection within their capabilities and areas of deployment where the
 government is unable or unwilling to protect;
- The protection of civilians mandate is a whole-of-mission activity, not only a military task, which embodies an active duty to protect;
- Protecting civilians is done in cooperation with humanitarian actors and with respect for humanitarian principles;

- The protection of civilians mandate is consonant with the principles of peacekeeping, including the consent of the host state, impartial mandate implementation, and the use of force only in self-defence or as authorized by the Security Council;
- The protection of civilians mandate is a priority mandate, pursuant to Security Council resolutions.

How do missions carry out POC activities?

Depending on the nature of the threat to civilians, the mission will carry out a range of activities including engaging with parties to the conflict and affected communities, providing physical protection and the establishment of a protective environment.

- All mission components engage in dialogue and political advocacy, such as support for reconciliation, peace agreements or mediation, liaison with the government, or the resolution of local conflicts. Even if these efforts are not always very visible, the importance of this work, aiming to support the host government in its responsibilities to protect civilians should not be underestimated.
- Peacekeepers also take action to provide physical protection, usually by deterring attacks on civilians through active patrolling but using force if necessary.
- Finally, peacekeeping missions also conduct activities which support the establishment
 of a protective environment that increases security and protects civilians from violence.
 The majority of these activities consist of strengthening the host government's
 capacities to protect, including through the rule of law and security sector reform.
 Mission personnel are also engaged in building the capacity of national authorities to
 promote and respect human rights, prevent and respond to violence against children and
 sexual and gender-based violence.

The POC Advisors

Everybody in a peacekeeping operation, including the civilian staff, military and the police, plays a role in protecting civilians. Dedicated personnel, including a Senior Protection of Civilians Advisor, support the implementation of this mandate and ensure that POC concerns are appropriately mainstreamed and prioritised within the Mission. They perform an advisory, coordination, monitoring and reporting role. Specifically, the Senior Protection of Civilians Advisor is responsible for working with mission components to develop and regularly update POC threat assessments; establishing POC coordination structures and the development of a mission-wide POC strategy.

<u>The Department of Peace Operations (DPO)</u> and the <u>Department of Operational Support (DOS)</u> in New York are also devoting significant attention to assisting all peacekeepers fulfil their role in protecting civilians effectively and efficiently by:

- Advising UN decision-making bodes such as the Security Council and General Assembly about threats to civilians in areas where peacekeepers are deployed;
- Developing policy and guidance to inform the implementation of POC mandates;
- Supporting missions to develop comprehensive POC strategies, based on the particular needs and situation of the mission which assists them in harnessing all available resources for the task;
- Developing POC training courses targeted at personnel prior to deployment, as well as those already working in peacekeeping operations. These courses are aimed at military, police and civilian personnel.

Ongoing POC Activities

Tens of thousands of UN peacekeepers put themselves in harm's way every day in order to protect civilians from the effects of physical violence. Some of the ongoing work undertaken by these peacekeepers includes:

- Providing physical protection to hundreds of thousands of internally displaced people in POC sites, like in South Sudan;
- Deploying additional military and civilian mission personnel when a crisis erupts to
 provide protection, monitor human rights violations and create an environment
 conducive for humanitarian assistance, was carried out in the Democratic Republic of
 Congo;
- Developing mechanisms including early warning systems, community alert networks, community liaison arrangements, public information and reporting systems.

Challenges in implementing POC mandates

Peacekeeping operations face challenges in implementing this complex, but critically important mandate:

- We often protect civilians in harsh conditions and in difficult terrain, with limited resources, and where other actors lack the will or capacity to do their part.
- Peacekeeping operations often deploy amidst the unrealistic expectation that they will be able to protect all civilians at all times.
- The dynamic nature of the places in which we operate means the security situation can change very quickly.

The protection of civilians is not solely the responsibility of UN peace operations. States bear the primary responsibility to protect civilians, and peacekeepers are not a substitute for political engagement to tackle root causes of conflict and violence. POC is a systemic effort that includes:

- The host State who has the primary responsibility to protect civilians;
- The Security Council which provides protection of civilians mandates;
- <u>DPO</u> and <u>DOS</u> who plan, deploy and manage peace operations;
- The troop and police contributing countries that provide the personnel for our operations;
- The peacekeepers on the ground who implement the mandate provided to them;
- Humanitarian organisations on the ground;
- Local populations, who share critical information and protection plans.

Civilians have increasingly become the victims of armed conflict. In response, the Security Council has made protecting civilians a focus of modern peacekeeping.

During the <u>mid-1990s</u>, peacekeepers found themselves deployed in internal conflicts, in which the civilian population frequently became the target of attacks. Missions like <u>UNAMIR</u> in Rwanda and <u>UNPROFOR</u> in the former Yugoslavia were faced with systematic attacks on civilians that peacekeepers were ill-prepared to address. These conflicts, as well as those in Somalia, Sierra Leone and Timor-Leste, witnessed armed groups targeting civilians, including the use of sexual violence as a tactic of war and grave violations of children's rights.

As a result, the Security Council placed the protection of civilians on its agenda and developed an architecture of resolutions that strengthened the role of peacekeepers to protect. Mandates and rules of engagement were clarified to ensure that peacekeepers had the authority to act. The Council also passed resolutions to establish frameworks to address children in armed conflict and conflict related sexual violence.

States always have the primary responsibility to protect their populations. Peacekeepers first role is to support governments to uphold their protection responsibilities through advice, technical and logistical support and capacity building. Peacekeeping missions also seek, through political good offices and mediation, to take a preventive approach to protecting civilians. As a last resort, however, many peacekeepers are authorized to act to physically protect civilians.

More than 95% of peacekeepers today are mandated to protect civilians

This including protecting children and protecting against conflict-related sexual violence. The vast majority of peacekeepers today serve in missions with mandates that prioritize the protection of civilians. The High-level Independent Panel on Peace Operations found that protecting civilians is a

core obligation of the whole UN, not only peacekeeping. This work finds its most visible expression, however, in the work of blue helmets. This challenging mandate is often the yardstick by which the international community, and those whom we endeavor to protect, judge our worth as peacekeepers.

How do we protect the people affected by a conflict?

Modern peacekeeping has a number of tools to support the protection of civilians:

- Political leaders engage with governments and other actors to <u>mitigate and prevent conflict</u>;
- civilian experts, including <u>Child Protection Advisers</u>, Women's Protection Adviser's and Protection of Civilians Advisers, engage in a range of activities, including demobilizing child soldiers, persuading armed groups to stop sexual violence and coordinating military operations to protect civilians;
- our <u>military</u> and <u>police</u> personnel bring unique skills to provide security and stability;
- experts in strengthening the <u>rule of law</u> and <u>human rights</u> further ensure the establishment of a protective environment.

A challenging mandate

As might be expected of any organization that serves as a last resort in times of conflict and crisis, peacekeepers face challenges and constraints, particularly in protecting civilians. Even large peacekeeping missions deploy relatively few personnel compared to the size of the territory and population. MONUSCO, for instance, has more than 17,000 troops deployed yet operates in a country with a population of more than 82 million people spread out over more than 2.3 million square kilometres (a ratio of a single troop for every 4,800 people and 135 square kilometres). This is compounded by the fact that many countries where peacekeepers are deployed suffer instability, often with poor infrastructure and limited local security services. For peacekeeping missions, meeting these challenges requires careful planning and strategy to protect the greatest number of people as effectively as possible. It also requires ensuring that the host government, the population and the international community understand the importance of peacekeepers but also their very real limitations.

Under-Secretary-General Jean-Pierre Lacroix



"We should not forget that our peacekeepers – civilian, police, men and women, military personnel – are saving lives every day. They are protecting civilians and they are helping peace processes be implemented... It is important to recognize the added value of peacekeeping and what we bring to the societies and nations that are destabilized."

Key messages

Twenty years on from the first UN Security Council (UNSC) resolution on the protection of civilians in armed conflict (PoC), civilians continue to account for the vast majority of conflict casualties. The problem lies not with the current

normative framework, but with the translation and implementation of these policies into practice.

The UNSC has a range of mechanisms and procedures for engaging with the PoC agenda along with enforcement tools to ensure compliance with international law, yet often lacks the political will to do so.

Protection of civilians faces substantial challenges, related both to changes in the geopolitical context in which conflicts take place, and to more specific difficulties around definitional clarity, fragmentation of the PoC agenda and the lack of inclusive and sustained engagement.

To translate the normative progress made over the past 20 years into demonstrable improvements in civilian protection outcomes, the UNSC and the wider international community must advocate for stronger reporting on civilian harm, more robust accountability and enforcement, consistent and transparent use of vetoes within the UNSC and implementation of national level policy frameworks.

Regarding UN peacekeeping operations, the UNSC should provide greater support through increased clarity in mandates and expectations, matched by commensurate resources and funding.