Center for Civilians in Conflict (CIVIC) works to improve protection for civilians caught in conflicts around the world. We work with armed actors and civilians in conflict to develop and implement solutions to prevent, mitigate, and respond to civilian harm. We bring the voices of civilians themselves to those making decisions affecting their lives.

CIVIC’s vision is for a future where parties involved in conflicts recognize the dignity and rights of civilians, prevent harm, protect civilians caught in conflict, and amend harm. To accomplish this, we assess the causes of civilian harm in particular conflicts, craft creative solutions to address that harm, and engage with civilians, governments, militaries, and international and regional institutions to implement these solutions.

We measure our success in the short-term by the adoption of new policies and practices that lead to the improved wellbeing of civilians caught in a conflict. In the long-term, our goal is to create a new global mindset around robust civilian protection and harm response.

ABOUT THE REPORT

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UN peacekeepers serving with MINUSCA in the Central African Republic conduct a joint patrol with a member of the CAR national security forces. UN peacekeeping operations are increasingly tasked to deploy alongside or in support of national or other non-UN security forces, with implications for the protection of civilians.

UN Photo
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I. OVERVIEW

This year, 2019, marks twenty years since the United Nations (UN) Security Council explicitly added the protection of civilians (POC) in armed conflict to its agenda. The decision was followed by the adoption of two seminal resolutions: Resolution 1265 on the protection of civilians, adopted in September 1999, and Resolution 1270, which authorized the UN peacekeeping mission in Sierra Leone with the first explicit mandate to protect civilians from the threat of violence, adopted in October 1999.

To mark the anniversary year, the Center for Civilians in Conflict (CIVIC) and the Permanent Missions of Belgium, Indonesia, and Switzerland to the UN convened the POC20 Policy Dialogue in July in New York. The event brought together experts from Member States, the UN, non-governmental organizations, and think tanks for a focused and frank discussion on contemporary and recurring issues related to the protection of civilians in armed conflict. The event was a direct answer to the UN Secretary-General's recent call for continued dialogue among key stakeholders to advance the POC agenda.

The Policy Dialogue focused on four key themes: 1) prioritizing the protection of civilians at the national level; 2) minimizing harm to civilians in the conduct of hostilities in contemporary conflicts; 3) protecting civilians through UN peacekeeping operations; and 4) engaging with conflict-affected communities to improve protection. This report provides an overview of the discussions on each of the four thematic areas, highlights cross-cutting concerns and issues that emerged during the event, and offers priority recommendations and questions for policymakers to advance the POC agenda on the occasion of the twentieth anniversary.

The following themes emerged during the Policy Dialogue, each of which will be explored in greater detail in this report:

- A significant gap remains between this normative progress and practice in protecting civilians. This gap must be bridged primarily by those who have obligations to protect, including but not limited to states, parties to conflict, other armed actors perpetrating violence, and actors that authorize and/or deploy in operations mandated to protect civilians.
- Member States must move beyond rhetorical support for POC and take meaningful steps to prioritize protection at the national level and across their bilateral and multilateral relationships. A wider cross-section of actors must be engaged at the national, regional, and international levels, in order to build a deeper and more durable commitment to the POC agenda.
- National militaries, regional organizations and multinational coalitions, and other actors need to prioritize minimizing harm to civilians in urban environments. This is a consequential challenge as conflict becomes increasingly asymmetric and urbanized. Greater investments need to be made in training forces for urban warfare and in developing new technologies and tools that will allow these forces to predict, track, and mitigate the impact of urban conflict on the civilian population and civilian infrastructure.
- The Security Council lacks a coherent vision for the implementation of POC mandates, particularly in authorizing UN peacekeeping operations and non-UN security forces. This continues to hamper the Council’s ability to formulate clear mandates with appropriate operational guidance, with considerable impact for civilians expecting protection from security actors operating with Council authorization.
- Regionally-led military operations, multinational and ad hoc military coalitions, and partnered operations are gaining prominence as the preferred means to mitigate conflict and pursue stabilization efforts in a variety of environments. The protection of civilians is conceived of and rationalized differently in these types of operations, many of which may pursue counter-terrorism objectives in asymmetric environments. Cultivating a commitment to POC by these operations is an essential effort, particularly in the context of political and financial pressure on UN peacekeeping operations to drawdown, transition, and exit.
• Political and financial pressure has led to a potential shift in UN peacekeeping towards a more “lightweight” approach. This, along with other factors, has resulted in a rise in the number of actors operating alongside the UN in contexts where peacekeeping operations are deployed. This makes the establishment of a common conception and standards related to POC all the more urgent. The UN Department of Peace Operations (DPO) and the UN more broadly should work with regional organizations and Member States to set standards on POC and disseminate lessons learned to participating actors.

• Civilians rely on themselves for self-protection, and communities are often the best placed to understand the threats they face and take steps to provide for their own safety. Nevertheless, civilians and communities are often excluded from planning and implementation of protection activities, and the range of security actors undertaking efforts to protect civilians still lack sufficient doctrine, guidance, and training to safely and effectively engage local communities for their own protection.

II. BACKGROUND: NORMATIVE PROGRESS AND DEFICIENCIES IN PRACTICE

Over the past twenty years, POC has become one of the “core issues” on the Security Council’s agenda. This has contributed to the development of a normative framework and establishment of what the UN Office for the Coordination of Humanitarian Affairs calls a “culture of protection” within the Security Council and among Member States. This “culture of protection” includes a broad spectrum of POC concepts and practices from compliance with international humanitarian and human rights laws (IHL and IHRL), to the mitigation of harm to civilians due to the security actors’ own presence, activities, or operations (civilian harm mitigation, or CHM), to one actor’s protection of civilians from another state or non-state perpetrator of violence (known as the protection of civilians from other actors).

The Security Council has contributed and responded to the dynamic and evolving nature of the POC concept, even as it has and continues to struggle to address the plight of civilians in contexts of egregious violence. Since 1999, thematic resolutions passed under the POC agenda item have grown in number. The Council’s responses to country-specific situations on its agenda have included presidential statements, high-level open debates, open and closed consultations, requests for briefings by the Secretary-General and other senior UN officials, the imposition of sanctions and arms embargoes, and the authorization of UN, regional, and ad hoc peace support or enforcement operations among other responses.

UN peacekeeping operations are arguably the most visible and comprehensive tool that the Security Council has employed to protect civilians from armed state and non-state actors. The Security Council has increasingly prioritized POC among mission priorities since 2009, and eight of fourteen UN peacekeeping operations currently have mandates to protect civilians. The creation of the Department of Peacekeeping Operations/Department of Field Support (DPKO/DFS) Policy on POC in 2015, which is being updated this year, has provided operational guidance to inform the implementation of POC mandates in UN peacekeeping operations.

While the UN has some of the most developed policy on the protection of civilians, other actors have been developing and prioritizing POC policies, doctrine, guidance, and training. For example, multiple countries, such as Afghanistan, Nigeria, Ukraine, and the United Kingdom, have taken steps to prioritize POC at the national level, including by adopting national policy frameworks or strategies. Other intergovernmental organizations have developed or initiated the development of POC strategies, including the African Union (AU), the North Atlantic Treaty Organization (NATO), and the European Union (EU). Many of these have been more focused on military and/or police operations than multidimensional, comprehensive responses to threats against civilians. National policies have largely, but not exclusively, focused on implementing IHL and IHRL obligations and CHM practices, while the NATO and AU policies have sought to include IHL, IHRL, CHM, and the protection of civilians from other actors.

Despite these developments, significant challenges remain, and current trends may undermine the normative progress that has been painstakingly won over the past twenty years. Parties to armed conflict often disregard their obligations under IHL and IHRL, and civilians continue to comprise the majority of casualties in armed conflict. In addition, the changing nature of conflict poses unique challenges resulting from the increasing urbanization and asymmetric nature of contemporary warfare. Further exacerbating these challenges is the manner in which POC has been relegated to competing political imperatives within the UN Secretariat and by influential Member States. This has been compounded by persistent funding shortfalls across the spectrum of protection actors and activities, from humanitarian response plans for countries in conflict, to the budgets of UN peacekeeping operations mandated to protect civilians from the threat of physical violence.
III. PRIORITIZING THE PROTECTION OF CIVILIANS AT THE NATIONAL LEVEL

In recent years, some governments have begun to develop national policy frameworks or strategies on POC. The adoption of national policy frameworks on is one important way in which Member States can begin to instill a culture of protection at the national level. While these efforts are still nascent, governments developing or supporting national-level policy frameworks include Afghanistan, Nigeria, and Ukraine. Policy Dialogue panelists from these countries shared experiences of progress, challenges, and lessons learned, and participants discussed several key issues and themes, some of which are captured in this section.

Participants identified the absence of a common international concept of or standard for POC as a challenge when developing and seeking support for national policies. A number of states developing these frameworks are parties to international or non-international armed conflicts, or face other situations of violence within their borders. As such, the initial focus of their respective frameworks has been the development of guidance, tools, and training to help their security forces comply with IHL and IHRL obligations, including civilian harm mitigation. However, some of the governments developing national-level frameworks may also participate in UN or regional peace or security operations that include the protection of civilians from other actors in their mandates, policies, and doctrine. This can create confusion and challenges if a government's security forces are expected to discern which concept and tools are meant to be applied in which context and why. The lack of coherence at the international level is a product of the evolving nature of the POC norm. Various actors—governments, peacekeepers, non-governmental humanitarian and human rights organizations, and communities under threat—continue to adapt their own POC definitions and tools to address evolving threats and situations within their legal obligations, mandates, and capabilities.

While there is no “one-size-fits-all” approach to developing a national-level policy framework on POC, participants acknowledged that investments in this process thus far provide important lessons for other actors. One lesson from these contexts is the importance of engaging a wide range of stakeholders at the national level in an effort to prioritize protection, including representatives of various government ministries, civil society, and community representatives, particularly women and youth.

Having a broad cross-section of supporters was cited as crucial to ensure policy commitments are translated into tangible action.

Further, identifying and cultivating champions who can serve as advocates within various government ministries or institutions, including from within the military, was raised as essential. Participants with experience in Nigeria and Ukraine explained the important role that champions for the POC agenda can play by elevating POC among competing government priorities, while also helping to avoid progress being lost due to changing priorities after electoral cycles or personnel changes. Additionally, developing and delivering specific trainings on POC, particularly within national military institutions and among military command, was also highlighted as critical in efforts to promote POC and build a “protection mindset” among security actors at the national level.

Having a broad cross-section of supporters was cited as crucial to ensure policy commitments are translated into tangible action.

Participants discussed the important role that external actors such as the UN, regional organizations, and civil society play in encouraging the prioritization of POC at the national level. This engagement can include support in developing national POC policy frameworks, monitoring and reporting on the conduct of security forces, and engaging in direct advocacy with state and non-state security actors to improve their conduct. This approach has been particularly effective in contexts like Afghanistan, where the United Nations Assistance Mission in Afghanistan (UNAMA) has been able to undertake active, structured, and regular engagement with parties to the conflict on a range of protection-related issues. Participants noted that engagement...
with state and non-state groups in the Afghan context has been successful because it has been based on technical discussions, supported by credible data on the impact of the conflict, on how to effectively mitigate civilian harm. UNAMA’s engagement stands as an important example for other contexts, and participants highlighted that the approach requires sustained political and financial support to ensure its success. Additionally, while external support may be a helpful contributing factor in advancing POC at the national level, it is insufficient without national ownership. Recent gains in diverse contexts have only been made possible because of national-level actors, including civilian and military officials, and civil society, driving the agenda forward.

Finally, participants grappled with the timing and mechanisms through which to hold perpetrators accountable for violations. The threat of criminal prosecution and other accountability mechanisms, may undermine buy-in from various stakeholders, particularly from within national security forces. Nevertheless, there was widespread agreement that accountability is fundamental in promoting a culture of POC at the national level, and was characterized as an essential complement to efforts to strengthen policy or legislative action on the protection of civilians.

Priority recommendation to Member States:

• Develop and implement a comprehensive national policy framework for POC, and mobilize the required financial, human, political, and technical resources for its institutionalization to withstand changes in government and personnel. Ensure that such a policy establishes clear institutional authorities and resources for the protection of civilians, and includes concrete commitments to develop capabilities for CHM and reporting on the conduct of hostilities.

Priority recommendation to the UN and other international/regional actors:

• Actively encourage and support states in their efforts to prioritize POC at the national level by: contributing to the development of a comprehensive concept of POC that can be adapted at the international, regional, and national level; providing technical support to the development of POC policies and practices; collecting and sharing evidence of effectiveness and lessons learned; engaging in monitoring and reporting on the implementation of policies; and holding actors accountable for their obligations to uphold IHL and IHRL.
IV. MINIMIZING HARM TO CIVILIANS IN CONTEMPORARY CONFLICTS

Contemporary armed conflict is increasingly being fought in asymmetric and urban environments. In these contexts, non-state armed groups may pursue tactics that deliberately target or expose civilian populations to violence, and conventional forces and their partners may exacerbate this in their military responses. These trends carry severe consequences for civilians trapped or forced to flee fighting between belligerents, and for humanitarians and other actors seeking to address protection concerns. The Policy Dialogue focused on issues relating to tactics, targeting, training, and technology, and highlighted ongoing challenges and areas for improvement to minimize harm civilians in contemporary conflict, some of which are capture in this section.

Panelists and participants widely acknowledged that military operations in urban environments carry a high number of “unknowns,” which add to the challenge of effectively mitigating harm to civilians. Such unknowns may include, for example, factors related to infrastructure, as it is difficult to predict the immediate and secondary impact that a strike or operation could have on a targeted structure in a densely populated urban area. Here, the discussion on the impact of the use of explosive weapons in populated areas (EWIPA) was illustrative. Participants acknowledged the immediate harm to civilians as a result of the use of EWIPA and noted that these weapons may violate legal aspects of IHL, such as the prohibition on indiscriminate attacks. The medium- to longer-term consequences of damage or destruction of critical civilian infrastructure, such as hospitals and health facilities, water systems, power stations and electrical grids, communications infrastructure, and sanitation and sewage systems, are not as well understood as the immediate impact of EWIPA. Additionally, participants highlighted gaps in knowledge on the differentiated consequences of EWIPA for civilian men, women, boys, and girls, and the elderly and disabled. Participants also highlighted the importance of assessing the impact of EWIPA from the human rights and IHRL perspective (in complement to the IHL paradigm), and the need to enhance understanding of possible longer-term impacts on socio-economic development and the achievement of the Sustainable Development Goals.

Panelists and participants recognized the need to strengthen compliance with IHL and undertake in-depth assessments of likely incidental civilian loss before military operations are conducted in urban environments. Important points were raised on the need to expand the scope of what is included in pre-operation assessments, including by gathering information on possible death and injury to civilians, as well as improving estimates of likely damage to civilian objects and critical civilian infrastructure. The inclusion of various experts, including civil engineers and urban planners, for example, may be useful when planning, conducting assessments, and in the aftermath of military operations in urban environments. Conducting comparisons between pre- and post-operation assessments was also highlighted as a possible good practice, and may make these systems and forecasting better over time.

Priority Questions For Policymakers

What should a comprehensive concept and framework of POC include, and how could that be developed and disseminated to various actors?

The UN Secretary-General has put a priority on the adoption and implementation of national policy frameworks on the protection of civilians. What incentives exist for countries seeking to prioritize POC at the national level, including those not experiencing or participating in active armed conflict?

The Women, Peace, and Security (WPS) agenda has been advanced at the national level through National Actions Plans and monitoring and reporting on progress. What are the lessons from this effort to more effectively nationalize the POC agenda?
However, even if such actions were taken, participants highlighted military operations in urban environments may be dynamic rather than planned, in which case pre-operation assessments and planning processes may be relegated to the need for swift military action.

Consensus emerged in the discussion regarding the overall lack of preparedness and training for militaries to fight in urban environments. Most states, including those possessing advanced militaries, weapon systems, and technologies, primarily train and equip their security forces to operate in open areas against state actors. Militaries are often underprepared for the complexities of contemporary warfare, including protecting civilians in contexts where state or non-state actors may deliberately target or imperil civilians. Participants also highlighted that lessons learned from military operations in urban environments are often not sufficiently captured or shared. Developing case studies, tailored training modules, and realistic scenarios and simulations that focus specifically on compliance with IHL, IHRL, and POC was noted as particularly important to more effectively prepare militaries to operate in urban areas.

The role of technology was considered in the discussion, both in terms of its potential to strengthen efforts to minimize harm to civilians, as well as the possible risks of over-reliance or dependence on new technologies by parties to armed conflict. For example, drones and sensors may improve situational awareness and strengthen knowledge of potential risks to civilians and civilian objects in assessments and planning in advance of military operations. Technological advancements in weapons systems may also bring more precision to operations and reduce civilian casualties. Nevertheless, participants noted that new technologies are not a panacea, and that such resources are not unlimited and may not be available or utilized by parties to conflict engaged in hostilities in urban environments. In addition, technological advancements in weapons systems may be completely negated when conflict moves into densely populated areas, particularly due to challenges in credibly assessing the potential impact of strikes in high-tempo operations, in situations where troops are in contact, or where an armed actor has embedded itself among the civilian population. Several participants noted that these challenges raise important questions about the increasing reliance by parties to conflict on remote operations and airstrikes in urban warfare, including in contexts where militaries or coalitions are acting in support of local partner forces.

Finally, participants noted the challenge of adequately distinguishing between civilians and combatants in urban environments, and the problematic lack of consensus among many actors as to who is a legitimate target. The proximity of military and civilian objects in urban environments, the frequent use of civilians as human shields by non-state armed groups, and challenges of discerning which individuals are directly participating in hostilities further add to this ambiguity. Participants cited the need to improve information sharing between military and civilian actors, particularly humanitarians, and the need to strengthen deconfliction arrangements. While militaries may have different standards by which they distinguish between civilians and combatants, this does not excuse lack of compliance with the foundational IHL principles of distinction, precaution, and proportionality.

**Priority recommendation to Member States:**

- Improve security forces’ preparedness to protect civilians in the conduct of military operations in urban areas, including through implementing specific training, doctrine, and guidance, and strengthen assessment and planning systems to include analysis of possible civilian injury and death as well as damage to critical infrastructure.

**Priority recommendation to the UN and other international/regional actors:**

- Gather and disseminate good practices, lessons learned, and case studies of military operations in urban environments, and encourage and facilitate more regular and systematic information-sharing among Member States on this issue.
V. PROTECTING CIVILIANS THROUGH UN PEACEKEEPING OPERATIONS

This year marks twenty years since the first UN peacekeeping operation was authorized with a mandate to protect civilians under threat of physical violence. Between 1999 and 2009, the Security Council increasingly included and prioritized POC in UN peacekeeping operation mandates and in parallel, peacekeepers developed innovative tools and practices to protect civilians. However, the UN Secretariat did not develop POC policies, guidance, and training until the Security Council directed it to do so in 2009. Since then, the UN has led the way in developing the concept and practice of protecting civilians from other actors. Regional organizations and Member States turn to the UN when developing their own POC policies and practices. Despite this progress, many challenges remain. POC20 Policy Dialogue participants raised and discussed several key issues, some of which are captured here.

Peacekeeping mandates: The move toward “clear, focused, sequenced, prioritized, and achievable mandates,” as committed to by Member States in the Secretary-General’s Action for Peacekeeping (A4P) initiative, is vital to more effective mandate implementation on the ground. Yet, how to achieve this in practice has remained elusive. There was consensus among participants that actors on the ground need clearer strategic and operational guidance to implement mandates to protect civilians; however, there was no agreement that guidance should be included in the mandate or in other strategic and operational planning, such as mission concepts or concepts of operation. Some participants noted that “more is not always better” when it comes to mandate language. In many instances, peacekeeping mandates read like a laundry list of tasks, without a clear strategy for how to pursue operationalization.

Matching mandates with resources: The need to better match mandates with resources is another persistent challenge. Despite the fact that there has been an overall downward trend in peacekeeping budgets, expectations in terms of mission performance have not diminished, as personnel continue to be tasked to do more with less. In some contexts, reductions to personnel that are key to the implementation of POC mandates (such as POC and gender advisors, human rights officers, and strategic planners) as well as air operation budgets that allow for mobility, could seriously undermine missions’ ability to implement POC mandates. Participants highlighted in particular the detrimental practice by the Advisory Committee on Administrative and Budgetary Questions and Member State delegations to the Fifth Committee overly scrutinizing specific positions and budget lines for UN peacekeeping. The ongoing lack of alignment between mandates passed by the Security Council and budgets approved by the Fifth Committee is a significant challenge that requires determined action by the Secretariat and Member States to address as a matter of urgency.

Peacekeeping in transition: Political and financial pressure to decrease peacekeeping budgets is one factor contributing to the downsizing and drawing down of peacekeeping missions. There has been political pressure from some Member States and the UN Secretariat to move away from large-scale multidimensional peacekeeping operations toward a lighter approach. Several missions are mid-transition and/or drawdown, including in the Democratic Republic of the Congo (DRC), Haiti, and Darfur, and others have

Priority Questions For Policymakers

What are the specific medium- and longer-term impacts of the increasingly urbanized nature of contemporary armed conflict, particularly regarding impacts on development, gender, and human rights?

There is a notable effort by a group of countries to establish a multilateral political declaration on avoiding the use of EWIPA. What standards or expectations of parties to armed conflict should be included in such a declaration to ensure that it promotes tangible commitments that can be followed through and reported on by endorsing countries?
undergone strategic reviews that have sought to elaborate transition and exit strategies. In recognition of the limits and costs of UN peacekeeping, and coinciding with moves to downsize these operations, significant Member State and Secretariat interest remains in strengthening bilateral, regional, and ad hoc coalition operations to work in partnership with or as a substitute for UN peacekeeping missions. While many regional and sub-regional organizations may seek to become more actively involved in peace support and/or enforcement operations within their respective regions, the question remains whether Member States will support the use of assessed dues directed to the UN peacekeeping operations to these other missions. As this trend continues, DPO and the UN more broadly should work alongside regional organizations and Member States to set human rights and POC standards for these operations and collect and share lessons learned between these various operations.  

**Protecting civilians and the “primacy of politics”:**

Member States and the Secretariat have continued to reiterate their commitment to political solutions to conflict, affirming that the “pursuit of sustainable political solutions should guide the design and deployment of UN peacekeeping operations.” While political solutions and POC should be complementary endeavors, there are times when the two are in tension with one another, in particular when state actors or other parties to peace agreements are perpetrators of violence against civilians. However, rather than allowing the two to be framed dichotomously, in which the imperative of protection is pitted against longer-term strategic or political objectives, the Security Council and Secretariat must continue to find ways to support peacekeeping missions to strike the right balance between protecting civilians in the short and medium-term, including through local-level dialogue, mediation, and peacebuilding, while pursuing longer-term political solutions.

**Minimizing harm to civilians by peacekeeping operations:** Participants discussed the need for missions to more systematically track and mitigate harm that could result from a mission’s own presence, activities, and operations, including activities and operations in support of other security actors. Though the mandates of the UN peacekeeping missions in Central African Republic, DRC, and Mali require them to track risks the mission could pose to civilians during operations, the concept and practice of CHM, including tracking cells, has not yet been sufficiently developed and adopted within peacekeeping operations. This is an important gap that should be addressed through policy, guidance, and support for the inclusion of CHM activities in mission mandates and budgets.

**Peacekeeping and “unarmed civilian protection”:**

Over the past several years, there has been a growing emphasis in UN peacekeeping mission mandates, policies, and practices on “unarmed” approaches to protecting civilians. Civilian components of UN peacekeeping operations have long-employed POC-related activities that do not necessarily involve uniformed personnel, such as human rights monitoring and reporting, political dialogue and mediation, and community engagement. The ability for civilian components to operate without the presence of uniformed personnel can be difficult in a number of areas where the security context dictates the presence of peacekeeping forces. Moreover, comprehensive and integrated approaches to protect civilians, which utilize the range of civilian, military, and police capabilities have proven effective. Depending on the motivations, tactics, and capabilities of a perpetrator of violence, force may be necessary for the protection of civilians under threat of physical violence. However, unarmed approaches deserve further exploration and development to determine whether and how they can be increasingly employed in UN peacekeeping operations, including those with lighter military footprints and limited mobility.

**Priority recommendation to Member States:**

- Improve comprehensive performance assessments, budget development, and monitoring processes to better understand peacekeeping mission needs, and provide peacekeeping operations with the requisite financial resources and capabilities (including civilian experts, uniformed troops and enablers, and budgets) to implement their mandates to protect civilians.

**Priority recommendation to the UN and other international/regional actors:**

- In partnership with appropriate stakeholders, develop, disseminate, and monitor compliance with POC and human rights standards for operations that are partnering with and/or receiving support from UN peacekeeping operations, and strengthen CHM and Human Rights Due Diligence practices within UN peacekeeping operations providing support to or partnering with other security actors, such as national security forces or parallel military operations.
VI. ENGAGING CONFLICT-AFFECTED COMMUNITIES TO IMPROVE PROTECTION

Engaging with conflict-affected communities is a critical component of POC. In many cases communities must rely on themselves for self-protection, and in all cases communities know best how to provide for their own safety. Engaging with and empowering communities is an important part of establishing sustainable protection, and civilians and local communities should be at the center of these initiatives. Yet, protection initiatives undertaken by security actors are often done without the meaningful engagement and participation of civilians and communities. The remainder of this section highlights some of the key issues and themes discussed at the POC20 Policy Dialogue.

Presenters in this session shared their experiences engaging with communities to improve protection, and noted a number of important points and lessons learned. In order to be effective, panelists highlighted that community engagement needs to be structured and systematic, with civilians and communities placed at the center of planning and implementation of protection activities. Yet, varying interpretations of POC by different actors, as well as nascent understanding of community engagement and civilian self-protection, particularly among security forces, serve as a deterrent to safe, effective, and meaningful community engagement. International, regional, and national security forces should more systematically engage civilians and local communities to understand the factors that are most important to their protection. This necessitates a deliberate process that meaningfully engages a wide range of civilians and community members, including children, youth, women, LGBTI individuals, and other groups who may be marginalized or at risk in a given context, and takes into consideration specific cultural and socio-economic factors.

Panelists and participants highlighted that the extent to which regional and international actors should be directly involved in engaging local communities to improve protection varies by context, and should be based on a sound assessment of conflict dynamics and threats against civilians. Depending on the level of threat, an active and visible presence of a UN peacekeeping operation or other regional or ad hoc military presence may be necessary to stop or deter violence against civilians. However, in other contexts, the presence of peacekeepers or other non-local security actors can exacerbate the risk to civilians and communities. Civilians seen interacting with international actors, including UN peacekeeping operations, may become subject to retaliation by armed groups, as has been seen in Mali and the wider Sahel region. In other contexts, protection provided by international actors may create perverse incentives for civilians to remain in dangerous locations. The discussion highlighted pros and cons to international involvement in every context, which must be carefully weighed prior to and monitored throughout engagement at the local level. Further, participants noted the need to develop clear standards, guidelines, and training for community engagement, and to ensure that these actors consider how to minimize potential risks or harm to civilians.

In contexts where the risks of direct or visible involvement by external actors, such as UN peacekeeping operations or humanitarian workers, may outweigh the benefits, international actors can still provide useful support, for example by backstopping communities in their interaction with armed groups, or by raising awareness on self-protection activities. Backstopping activities may include training and capacity building, helping communities to organize more effectively, acting as a mediating or neutral presence in dialogue with armed groups, and/or disseminating IHL, IHRL, and POC principles as frameworks from which communities can advocate for themselves with security actors. In other contexts, communities may simply need access to equipment or other provisions to continue protection activities that have
already been planned and/or implemented. Overall, panelists and participants highlighted the importance of external actors, from humanitarians to national, regional, and international security forces, working to dismantle the barriers—such as counter-terrorism laws and regulations—to community engagement and self-protection activities by civilians in armed conflict.

Priority recommendation to Member States:

- Assess counter-terrorism laws and regulations, as well as other legislation or policy measures, to ensure they do not prevent civilians and communities from taking steps to enhance their own self-protection, or prevent external actors from facilitating dialogue and engagement between armed actors and civilians to improve protection.

Priority recommendation for the UN and other international/regional actors:

- Develop and implement guidance and training on community engagement for UN peacekeeping operations and regionally-led or other coalition operations, and ensure that communities are systematically included and participate in developing responses to violence by these operations.
VII. MAJOR CHALLENGES AND CROSS-CUTTING ISSUES

Panelists and participants grappled with major challenges and issues that cut across the items on the agenda of the POC20 Policy Dialogue. This section captures these discussions, and highlights possible actions and solutions to address them.

The Security Council

The Security Council has been central to the development of the POC concept over the past twenty years and has established a wide range of tools to help promote and implement POC in response to country-specific situations. Nevertheless, the Security Council’s approach to POC has often been myopic, as it responds to crises and seeks to adapt to the changing nature of conflict. The result is that protection responses are mandated in an ad hoc manner that is driven by crisis, rather than by strategy. An added challenge is the way in which the POC agenda has been politicized within the Council, particularly among its permanent members. POC is not an apolitical ideal: in some contexts, such as Libya and Syria, for example, debates over POC have become a proxy for broader political disagreements between Member States. This overt politicization risks undermining the consensus that has been built around POC more generally. This also impacts the Security Council’s ability to respond effectively to situations on its agenda; numerous participants highlighted the consequences of political deadlock within the Security Council regarding particular conflicts, which enables state and non-state actors to perpetrate violence against civilians with impunity.

In contrast to the Security Council’s uneven response to country-specific situations, participants noted how the POC agenda has been expanded and deepened through the Council’s thematic resolutions on specific issues. The Security Council has made important progress in this regard, including adopting recent resolutions on the protection of persons with disabilities and on missing persons in armed conflict. However, certain risks were noted here, including the potential to fragment the POC agenda through the proliferation of sub-agendas. Some participants stated that Security Council members should be careful not to introduce thematic resolutions or issues if they risk being weakened or undermining the hard-won consensus on the broader POC agenda in the current political context at the Council. As mentioned in other sections of this report, participants recognized that there are many steps that actors can take outside of the Security Council to develop and implement POC policies and practices to advance the agenda.

Linkages with Other Agendas: Women, Peace, and Security (WPS) and Counter-Terrorism (CT)

POC and WPS: The POC and WPS agendas have developed in parallel, as over the past twenty years the UN and its Member States have prioritized not only the protection of civilians, but also the security and protection of women and girls specifically. Participants nevertheless noted that the POC and WPS agendas have at times been pursued at cross-purposes, with missed opportunities to meaningfully advance both. The upcoming 20th anniversary of Security Council Resolution 1325 in 2020 was highlighted as a clear opportunity for actors supportive of both agendas to take steps to synchronize their efforts. Specifically, more systematically applying a WPS lens in POC activities would help inform protection actors of the

Priority Questions for Policymakers

How can national actors more effectively undertake community engagement and support community-based protection initiatives in contexts where there are international or non-international armed conflicts?

What is required to ensure UN peacekeeping operations or regionally-led peace support operations can safely and effectively engage local communities, while also minimizing the risk of harm to civilians that their engagement may cause?
specific needs of – and risks facing – women and girls, and the gendered dimensions of armed conflict more generally. For example, there tends to be an almost exclusive focus on sexual violence in POC activities, largely to the detriment of understanding other types of violence faced by women and girls in armed conflict. Furthermore, the tendency to perceive women and girls as innocent victims in conflict strips them of their role as agents in its mitigation and resolution, and undermines their participation in efforts to enhance their own protection and contribute to building and sustaining peace.

**POC and CT:** Over the past two decades, Member State efforts to respond to terrorist threats have resulted in a robust CT regime, consisting of various pieces of legislation, conventions, resolutions, enforcement mechanisms, and regulatory frameworks. Even as such measures seek to protect individuals from the dangers of terrorism, participants highlighted that in many circumstances they have impeded POC efforts.

In some cases, actors participating in CT operations pose both direct and indirect threats to civilian protection, as their activities increase risk of harm to civilians. Terrorist groups may retaliate against both forces engaged in CT activities and missions, as well as civilians in areas where such operations are active or present. In addition, operations by terrorist groups in or around civilian communities can inhibit humanitarian actors in their ability to provide assistance, as engagement with such groups, or even with the communities in which they are operating, may be criminalized. As humanitarian groups operate according to the principle of neutrality, this may impede them from being able to deliver life-saving support to civilian populations in need. In some cases, CT restrictions have blocked the flow of resources that communities rely on for their own self-protection efforts, and civilians engaging terrorist groups on legitimate protection concerns may face heightened danger of being perceived by CT actors as supporters or even directly participating in hostilities.

While alignment between the POC and CT agendas may not be possible, the UN and Member States should take concrete steps to ensure that the pursuit of CT activities does not impede efforts to protect civilians. Specifically, CT legislation and resolutions should ensure that humanitarian actors can provide vital aid and support to communities, even as such resolutions attempt to put pressure on terrorist groups via sanctions regimes. Further, the UN should continue to ensure that it carefully distinguishes its peacekeeping operations from CT efforts, particularly when deployed to environments where such military operations are active.

The UN should work alongside regional organizations and Member States participating in regionally-led or multinational coalitions to set common POC standards for these operations, and collect and share lessons learned.

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**Protecting Civilians Through Regional Operations and Multinational Coalitions**

The Policy Dialogue reflected on the increasingly prevalent role of regional actors and multinational or ad hoc coalitions in efforts to mitigate conflict and pursue other objectives, such as stabilization, counter-terrorism, and, in some cases, protection of civilians. While this trend may present opportunities for
enhanced effectiveness and burden-sharing, as various actors draw comparative advantages, participants largely highlighted the challenges facing these operations, with specific implications for the protection of civilians.

First, regional operations and multinational or ad hoc coalitions may conceptualize and rationalize POC differently, and may often have different incentives or political objectives when undertaking military operations, including those aimed at protecting civilians. Given this, some regional organizations and ad hoc coalitions may need to prioritize upholding obligations to comply with IHL and IHRL before undertaking tasks associated with protecting civilians from other actors. Second, these operations may also have different appetites for risk or willingness to protect civilians, including by taking steps to mitigate risk from their own operations, presence, and activities. In addition, the presence of multiple actors in a coalition may lead to a diffusion of responsibility, resulting in an ensuing loss of accountability for the protection of civilians. As mentioned above, the UN should work alongside regional organizations and Member States participating in regionally-led or multinational coalitions to set common POC standards for these operations, and collect and share lessons learned.

VIII. CONCLUSION

This paper has highlighted some of the challenges, progress, and themes discussed during the POC20 Policy Dialogue on four critical issues: prioritizing the protection of civilians at the national level; minimizing harm to civilians in contemporary conflicts; protecting civilians through UN peacekeeping operations; and engaging conflict-affected communities to improve protection. Priority recommendations and questions for policymakers have been put forth in each of these sections. Action on these issues would constitute meaningful steps to advance the POC agenda, and would help maintain momentum for political action and policy reform to strengthen protection for civilians in 2019 and beyond.

The paper has also highlighted some of the cross-cutting issues discussed during the Policy Dialogue. These included the consistent but imperfect role of the Security Council in advancing the POC agenda, synergies and tensions between POC and other agendas (including WPS and CT), and the implications of the rise in prominence of regional military operations and multinational coalitions. These have only been preliminarily discussed here, and require further attention and exploration. There are a myriad of other issues that were raised during the Policy Dialogue, such as the climate crisis and digital risks, that also merit further research and policy dialogue through a POC lens.

The need for a common standard of POC has become increasingly important, particularly given the increase in the number of Member States, regional organizations, and other actors engaged in protection activities. This is a testament to the importance and relevance of the POC agenda for diverse actors. Building on this, the UN should lead a global effort to develop and disseminate a comprehensive concept of POC that can be adapted at the international, regional, and national levels. This effort would require the leadership and support of the Secretary-General, engagement by all relevant UN offices, departments, and specialized agencies implicated in the protection of civilians, and consultation and collaboration with a broad range of actors, including Member States, regional organizations, international non-governmental organizations and think tanks, and local civil society and civilians affected by conflict. This would be an important contribution to carrying the agenda into its next twenty years.

Most importantly, actors responsible for protecting civilians must move beyond political rhetoric and fully implement the resolutions, guidelines, and policies to which they have committed or bound themselves. This requires leadership by the UN, its senior officials, Member States, regional organizations, and parties to armed conflict to meaningfully prioritize protection. These actors should rally around the hard-won gains of the past twenty years, renew the collective commitment to the POC agenda, and deliver a higher standard of protection for civilians caught in armed conflict.
ENDNOTES

1 S/2019/373, para. 68, page 17.
3 UN Office for the Coordination of Humanitarian Affairs, "Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians" (May 2019).
4 These have included resolutions on the protection of children in armed conflict, the protection of women from conflict-related sexual violence, the protection of journalists, the protection of healthcare in conflict, conflict and hunger, the protection of persons with disabilities, and missing persons in armed conflict, among others.
5 See S/RES/1894 (2009). The UN peacekeeping missions with protection of civilians mandates include: MINUSTH (Haiti), MINUSCA (Central African Republic), MINUSMA (Mali), MONUSCO (Democratic Republic of Congo), UNAMID (Darfur), UNIFIL (Lebanon), UNISFA (Abyei), and UNMISS (South Sudan).
7 Since 2017, the UN Secretary-General has made the prioritization of POC at the national level a primary recommendation in his annual reports on POC. The 2018 report of the Secretary-General on POC includes minimum elements for governments to include in national policy frameworks on POC. See: Report of the Secretary-General on the protection of civilians in armed conflict. S/2019/373 (May 7, 2019).
8 S/RES/1270 (1999), which mandated the UN peacekeeping operation in Sierra Leone, UNAMSIL, to protect civilians.
11 The peacekeeping budget for 2019-2020 is $510 million USD less than the $7.028 billion approved for the previous year.
12 For more information on regional, ad hoc coalition, and partnered operations.
14 Civilian harm recording is a distinct but complementary process, in which data on civilian casualties is recorded for reporting purposes. Recording may be done by the mission or by external actors, such as human rights organizations. As mentioned above, the use of recording has been particularly effective in Afghanistan, where UNAMA has been able to use an evidence-based approach to engage parties to the conflict on their conduct of hostilities and advocate for changes in behavior. Though resource intensive, the example of Afghanistan is seen as a best practice that should be replicated in other settings.
15 The 2015 report of the HIPPO, for example, recommends that unarmed strategies be at the forefront of UN protection efforts, A/70/95-S/2015/446.
16 For more information on community engagement, see: Kaplan, Oliver. 2017. Resisting War: How Communities Protect Themselves.
17 S/RES/2474 (June 11, 2019).