



Protection of Civilians in Armed Conflict

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Introduction

For Member States of the United Nations and UN agencies, the horrors of civil war in the former Yugoslavia in 1991-99, and Rwanda in 1994 left dark shadows of guilt and responsibility. The estimated 200,000 civilian deaths in the former Yugsolavia and 800,000 in Rwanda left many demanding virogous action to prevent anything like that from happening again. Genocidal violence against civilians had been facilitated by cautious UN mandates, weak peacekeeping forces, and the hesitancy of Member States. There was universal agreement that more ahd to be done.



Genocide in Rwanda in 1994 left UN Member States generally agreed on the need to prevent anything similar in the future

Several methods have been tried to limit the worst violence of war and protect civilians by restraining the freedom of states, rebel groups and terrorists. More recent fighting in Syria, Yemen, Libya, Iraq, Afghanistan, Central African Republic and South Sudan show that the UN and its Member States still do not have the answers they need. They have not been passive,

but nor can they prevent the wrost kinds of violence and mistreatment of innocent people caught up in war. Left unresolved is the compelling question, what can be done to enhance the protection of civilians in armed conflict? What can the Security Council do to better protect civilians, to insulte them from the inhumanity of warfare?

Responding to these harsh realities, the international community stepped forward to take on the issue of civilian protection. In recognizing that government entities have had a history of neglecting their responsibility to protect their citizens, either by intention or because of poor capacity, and motivated by a combination of humanitarian zeal and interest-based concerns, the United Nations and other global actors sought out to protect civilians from the awful effects of war.

Civilian Death and Suffering in Armed Conflict

Throughout history, civilians have been victims in wars. Through analysis, scholars have noticed new trends in civilian victimization. In these “modern” conflicts, civilians’ death rates are at a higher number compared to belligerent deaths; more civilian are affected than soldiers.¹

However, there are some disagreements over the legitimacy of these new wars actually being new with regards to the large number of civilian lives lost. It must be noted that, while the number of major armed conflicts (and accompanying them, large numbers of civilian deaths) have decreased

¹ Mary Kaldor. “New and Old Wars: Organized Violence in a Global Era.” 1999



in the post-Cold War era, the rate of one-sided violence – “the intentional use of armed force against civilians by the government or formally organized group that results in at least twenty-five (25) deaths in a calendar year” – has increased.² According to a study that was conducted by the International Committee for the Red Cross (ICRC) that interviewed 12,860 individuals in 12 different countries experiencing armed conflict, one of four families living in affected countries has an immediate family member die.³ Not included are injuries, often maiming for life, displacement and loss of homes, and lost income, especially when a head of household is killed or injured.



Peacekeepers in the former Yugoslavia in 1992-95 lacked a mandate from the Security Council to use force to protect civilians

Data for Afghanistan, Somalia, and Cambodia revealed that 53%, 65%, and 79% of the populations in those countries respectively experienced the loss in immediate family. The civilians who were part of the study claimed that the top four reasons they believed belligerents attacked them are (1) the desire to win at any cost; (2) belligerent disregard for the laws of war for protecting civilians; (3) belligerent hatred for the opposition; and (4) the following of orders to attack civilians.

² Elizabeth Ferris. “The Politics of Protection: The Limits of Humanitarian Action.” 2011

³ ICRC. “The People on War Report: ICRC Worldwide Consultation on the Rules of War.” 1999

Civilian Protection

The perception that civilians are increasingly the targets of physical violence greatly contributed to the emergence of civilian protection as a global issue in the late 1990s. Yet, if the history of civilian victimization in armed conflict is the history of efforts to protect them. Many scholars have discussed the history of civilian protections in various traditions that predate the international community’s own efforts.⁴ Regarding global efforts on civilian protection, the Geneva-based International Committee of the Red Cross (ICRC) was a leading actor in creating a global protection regime.⁵ While its initial agenda focused on wounded soldiers, it soon began to address the needs of civilians in war. It spearheaded efforts to codify civilian protections in international humanitarian law (IHL), the body of law that regulates the conduct of hostilities. It built upon and synthesized local martial traditions offering civilians protections that predated the codification of IHL.

Yet, it was not until the late 1990s that the protection of civilians became an issue of practical and moral concern worthy of the global agenda.⁶ In the case of the United Nations, the actor of primary concern here, its failed efforts to protect civilians in Srebrenica and Rwanda, and its perception that armed groups increasingly targeted civilians, prompted deep soul-searching.

⁴ Betsy Jose. “Would the Protected Please Stand Up? Historical Ambiguity in the Distinction Principle.” 2005

⁵ ICRC, An institution standing the test of time? A review of 150 years of the history of the International Committee of the Red Cross.” 2012

⁶ Charli Carpenter. “Women, Children, and Other Vulnerable Groups: Gender, Strategic Frames and the protection of civilians as a transformational issue.”



What resulted from this self-reflection was the emergence of Responsibility to Protect (R2P), a proposed norm requiring the international community to act to save civilians threatened by war, under all circumstances. R2P would authorize UN peacekeepers to protect civilians from imminent physical violence when necessary and feasible.⁷ This remains controversial. The UN Security Council has not supported R2P. But elsewhere the UN has accepted elements of this as an important option and a general policy:

In situations of internal armed conflict, civilians account for the vast majority of casualties ... United Nations peacekeeping operations are now mandated by the Security Council to protect civilians under imminent threat of physical violence. The protection of civilians requires concerted and coordinated action among the military, police and civilian components of a United Nations peacekeeping operation and must be mainstreamed into the planning and conduct of its core activities. United Nations humanitarian agencies and non-governmental organization (NGO) partners also undertake a broad range of activities in support of the

protection of civilians. Close coordination with these actors is, therefore, essential.⁸

Reflecting its adoption of this new imperative, the UN peacekeeping missions in Sierra Leone and the Democratic Republic of Congo contained explicit mandates to protect civilians. Yet, not all UN member states fully embraced this method of protecting civilians, fearing uncontrolled commitments and weakening the doctrine of state sovereignty.

A Milestone for UN Action

The most important statement of determination to act among the UN Member States is *UN Security Council Resolution 1674 (2006)*, on the protection of civilians in armed conflict. Some highlights of UNSC 1674 include clauses in which it:

Recalls that deliberately targeting civilians and other protected persons as such in situations of armed conflict is a flagrant violation of international humanitarian law, reiterates its condemnation in the strongest terms of such practices, and demands that all parties immediately put an end to such practices;

Reaffirms the need to maintain the security and civilian character of refugee and internally displaced person camps, stresses the primary responsibility of States in this regard, and encourages the Secretary-General where necessary and in the context of existing peacekeeping operations and their respective mandates, to take all feasible measures to ensure security in and around such camps and of their inhabitants;

Condemns in the strongest terms all sexual and other forms of violence committed

⁷ Hitoshi Nasu. "Peacekeeping, Civilian Protection Mandates and The Responsibility to Protect." 2012.

⁸ United Nations. "Peacekeeping Operations: Principles and Guidelines." 2008.



against civilians in armed conflict, in particular women and children...⁹

Much the attention in UNSC 1674 focuses on UN peacekeepers. In both Yugoslavia and Rwanda, peacekeepers were responsible for keeping warring sides apart and helping to get humanitarian aid to refugees and the destitute of war. But they were not mandated—they had no legal authority—to stop militaries from attacking civilians. Hundreds of thousands died as a result.

UNSC 1674 gave UN peacekeeping forces a much more powerful mandate than ever before. But it did not give them new resources to act effectively, nor did it assure there would be a strong political mandate to act effectively in specific situations.

Just as important is what UNSC 1674 *does not* say. Reflecting a basic split among Member States of the Security Council, it does not require all UN peacekeeping operations (PKOs) to make protection of civilians a military priority or require them to intervene to ensure the safety or welfare of civilians. Nor does it make protection of civilians the highest priority for PKOs. It creates a general policy, but does not require that it be followed with equal strength in every situation. Member States and their troops in peacekeeping forces remain free to interpret how they go about civilian protection, leaving considerable latitude, including the possibility of ignoring UNSC 1674 altogether.



Problems within Civilian Protection

While the increased rates of civilian targeting helped to coalesce global attention around the issue of civilian protection, it did not necessarily lead to effective protection efforts. These include actions taken by external actors like the United Nations, NGOs, and states, and internal actors like the warring parties, although the focus in this discussion is on the United Nations. This section discusses a selection of the myriad reasons why these efforts failed to achieve their objectives. That is not to say that peacekeeping is never effective, but it is also not without its problems.

One reason for the UN's unsuccessful protection efforts is the different ways its agencies conceptually and operationally define civilian protection. While stating that these differences should not be over-emphasized, "in many ways these principles are dissimilar—requiring quite distinct actions from different sorts of actors, each of whom have diverging resources and objectives."¹⁰ Yet these differences contribute to ineffective civilian protection because they can discourage consensus on when to act, impede coordination on the ground when protection actors do agree to act, cultivate disagreement on protection goals, and create

⁹ The complete text of UNSC resolution 1674 is included at the end of this ODUMUNC issue brief.

¹⁰ Breakey, H. "Peacekeeping, civilian protection mandates and the responsibility to protect." 2012.



confusion on how to provide protection, among others.

As it stands now, desk officers in [United Nations Department of Peacekeeping Operations (DPKO)] do not share the understanding of [protection of civilians (PoC)] which UN OCHA [Office for the Coordination of Humanitarian Affairs] are seeking to promote. Thus, when PoC issues are reported from the field, there are no institutional guarantees that this will be reported further up the line once it reaches the desk officer in DPKO.¹¹

The situation was so problematic that in 2009, the Security Council acknowledged the “need for comprehensive operational guidance on the tasks and responsibilities of peacekeepers in the implementation of civilian protection mandates,” yet has been unable to generate sufficient political will among its members to undertake this herculean task.

Another reason for the failures of civilian protection stems from an under-appreciation of the gendered impact of civilian victimization. Gender affects the entire enterprise of war. Studies suggest that war itself is gendered. One very general example involves the different types of physical violence that men and women experience during armed conflict. While exceptions abound profusely, women tend to be victims of sexual violence while men tend to be victims of lethal violence. The UN Security Council emphasizes the importance of protecting women and children in its Protection of Civilians doctrine. According to Security Council Resolution 1296, the UN,

Reaffirms its grave concern at the harmful and widespread impact of armed conflict on civilians, including the particular impact that armed conflict has on women, children and other vulnerable groups, and further reaffirms in this regard the importance of fully addressing their special protection and assistance needs in the mandates of peacemaking, peacekeeping and peace-building operations.¹²

The resolution’s emphasis on women and children might seem surprising given cases like the Srebrenica massacre in the former Yugoslavia in 1995, in which over 7,000 men and boys died, the attack that helped propel this issue onto the Security Council’s agenda.

Another set of reasons involves inaction by the Security Council, which often sends inadequately prepared missions when it does decide to act. UN peacekeepers can only be deployed if the Security Council specifically authorizes a peacekeeping mission. A variety of political and normative reasons keep Security Council members from sending in peacekeepers where civilians need protection. These include tensions between sovereignty and humanitarian norms and concerns of the impact humanitarian action may have on individual state interests. Sovereignty norms, such as the expectation that states will safeguard territorial integrity stand in the way of protecting civilians.¹³

The strongest effort to correct this problem is this proposed Right to Protect (R2P), a proposed norm requiring UN Member States to protect endangered civilians from genocidal violence. Ideas like R2P prioritize human rights over more established criteria like territorial control for the

¹¹ de Carvalho, Benjamin., & Lie, J. H. S. “Chronicle of a frustration foretold? The implementation of a broad protection agenda in the United Nations.” 2011.

¹² United Nations. “Security Council Resolution 1296.” 2000.

¹³ Seybolt, Taylor. B. “Humanitarian Military Intervention: The Conditions for Success and Failure.” 2007.



enjoyment of sovereign rights. However, because R2P is not universally endorsed within the community of states, friction (and hence hesitation, inaction, or limited action) results when the international community faces a humanitarian crisis. Furthermore, when the Security Council manages to authorize a peacekeeping mission, it may be insufficiently resourced in terms of troops, supplies, and funding because of a lack of political will for a deeper commitment.¹⁴¹⁵

Finally, UN peacekeepers themselves have engaged in predatory behavior toward civilians. Currently, the UN is embroiled in a scandal involving peacekeepers sexually abusing civilians, including children. A recent UN report found that 69 allegations of sex crimes have been made against peacekeepers in 10 UN missions.¹⁶ Peacekeepers have also been accused of killing civilians in the Central African Republic.¹⁷

Civilian Self-Protection

As a result of the very real physical threats civilians face in war and the occasions when UN civilian protection is ineffective or absent, civilians can engage in civilian self-protection (CSP). Rather than exclusively relying on others for protection, civilians utilize their agency to protect themselves when they can. This is not a

recent phenomenon. World War II, the Rwandan genocide, the Iran-Iraq War, and countless other conflicts have witnessed civilian self-protection. It seems as long as civilians have suffered during war, they have also engaged in self-protection.

Civilian self-protection (CSP) can be defined as activities undertaken during armed conflict (international or non-international) to preserve physical integrity in which the primary decision maker is a civilian or group of civilians.¹⁸ This conceptualization of CSP involves three elements: (1) actions taken to protect against immediate, direct threats to physical integrity imposed by belligerents or traditional protection actors; (2) primarily selected and employed by civilians; and (3) employed during an armed conflict.¹⁹

Numerous studies have shown that civilians are often targeted with intention in civil wars, and that civilian protection efforts that have been made by the international community have not always been successful, if they even occur. As a result, civilians have had no other option but to rely on themselves for protection during times of conflict. Despite the pervasiveness of civilian self-protection (CSP) and its success at protecting civilians from violence in some cases, it is seldom discussed in the civilian protection literature, and its impact on civilian targeting is inadequately explored.

The framework of CSP strategies can be organized into three separate categories, (1) “non-engagement,” meaning that strategies in which civilians are not actively interacting with belligerents or traditional protection actors who pose a threat to them; (2) “nonviolent engagement,” in which some interaction takes

¹⁴ Labonte, Melissa, T. *Whose responsibility to protect? The implications of double manifest failure for civilian protection.* 2012.

¹⁵ Williams, P. *Protection, Resilience and Empowerment: United Nations Peacekeeping and Violence Against Civilians in Contemporary War Zones.* 2013.

¹⁶ Shortell, D., & Roth, R. *U.N.: 69 Allegations of sexual abuse against peacekeepers last year.* 2016.

¹⁷ Smith, D., & Lewis, P. “UN Peacekeepers Accused of Killing and Rape in Central African Republic.” 2015.

¹⁸ Betsy Jose and Peace A. Medie. “Understanding why and How Civilians Resort to Self-protection in Armed Conflict.” 2015.

¹⁹ Ibid



place between one or multiple actors who may cause destruction upon civilian; and (3) “violent engagement,” which involves resorting to physical violence in order to ensure one’s safety.

These strategies can cause civilians to fall into a much more vulnerable position, however. There are situations in which civilians are trapped into unpredictable interactions, and even relationships, with belligerents that can turn into an inevitably dangerous event. It is also possible that allying with one set of belligerents might lead to targeting by opposition forces, who view these CSP strategies as crucial support for their enemies. Civilians may also overestimate the success of their strategies, exposing them to harm. Finally, civilian use of violence may provoke belligerents to see them as threats, leading to intentional targeting.

When considering CSP, it is identified in three categories of strategies: (a) non-engagement, (b) nonviolent engagement, and (c) violent engagement. Non-engagement describes strategies in which civilians do not interact with belligerents or traditional protection actors who pose a threat to them. In this scenario, civilians’ attempts at survival, though necessitated by the actions of warring factions and/or other harmful actors, do not directly involve these actors. Examples of non-engagement strategies include fleeing from threats, taking shelter, and silence. Nonviolent engagement entails some interaction with one or more actors who may harm them but does not involve the use of violence. Pleading, girlfriending, and providing resources like food, shelter, or intelligence would fall into this category. Last, use of violence describes the category of violent engagement. Here, the use of violence includes both organized and spontaneous acts of violence by civilians or by actors who seek to protect these civilians from physical threats. Forming self-protection militia or joining armed groups for self-protection purposes would fall into this category.

The United Nations has yet to fully support CSP. Many Member States fear it will undermine the sovereignty of their states and weakening the freedom of action of their own armed forces. Others, more humanitarian minded, fear it draws civilians into conflict and makes them indistinguishable from combatants. They generally prefer strengthening UN peacekeeping forces instead.

Country and Bloc Positions

Debates over civilian protection often pit countries that are involved in armed conflict—and want exceptions to maximize the freedom of action of their armed forces—against those demanding expansion of universal rights to protection against human rights.

China is in the middle on this issue, usually supporting strong national sovereignty, government freedom of action and freedom from international interference in domestic affairs. But *China* usually supports broad global mandates in the UN Security Council as well. While *China* can be expected to protect its own rights to rule its own territory as it likes, and to support clients like the government of Myanmar or Pakistan, it usually supports new global norms and principles.

The European Union (EU) speaks for 28 Member States agreed on the importance of human rights and protecting civilians in all circumstances. The European Union members agree there can be no exceptions for universal rights to fair treatment. They support limiting the freedom of governments to promote the security of people. Like-minded countries include Australia, Canada, Japan, South Korea, much of Africa and Latin America.

The Non-Aligned Movement (NAM), the UN’s largest voting bloc with 120 members, is badly split on issues of civilian protection. Some Member States believe strongly in universal principles, others want freedom for their armed



forces. One of the few situations they can agree on is Israel-Palestine, where they usually support measures to protect the people of Palestine from indiscriminate military attack and harassment by Israel.

Russia and some countries in Africa and Asia insist that each armed conflict must be judged separately. Protection for civilians is conditional on the interests of states party to the conflict. Countries like Russia also are cautious about precedents that could limit their freedom of action to support their side in conflicts like Ukraine or Myanmar.

The United States, for decades one of the strongest supporters of strong protection of civilians, has become much less predictable under President Donald Trump, and now favors strong mandates mostly against its enemies like Iran, Syria and Venezuela. Otherwise the United States is increasingly likely to follow the lead of authoritarian rules elsewhere, seeking to maximize the power and freedom of their governments to act as they want.

Proposals for Action

Civilians have historically relied on CSP and have had to face the dynamics of civil wars and their effect on how CSP is employed by these civilians. It has also been argued that, to more effectively protect civilians, their efforts at self-protection need to be understood by humanitarian actors who intervene in civil wars. Although this discussion has focused on peacekeepers, an understanding of CSP is important for all humanitarian actors who work in conflict zones. This is because their actions can impact civilians' ability to self-protect. Other international organizations and nongovernmental organizations can also contribute to these efforts. However, this can only be achieved when the international community comes to recognize the agency of

people who are affected by conflict and the steps that they take daily to survive violence.

A general declaration of principles, establishing responsibilities for states regarding the use of force that could affect civilians, probably is the easiest thing for UN Member States to agree on. Reaffirming the principles of UNSC 1674 is relatively straightforward, but some Member States may seek clear expectations for the actions of their own armed forces, or those of close friends and allies. This proposal will be favored by Member States most concerned with civilian protection, especially those in Europe, Latin America and parts of Africa. It is likely to be resisted by Member States more concerned with freedom to win conflicts in or near their territory, especially in the Middle East, parts of Africa, South Asia and East Asia.

Establish new guarantees for the safety and welfare of civilians caught in conflict, including new obligations to ensure their safety from armed forces, or specific weapons such as indiscriminate small arms, artillery and bombing. This would mean add requirements and resources to make UNSC 1674 work more effectively. For example, UN peacekeeping forces (PKOs) are not automatically required to intervene to help civilians in armed conflict. Often their mandates are limited to the Security Council, which prefers they aim exclusively at priorities like keeping armed forces apart or monitoring a cease fire. Because PKOs always are too small to do everything, choices and priorities are unavoidable. But there is growing agreement that more must be done.

Focus on specific conflicts, countries, governments and non-state armed groups. Rather than aim for universal new rules, it may be less controversial to focus on plans to protect civilians in specific conflicts. The conflict of greatest interest to most UN Member States is the conflict between Israel and Palestinians.



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Member States belonging to the Non-Aligned Movement are especially determined to use UN mechanism to restrain Israel from harming unarmed civilians. The United States is fastest to defend Israel's freedom of action, often forcing its allies in Asia, Europe and the rest of the world to make difficult choices.

Authorize civilian self-protection (CSP) as an alternative to sending UN peacekeepers or relying on state armed forces. The situations in which this is permitted, and the mandates for such forces, would have to be specified.

Give military capabilities to UN organizations responsible for the welfare of civilians in conflict, such as the UN High Commissioner for Human Rights (UNHCR, the UN's human rights agency) and UN High Commissioner for Refugees (UNHCR, the UN refugee agency), United Nations Relief and Works Agency (UNRWA, which works with Palestinian refugees), or the United Nations Development Programme (UNDP, which coordinates all UN humanitarian and development aid). Currently they must rely on peacekeepers or local militaries

for protection. Giving them additional capabilities to create or hire military forces of their own might help them protect civilians in regions of conflict. Such proposals will be controversial. They will be opposed by governments who seek to strengthen state sovereignty above all, and by those who believe UN agencies must be neutral actors.



The UN Security Council



United Nations

S/RES/1674 (2006)



Security Council

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Resolution 1674 (2006)

**Adopted by the Security Council at its 5430th meeting,
on 28 April 2006**

The Security Council,

Reaffirming its resolutions 1265 (1999) and 1296 (2000) on the protection of civilians in armed conflict, its various resolutions on children and armed conflict and on women, peace and security, as well as its resolution 1631 (2005) on cooperation between the United Nations and regional organizations in maintaining international peace and security, and further reaffirming its determination to ensure respect for, and follow-up to, these resolutions,

Reaffirming its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and respect for the sovereignty of all States,

Acknowledging that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security and well-being, and recognizing in this regard that development, peace and security and human rights are interlinked and mutually reinforcing,

Expressing its deep regret that civilians account for the vast majority of casualties in situations of armed conflict,

Gravely concerned with the effects of the illicit exploitation and trafficking of natural resources, as well as the illicit trafficking of small arms and light weapons, and the use of such weapons on civilians affected by armed conflict,

Recognizing the important contribution to the protection of civilians in armed conflict by regional organizations, and acknowledging in this regard, the steps taken by the African Union,

Recognizing the important role that education can play in supporting efforts to halt and prevent abuses committed against civilians affected by armed conflict, in particular efforts to prevent sexual exploitation, trafficking in humans, and violations of applicable international law regarding the recruitment and re- recruitment of child soldiers,

Recalling the particular impact which armed conflict has on women and children, including as refugees and internally displaced persons, as well as on other civilians who may have specific vulnerabilities, and stressing the protection and assistance needs of all affected civilian populations,



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Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution,

1. Notes with appreciation the contribution of the Report of the Secretary-General of 28 November 2005 to its understanding of the issues surrounding the protection of civilians in armed conflict, and takes note of its conclusions;
2. Emphasizes the importance of preventing armed conflict and its recurrence, and stresses in this context the need for a comprehensive approach through promoting economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law, and respect for, and protection of, human rights, and in this regard, urges the cooperation of Member States and underlines the importance of a coherent, comprehensive and coordinated approach by the principal organs of the United Nations, cooperating with one another and within their respective mandates;
3. Recalls that deliberately targeting civilians and other protected persons as such in situations of armed conflict is a flagrant violation of international humanitarian law, reiterates its condemnation in the strongest terms of such practices, and demands that all parties immediately put an end to such practices;
4. Reaffirms the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity;
5. Reaffirms also its condemnation in the strongest terms of all acts of violence or abuses committed against civilians in situations of armed conflict in violation of applicable international obligations with respect in particular to (i) torture and other prohibited treatment, (ii) gender-based and sexual violence, (iii) violence against children, (iv) the recruitment and use of child soldiers, (v) trafficking in humans, (vi) forced displacement, and (vii) the intentional denial of humanitarian assistance, and demands that all parties put an end to such practices;
6. Demands that all parties concerned comply strictly with the obligations applicable to them under international law, in particular those contained in the Hague Conventions of 1899 and 1907 and in the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as with the decisions of the Security Council;
7. Reaffirms that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent future such abuses, draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and “mixed” criminal courts and tribunals and truth and reconciliation commissions, and notes that such mechanisms can promote not only individual responsibility for serious crimes, but also peace, truth, reconciliation and the rights of the victims;
8. Emphasizes in this context the responsibility of States to comply with their relevant obligations to end impunity and to prosecute those responsible for war crimes, genocide, crimes against humanity and serious violations of international humanitarian law, while recognizing, for States in or recovering from armed conflict, the need to restore or build independent national judicial systems and institutions;



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9. Calls on States that have not already done so to consider ratifying the instruments of international humanitarian, human rights and refugee law, and to take appropriate legislative, judicial and administrative measures to implement their obligations under these instruments;

10. Demands that all States fully implement all relevant decisions of the Security Council, and in this regard cooperate fully with United Nations peacekeeping missions and country teams in the follow-up and implementation of these resolutions;

11. Calls upon all parties concerned to ensure that all peace processes, peace agreements and post-conflict recovery and reconstruction planning have regard for the special needs of women and children and include specific measures for the protection of civilians including (i) the cessation of attacks on civilians, (ii) the facilitation of the provision of humanitarian assistance, (iii) the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons, (iv) the facilitation of early access to education and training, (v) the re-establishment of the rule of law, and (vi) the ending of impunity;

12. Recalls the prohibition of the forcible displacement of civilians in situations of armed conflict under circumstances that are in violation of parties' obligations under international humanitarian law;

13. Urges the international community to provide support and assistance to enable States to fulfil their responsibilities regarding the protection of refugees and other persons protected under international humanitarian law;

14. Reaffirms the need to maintain the security and civilian character of refugee and internally displaced person camps, stresses the primary responsibility of States in this regard, and encourages the Secretary-General where necessary and in the context of existing peacekeeping operations and their respective mandates, to take all feasible measures to ensure security in and around such camps and of their inhabitants;

15. Expresses its intention of continuing its collaboration with the United Nations Emergency Relief Coordinator, and invites the Secretary-General to fully associate him from the earliest stages of the planning of United Nations peacekeeping and other relevant missions;

16. Reaffirms its practice of ensuring that the mandates of United Nations peacekeeping, political and peacebuilding missions include, where appropriate and on a case-by-case basis, provisions regarding (i) the protection of civilians, particularly those under imminent threat of physical danger within their zones of operation, (ii) the facilitation of the provision of humanitarian assistance, and the creation of conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons, and expresses its intention of ensuring that (i) such mandates include clear guidelines as to what missions can and should do to achieve those goals, (ii) the protection of civilians is given priority in decisions about the use of available capacity and resources, including information and intelligence resources, in the implementation of the mandates, and (iii) that protection mandates are implemented;

17. Reaffirms that, where appropriate, United Nations peacekeeping and other relevant missions should provide for the dissemination of information about international humanitarian, human rights and refugee law and the application of relevant Security Council resolutions;

18. Underscores the importance of disarmament, demobilization and reintegration of ex-combatants (DDR) in the protection of civilians affected by armed conflict, and, in this regard, emphasizes (i) its support for the inclusion in mandates of United Nations peacekeeping and other relevant missions, where appropriate and on a case-by-case basis, of specific and effective measures for DDR, (ii) the importance of incorporating such activities into specific



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peace agreements, where appropriate and in consultation with the parties, and (iii) the importance of adequate resources being made available for the full completion of DDR programmes and activities;

19. Condemns in the strongest terms all sexual and other forms of violence committed against civilians in armed conflict, in particular women and children, and undertakes to ensure that all peace support operations employ all feasible measures to prevent such violence and to address its impact where it takes place;

20. Condemns in equally strong terms all acts of sexual exploitation, abuse and trafficking of women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based upon the recommendations of the report of the Special Committee on Peacekeeping, A/59/19/Rev.1;

21. Stresses the importance for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence;

22. Urges all those concerned as set forth in international humanitarian law, including the Geneva Conventions and the Hague Regulations, to allow full unimpeded access by humanitarian personnel to civilians in need of assistance in situations of armed conflict, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and its associated personnel and their assets;

23. Condemns all attacks deliberately targeting United Nations and associated personnel involved in humanitarian missions, as well as other humanitarian personnel, urges States on whose territory such attacks occur to

prosecute or extradite those responsible, and welcomes in this regard the adoption on 8 December 2005 by the General Assembly of the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel;

24. Recognizes the increasingly valuable role that regional organizations and other intergovernmental institutions play in the protection of civilians, and encourages the Secretary-General and the heads of regional and other intergovernmental organizations to continue their efforts to strengthen their partnership in this regard;

25. Reiterates its invitation to the Secretary-General to continue to refer to the Council relevant information and analysis regarding the protection of civilians where he believes that such information or analysis could contribute to the resolution of issues before it, requests him to continue to include in his written reports to the Council on matters of which it is seized, as appropriate, observations relating to the protection of civilians in armed conflict, and encourages him to continue consultations and take concrete steps to enhance the capacity of the United Nations in this regard;

26. Notes that the deliberate targeting of civilians and other protected persons, and the commission of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict, may constitute a threat to international peace and security, and, reaffirms in this regard its readiness to consider such situations and, where necessary, to adopt appropriate steps;

27. Requests the Secretary-General to submit his next report on the protection of civilians in armed conflict within 18 months of the date of this resolution;



28. Decides to remain seized of the matter.

S/RES/1674 (2006)

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