



6 May 2019

Joint Statement: 22 NGOs Call for Action to Strengthen the Protection of Civilians in Armed Conflict

This year marks the **20th anniversary of the Security Council taking up the protection of civilians in armed conflict on its agenda**, as well as two important resolutions passed in 1999: Resolution 1265 on the protection of civilians in armed conflict and Resolution 1270, which included the first explicit protection of civilians mandate for a United Nations (UN) peacekeeping operation. This year also marks the 70th anniversary of the 1949 Geneva Conventions. **We collectively urge Security Council members, the UN Secretary-General, and all UN Member States to take full advantage of the opportunity of these important anniversaries to meaningfully improve civilian protection in country-specific situations and advance an ambitious vision for the protection of civilians agenda.**

There have been important strides in advancing the protection of civilians over the past twenty years, including through Security Council resolutions, the development of policy by the UN, and actions taken at the national level by governments and determined civil society actors to prioritize protection. These developments have been buoyed by the robust framework of international humanitarian law (IHL) and international human rights law (IHRL), which were developed to limit the impact of war on civilians and safeguard the security and dignity of human beings.

Yet, as we mark these important developments, civilians continue to suffer disproportionately from the devastating consequences of armed conflict. In Afghanistan, Central African Republic, Libya, Myanmar, Nigeria, South Sudan, Syria, Yemen and far too many other conflict situations, civilians are paying the highest price for the failure of parties to armed conflict – and those Member States that support them – to abide by the norms and laws that safeguard humanity. Civilians are routinely targeted, as are the places in which they live, work, study, worship, or seek or provide medical care or humanitarian aid. Explosive weapons with wide-area effects are employed in populated areas, with devastating and generational consequences. Conflict-related sexual violence and gender-based violence are occurring at shocking levels, with women and girls facing heightened risk of sexual and gender-based violence during conflict. We are also witnessing a

worrying retreat from multilateralism and the rules-based international order, which creates a permissive environment for violations and abuses against civilians in conflict zones.

The international community must collectively turn this worrying tide. We urge Security Council Members, the UN Secretary-General, and all UN Member States to take determined action to strengthen the protection of civilians and stand up for the norms and laws that are essential to safeguard civilians in conflict.

The upcoming UN Security Council Open Debate on the Protection of Civilians on May 23 is a crucial opportunity for Security Council members, the UN Secretary-General, and all UN Member States to **make concrete commitments and pledges to strengthen the protection of civilians in armed conflict** during the anniversary year and over the years to come. **The following issues and recommendations should be the focus of collective action:**

To Members of the Security Council: Use your voice and vote to prioritize the protection of civilians in the decisions and deliberations of the Council.

- Publicly recognize and affirm the protection of civilians in armed conflict as one of the core issues on the agenda of the Security Council. Recommit to fully implementing the provisions of Council resolutions on the protection of civilians, including resolutions 1894, 2175, 2286, and 2417, as well as thematic resolutions on children and armed conflict, women, peace and security, and sexual violence in armed conflict. Systematically call on all parties to armed conflict to take all feasible steps to ensure the protection of civilians. Respect and ensure respect for IHL by ceasing support for parties to armed conflict where there are serious allegations or risks of violations of IHL and violations or abuses of IHRL.
- Unequivocally condemn violations of IHL and violations or abuses of IHRL by all parties to armed conflict. This should include consistently condemning direct and indiscriminate attacks on civilians, deliberate targeting of schools, hospitals and other civilian infrastructure, and arbitrary denial of humanitarian access. Ensure that there are consequences for state and non-state actors who deliberately violate or disregard their obligations, including through accountability mechanisms. Consistently support the creation of international, independent investigative mechanisms in situations of armed conflict where there are significant civilian casualties. Commit to make the reports of such mechanisms public to bring greater transparency to the Security Council's work in pursuit of accountability for grave violations and to deter future violations. Encourage parties to armed conflict to decisively and transparently investigate allegations of civilian harm committed by their forces.
- Strengthen the ability of UN peacekeeping operations to protect civilians by providing political support to these missions and ensuring they have adequate resources and capabilities to match their mandates, including Protection of Civilians Advisors, civilian and uniformed Gender Advisors, Women's Protection Advisors, Child Protection Advisors, and the appropriate number of qualified human rights monitors. Proactively assess the performance of UN peacekeeping operations in delivering on protection of civilians mandates, including specific tasks for the protection of children, women, and people with

disabilities, and ensure the full and effective implementation of the provisions of Security Council Resolution 2436 (2018). Ensure that the protection of civilians is prioritized in the context of downsizing, readjustment, or transition of peacekeeping operations.

- Support timely and decisive action aimed at preventing or ending the commission of genocide, crimes against humanity or war crimes. Publicly pledge not to vote against a credible draft resolution before the Security Council on timely and decisive action aimed at halting or preventing such crimes, in line with the Accountability Coherence and Transparency Group's Code of Conduct (A/70/621, 2015).
- Regularly convene specific briefings or informal meetings on the protection of civilians in the context of country-specific situations on the Council's agenda. Regularly invite UN officials with specific protection mandates and experts from local, national and international civil society to brief the Council on these issues, including speakers who can provide a gender- and age-specific analysis.

To the UN Secretary-General: Deliver on commitments to lead a “global effort” in support of the protection of civilians. Speak truth to power for civilians caught in conflict.

- Follow through on the commitment in your 2017 report on the protection of civilians in armed conflict to launch a “global effort” in support of the agenda. Deliver an ambitious vision to strengthen the protection of civilians in armed conflict today and over the next twenty years. Mobilize senior UN leaders and the agencies, offices, and departments of the UN behind this effort.
- Demand an end to attacks against civilians and strongly and publicly condemn violations of IHL and violations and abuses of IHRL by all parties to armed conflict. Press parties to armed conflict to transparently investigate and thoroughly report on allegations of civilian harm. Spare no effort in promoting accountability for violations of IHL and violations and abuses of IHRL through national, regional, ad hoc, and international judicial mechanisms, including the International Criminal Court.
- Speak out forcefully against conflict-related sexual violence, gender-based violence, disability-based violence, and all grave violations of children's rights in armed conflict. Fully exercise your authority in listing in your reports all parties to armed conflicts found responsible for perpetrating conflict-related sexual violence and any of the six grave violations against children in armed conflict. Use your influence, good offices, and the development of Action Plans to ensure these parties take meaningful steps to address the reasons for their listing.
- Ensure UN peacekeeping operations fully implement their mandates to protect civilians and take a comprehensive and whole-of-mission approach to protection. Vigorously address any incidents of underperformance or failure to protect civilians, including through accountability measures. Take steps to ensure that peacekeeping operations minimize harm to civilians, including through support to national security forces or parallel military operations, and ensure the full implementation of the UN Human Rights Due Diligence

Policy on UN Support to Non-UN Security Forces. Ensure that UN peacekeeping operations safely and meaningfully engage local communities on their protection needs, taking care to ensure that all groups, including women, youth, children, and people living with disabilities, are proactively engaged so that their perspectives and capacities shape mission efforts to respond to protection threats.

- Establish a system-wide approach to record civilian harm and ensure that UN peacekeeping operations, special political missions, and other relevant UN agencies or offices in the field have the capacity and guidance to proactively monitor, analyze trends, and publicly report on civilian harm. Regularly share gender-, disability- and age- disaggregated information and analysis on protection of civilians trends with the Security Council to better inform its deliberations and decision-making.

To All UN Member States: Prioritize the protection of civilians at the national level, share and systematize good practices, and ensure full compliance with IHL and IHRL.

- Re-state your full commitment to upholding obligations under the 1949 Geneva Conventions and their Additional Protocols, as well as all relevant IHRL conventions. Accede to and implement any outstanding relevant treaties and conventions, including Additional Protocol I and II to the Geneva Conventions and the Optional Protocol on the Involvement of Children in Armed Conflict (OPAC). Publicly commit to prioritize the protection of civilians at the national level, including through the adoption and implementation of a national policy framework on the protection of civilians, and the establishment of specific policies and mechanisms to mitigate harm to civilians and respond to civilian harm. Further commit to the systematic collection of information and disaggregated data regarding civilian harm, and accept and encourage information from civil society regarding threats to civilians and civilian harm incidents. Fully promote and ensure accountability and transparency for violations of IHL and IHRL.
- Adopt and implement key policies and political declarations related to the protection of civilians agenda, including: developing, implementing and financing National Action Plans on Women, Peace and Security, and endorsing and implementing the Paris Principles and the Safe Schools Declaration.
- Support efforts towards the adoption of a multilateral political declaration on explosive weapons in populated areas during the 20th anniversary year. Such a declaration should commit states to avoid the use of explosive weapons with wide-area effects in populated areas given their devastating humanitarian impact on individuals and communities, including deaths, injuries and damage to vital civilian infrastructure, and the high likelihood of indiscriminate effects. Commit to develop strong national standards and restrictions on the use of explosive weapons with wide-area effects in populated areas. Review and strengthen policies and practices with a view to avoiding the use of explosive weapons in populated areas. Gather and make available relevant data, including through civilian harm tracking and civilian casualty recording processes. Contribute to assisting victims and their communities in addressing civilian harm from the effects of explosive weapons.

- Publicly recognize that the protection of civilians must be a priority objective in any security partnership and share best practices that would enable improvements in the protection of civilians by partner security forces. Clearly identify conditions regarding the protection of civilians that would trigger downgrading or termination of security partnerships. Strictly comply with the Arms Trade Treaty, which can help protect civilians in even the most difficult situations by placing IHL and IHRL at the center of decisions on whether or not to transfer arms.
- Reaffirm the core humanitarian principles, including that of impartiality which makes no distinction in the protection of rights of those at risk on the basis of nationality, race, gender, religious belief, class or political opinions, and states that humanitarian action should be independent and free from political influence. Recommit to facilitating timely and safe access to humanitarian assistance and protection to affected civilians, without any obstacles created by disproportionate military tactics or unreasonable bureaucratic impediments. Include humanitarian exemptions in any counter-terrorism legislation and policies to prevent unintended consequences or restrictions on humanitarian assistance. Explicitly condemn instances of killings and attacks on humanitarian and medical workers and ensure accountability for such attacks.
- Publicly recognize the importance of UN peacekeeping operations fully delivering on mandates to protect civilians. Take steps to implement the provisions of the *Declaration of Shared Commitments on UN Peacekeeping Operations*, particularly those commitments on strengthening the protection of civilians, improving performance and accountability, and sustaining peace, in order to ensure that momentum behind peacekeeping reform is maintained. Endorse and implement the *Kigali Principles on the Protection of Civilians* and the *Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers*.

Endorsing Organizations:

Action Against Hunger

Amnesty International

Article 36

CARE

Center for Civilians in Conflict

Child Fund Alliance

Concern Worldwide US

FIDH

Global Centre for the Responsibility to Protect

Global Coalition to Protect Education from Attack

Human Rights Watch

Humanity & Inclusion

InterAction

The International Network on Explosive Weapons

International Rescue Committee

Norwegian Refugee Council

Oxfam

PAX

Save the Children

War Child

Watchlist on Children and Armed Conflict

World Vision International