
Worldwide, civilians continue to bear the brunt of armed conflict. In 2010, millions of men, women, and children were threatened, injured, killed, raped, displaced, recruited by force, or deprived of safe water and food. While the impact of conflict and the extent of the harm experienced by civilians can never fully be measured, examining what little is known about deaths and casualties, displacement, sexual violence, and threats to children provides some indication of the scale of violence against civilians. This report reviews the available information on the impact of conflict on civilians in 2010 and explores the response of the UN Security Council (UNSC) to protecting civilians in armed conflicts. Building on recommendations made by the UN Secretary-General in 2010 for more detailed information on protection of civilians to be provided to the UNSC, and for a less selective approach to protecting civilians in armed conflicts, this paper highlights two challenges for the UNSC to overcome: the lack of reliable and detailed information and analysis on threats to civilians and the need for consistent consideration for all crises based on the level of threat and risk to the well-being of civilians.

The report comes as the UNSC holds its annual discussion on protection of civilians in armed conflict on 10th May in New York, focusing on its activities in the world’s most troubled areas, as well as looking at its own successes and failures regarding the protection of civilians in armed conflict. Oxfam (9 May 2011)

RESPONSIBILITY TO PROTECT: The UN Security Council and the Responsibility to Protect: Policy, Process, and Practice

The International Peace Institute (IPI) and the Diplomatic Academy Vienna have put together the first comprehensive analysis of the role of the UN Security Council in the ongoing process of implementing the responsibility to protect (RtoP).

Contributions by Gareth Evans, Edward C. Luck, Susan Rice, Terje Rød-Larsen, Michael Spindelegger, and others in this publication provide an in-depth analysis of the policy, process, and practice of the UN Security Council in protecting populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. This collection of essays demonstrates that the Security Council’s role in implementing the responsibility to protect is not limited to taking collective action against mass atrocities (pillar three of RtoP). The publication shows that the Council can also make important contributions to encouraging and helping states exercise their responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity (pillar two of of RtoP). By mandating UN peace operations to support security and justice sector reforms, the Security Council fosters national protection capabilities in states emerging from conflict, which typically face a high risk of relapse into mass violence. When the Security Council mandates peace operations to support the disarmament, demobilization, and reintegration of former combatants it also strengthens the fabric of a postconflict society. By pursuing early engagement and preventive diplomacy the Security Council can encourage governments to address concerns and to mitigate risks before mass atrocities materialize. International Peace Institute // Diplomatic Academy Vienna (16 March 2011)
CIVILIAN CASUALTIES: Who Takes the Blame? The Strategic Effects of Collateral Damage

Can civilians caught in civil wars reward and punish armed actors for their behavior? If so, do armed actors reap strategic benefits from treating civilians well? To answer these questions we present and test a theory of insurgent violence in which information civilians provide to government forces and their allies is a key constraint on insurgent violence. Using geo-coded data on violence and civilian casualties in Iraq from 2004 through early-2009 we provide evidence this information ebbs and flows with how each actor treats civilians. Both sides are punished for the collateral damage they inflict; Coalition killings predict more insurgent attacks and insurgent killings predict fewer. The effects are strongest in mixed-sect areas and in areas with a largely urban population. Our findings have strong policy implications and imply theories of intrastate violence must account for civilian agency. Working Paper by Luke N. Condra and Jacob N. Shapiro (3 November 2010)

CHILDREN: In Their Words: Perspectives of Armed Non-State Actors on the Protection of Children from the Effects of Armed Conflict

We know little about what NSAs themselves think about the protection of children in armed conflict. How do they see their role? What challenges do they face? How do they perceive and react to international mechanisms? This publication not only takes an initial step towards answering these questions, but it also provides examples of good practices that can help other NSAs better protect children and thereby meet their international obligations. It is clear that NSAs are part of the problem. The focus here is on how they may be part of the solution.

Contributions come from NSAs which operate in Africa, Asia, and the Middle East. Four of the contributing NSAs are listed as violators in the annexes to the 2010 Report of the Secretary-General on Children and Armed Conflict (Armée populaire pour la restauration de la République et la démocratie (APRD), Justice and Equality Movement (JEM), Karen National Union /Karen National Liberation Army (KNU/KNLA), and Moro Islamic Liberation Front/Bangsamoro Islamic Armed Forces (MILF/BIAF). One has entered into an Action Plan with the relevant UN Country Team. Geneva Call (1 June 2010)

INTERNATIONAL HUMANITARIAN LAW: Privileging Asymmetric Warfare?: Defender Duties Under International Humanitarian Law

Scholarship and advocacy needs to bring defender duties to the forefront of any discussion and investigation of armed conflicts. The necessarily joint contribution of attackers and defenders alike to civilian harm must be recognized. Any investigation of an armed conflict must focus on the duties of both parties and evaluate the feasibility of attacker compliance with some of the more open-ended obligations of international humanitarian law (IHL), such as the so-called duty of proportionality, as a function in part of the extent of defender compliance with its duties.

Most discussions of the laws of war focus on the limitations placed on attackers to avoid risks to civilians. The purpose of this article is to look at the issue from the standpoint of the duties of defenders to avoid
such risks. Dangers to civilians during armed conflict are a joint product of both attackers and defenders, and minimization of such harm—presumably the overriding mission of IHL—requires establishing the right incentives for both attackers and defenders.

This article is part of a three-part series addressing the question whether the law of armed conflict, also called international humanitarian law (IHL), privileges a form of guerrilla warfare by nonstate actors that is often conducted in violation of these laws and in the process endangers civilians, in pursuit of a strategy of inviting a response from their opponents that helps them enlist additional recruits and international support. The strategy, rational from the standpoint of the guerrilla forces, derogates significantly from the law’s overall objective of minimizing harm to civilian populations. The articles in this series approach this question of asymmetry by considering whether IHL in fact need or should be interpreted to privilege the guerrilla strategy. New York University School of Law // Public Law & Theory Research Paper Series (30 September 2010)

**MYANMAR:** Self-Protection Under Strain: Targeting of Civilians and Local Responses in Northern Karen State

The SPDC Army continues to attack civilians and civilian livelihoods nearly two years after the end of the 2005-2008 SPDC Offensive in northern Karen State. In response, civilians have developed and employed various self-protection strategies that have enabled tens of thousands of villagers to survive with dignity and remain close to their homes despite the humanitarian consequences of SPDC Army practices. These protection strategies, however, have become strained, even insufficient, as humanitarian conditions worsen under sustained pressure from the SPDC Army, prompting some individual villagers and entire communities to re-assess local priorities and concerns, and respond with alternative strategies - including uses of weapons or landmines. While this complicates discussions of legal and humanitarian protections for at-risk civilians, uses of weapons by civilians occur amidst increasing constraints on alternative self-protection measures. External actors wishing to promote human rights in conflict areas of eastern Burma should therefore seek a detailed understanding of local priorities and dynamics of abuse, and use this understanding to inform activities that broaden civilians' range of feasible options for self-protection, including beyond uses of arms. Karen Human Rights Group (31 August 2010)

**Related Research**

Conflict and Survival: Self-Protection in South-East Burma @ Chatham House (1 September 2010)

**HUMANITARIAN RELIEF:** Incorporating Protection into Humanitarian Action: Approaches and Limits

Protection has become very much in vogue in the humanitarian community. Policies, manuals, guidelines, and training courses on protection abound for working with conflict- and disaster-affected populations. Conferences are organized; articles, books, and studies are devoted to protection. But civilians are still deliberately targeted as a strategy of warfare and civilians continue to suffer from serious human rights violations. Even as humanitarian actors develop more sophisticated policies on protection, the question remains about the extent to which humanitarian actors can protect people from bombs, attacks, and blockades, especially when confronted with overwhelming force, as in Darfur, Tibet, Burma/Myanmar and
the occupied Palestinian territory. Protection is defined in different ways by different actors and the number of actors working on protection has mushroomed. Defining protection in practice remains elusive.

Protection issues in the areas of operation of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have usually been considered as unique to that context, and most academics writing about international protection usually focus on the International Committee of the Red Cross (ICRC) or the Office of the United Nations High Commissioner for Refugees (UNHCR) with perhaps a few generalizations about other humanitarian actors. This paper attempts to bridge this divide by looking at UNRWA’s contributions to operationalizing protection as well as to what other humanitarian actors can learn from UNRWA’s protection efforts. This paper examines both the conceptual dilemmas of understanding protection and the challenges of operationalizing protection. Particular attention is paid to the role of international actors in protecting conflict-affected populations and the implications of engaging in protection for humanitarian principles. Brookings-Bern Project on Internal Displacement // University of Bern (8 October 2010)

**PEACE OPERATIONS: Challenges of Strengthening the Protection of Civilians in Multidimensional Peace Operations**

There is growing consensus, in the UNSC and the General Assembly’s Special Committee on Peacekeeping Operations (the “Special Committee”), that UN peacekeeping operations must address POC and that peacebuilding initiatives must include POC as a cross-cutting issue. Multiple motivations leaven this consensus. Morally, no one wants to be complicit in abuse through failure to act, and the moral imperative requires operational follow-up—doctrine, training, and contingency plans. Moreover, communities where peacekeepers deploy expect them to be proactive in POC, so their ability to protect directly affects their credibility and legitimacy and thus the mission’s ability to reach its overarching goals. The question, in short, is no longer whether to protect but how.

This paper builds on these issues and others within and beyond the United Nations system to give participants in the 3rd International Challenges of Peace Operations Forum an up to date assessment of progress on POC in UN peacekeeping operations from an array of normative and operational perspectives. It offers observations and recommendations aimed at making POC in UN peacekeeping more effective. International Forum on the Challenges of Peace Operations (31 October 2010)

**CHAD: Protecting Civilians Against Sexual and Gender-Based Violence in Eastern Chad**

The United Nations Mission in Eastern Chad and the Central African Republic (MINURCAT) is a support mission. Its mandate includes the protection of civilians, and contributing to the rule of law and regional peace in the conflict-prone region bordering Darfur and the Central African Republic. This report examines the situation of sexual and gender-based violence (SGBV) against refugees and internally displaced persons (IDPs) in eastern Chad, and responses of the MINURCAT and other UN agencies. It also discusses the implications for the exit of MINURCAT, with termination scheduled for 31 December 2010, and for early recovery initiatives, as well as the prospects of protection measures provided by the government of Chad.
This report discusses both MINURCAT and the Chadian police force (DIS) in the context of protecting civilians against sexual and gender-based violence (SGBV) in eastern Chad. It includes a discussion on the protection measures provided by the government of Chad. The report suggests that humanitarian space has been threatened by the sudden influx of refugees and international aid agencies, suggesting that the view of the local community is that assistance provided to refugees is disproportionate since they live in comparable conditions to local people. The authors comment on the high number of women within the DIS, suggesting that this has led to improved humanitarian access to female civilians. However, they warn that the DIS is vulnerable in the long-term due to its reliance on incentives to continue securing humanitarian space, a ‘risky job’, and question marks surrounding the EU’s willingness to continue funding the DIS.

Norwegian Institute of International Affairs // Norsk Utenrikspolitisk Institutt (9 September 2010)

PEACE OPERATIONS: Enhancing Civilian Protection in Peace Operations: Insights from Africa

Recent incidents of systematic rapes in the eastern DRC and continued mass dislocations of populations in Somalia and Sudan have again thrust the issue of civilian protection and the responsibility of international peace operations onto news headlines around the world. Such episodes simultaneously damage the very credibility of peace operations. As home to 40 peace operations in 14 countries since 2000, Africa is at the forefront of grappling with the civilian protection issue. In this ACSS Research Paper, Paul Williams assesses the role civilian protection plays in peace operations, lessons learned from past civilian protection efforts, progress that has been made and key obstacles that remain in effectively providing protection to civilians caught up in armed conflict. Drawing on this experience, the paper puts forth ten priorities for improving civilian protection in ongoing and future peace operations – in Africa and beyond. The Africa Center for Strategic Studies (20 September 2010)

ARMS: Meeting the Challenges: Protecting Civilians through the Convention on Cluster Munitions

For half a century, cluster munitions have inflicted suffering on civilians. Bystanders to armed conflicts have lost limbs, livelihoods, and even their lives. Cluster munitions are deadly both at the time of attack and afterwards. During strikes, they blanket areas the size of football fields with submunitions that spray high-velocity fragments in all directions. Many of these submunitions fail to explode on impact and linger for months or even years, able to be accidentally detonated by the unsuspecting farmer or child. The impact of these weapons has been felt around the globe.

While the threat persists, the international community has taken a strong stand against cluster munitions. After traditional disarmament approaches fell short, a group of likeminded states, in collaboration with civil society, moved discussions to an independent forum. The Oslo Process, a series of diplomatic conferences to develop and negotiate a treaty on cluster munitions, produced a comprehensive ban in just 15 months.

This book seeks to build on the momentum of entry into force of the convention and advance ongoing efforts to achieve a world free of cluster munitions. It describes the dangers of cluster munitions and explains why those threats will continue as long as the weapons exist. It charts the development of the treaty process, examining which approaches fell short and which produced positive change. Finally, the
book analyzes the elements of the new international convention and provides guidance on the remaining actions needed to implement it fully. Human Rights Watch (22 November 2010)

BACKGROUND: Foundation Documents

2. The Geneva Conventions (1949 and additional protocols)
4. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (1972)

Related Research
Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law Assembly of the International Committee of the Red Cross (26 February 2009)
Professional Standards for Protection Work Carried Out by Humanitarian And Human Rights Actors in Armed Conflict and Other Situations of Violence International Committee of the Red Cross (31 October 2009)
Reports on Children and Armed Conflict to the General Assembly United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict (4 August 2010)
Protection of Civilians in Armed Conflict United Nations Security Council (3 May 2011)