

## Protection of Civilians and its Significance

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In the aftermath of the Second World War, the League of Nations became redundant having proven itself to be ineffective in its stated goal of preventing a second global scale war. Hence, came into existence the United Nations (UN). The body has, since then, served as the central multilateral forum where 193 of the 195 countries of the world have a voice. The Holy See (The Vatican) and the State of Palestine being non-member observer states.

Even though the foremost stated goal of the UN is fostering international peace, wars and prolonged conflicts have continued to plague all of humanity. Armed conflicts have calamitous consequences for non-combatants. Armed groups usually target civilians as a tool of war. In Rwanda, in 1994, the UN Peacekeeping Force crumbled under the sheer number of human rights violations.<sup>[1]</sup> In Bosnia & Herzegovina the United Nations had a mandate to 'deter attacks' on Srebrenica and five other 'safe areas'. Despite that mandate, up to 20,000 people, overwhelmingly from the Bosnian Muslim community, were killed in and around the safe areas.<sup>[2]</sup> Major General Patrick Cammaert, United Nations Force Commander in Eastern Democratic Republic of Congo, has this to say about sexual assault in conflict zones, "Rape is an extremely cheap weapon, but has vast and far-reaching effects. With the single weapon of rape, soldiers and militants can disrupt and destroy the fabric of society. Rape sows fear; it spreads sexually transmitted disease. It excludes women from participation in civic life".<sup>[3]</sup>

The UN mandate of Protection of Civilians (PoC) is a responsibility that encompasses all spheres of peacekeeping mission; be they civilian, military or police functions.<sup>[4]</sup> Though the first peacekeeping mission was established in 1948, the PoC mandate came into existence in 1999 when the UN Security Council gave the go-ahead for the protection of civilians under the UN umbrella due to the deliberate targeting of civilians in Sierra Leone.

In his report, the then, UN Secretary General, Ban Ki-Moon in 2010 highlighted the importance of protection of civilians in UN Peacekeeping Operations (UNPKOs) thereby ensuring that the state goals of UNPKOs are achieved and the organisation as a whole is able to maintain its credibility in the long run. Ki-Moon's statement underlines why the sanctity of the human rights must be maintained at all costs. He stated: "*We must focus our efforts on enhancing protection where and for whom it matters most- on the ground, in the midst of conflict and for the hundreds of thousands of civilians who are, on a daily basis, at risk of, or fall victim to, serious violations of International Humanitarian Law and human rights law*".<sup>[5]</sup>

Over the years it has become readily apparent that the PoC mandate of the UN is as important as the peacekeeping mission itself. The protection of lives and maintaining the dignity of civilians caught between warring factions ensures that half the battle of peacekeeping is won. In conflict zones, apart from the loss of lives of civilians the prime targets are women and even girls who face sexual assault and the families which lose their valuables.

The importance of the PoC mandate cannot be oversold as it is the only structure in place for the protection of civilians living in the midst of a zone suffering from prolonged conflict. In such cases, the collapse of the indigenous system is eminent and, therefore, a supporting mechanism is required to ensure that the inevitable cost to the non-combatants be mitigated as much as possible.

Therefore, in such an environment it becomes an absolute necessity to maintain law and order to ensure the protection of non-combatants. For such the UN has, under the aegis of the United Nations Police, constituted three tiers of PoC action which are enumerated below:

- The first and foremost is to ensure the protection of native peoples caught in the middle of a conflict zone. Physical protection requires the formation of Formed Police Units (FPUs) because of the Directive on Use of Force and the FPU group's ability to act as one unit in armed combat.
- The second tier is the outreach which the protectors need to enact with the incumbent authorities which involves the advocacy of the local police to undertake the responsibility of the protection of civilians. Further on, it also includes the community-based outreach for the strengthening community-based policing and engagement of individuals for recording human rights violations.
- The third and final tier is the creation of an ecosystem for protection of civilians. This effectively includes prevention, pre-emption, response and consolidation mechanism for the assurance of the first two tiers so that problems can, not only, be dealt with as when they arise but also be nipped in the bud via the mechanism in the place.

It is indeed clear that the protection of civilians should be the paramount duty of any peacekeeping force that hopes to achieve its stated goals of fostering sustainable peace and reducing conflict in areas which have traditionally served as hotspots of human rights violations. Therefore, efforts need to be made on both the institutional and on-ground levels to ensure that the security and dignity of the civilians within a conflict-ridden area is maintained because without ensuring the protection of civilians in such zones the belligerence is only perpetuated.

## Endnotes

[1] S/1999/1257, Security Council Report, 16 Dec 1999

[https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC S19991257.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/POC%20S19991257.pdf)

[2] Report of Secretary General Pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica, United Nations Digital Library, 15 Nov 1999

<https://digitallibrary.un.org/record/372298?ln=en>

[3] Major General Patrick Cammaert, PeaceWomen, accessed on 7 Nov 2023

<https://www.peacewomen.org/content/major-general-patrick-cammaert-former-commander-united-nations-peace>

[4] Protection of Civilians, United Nations, accessed on 07 Nov 2023

<https://peacekeeping.un.org/en/protection-of-civilians-mandate>

[5] Michael G Smith, Jeni Whalan & Peter Thomson, The Protection of Civilians in UN Peacekeeping Operations: Recent Developments, JSTOR, accessed on 7 Nov 2023

<https://www.jstor.org/stable/26467114?seq=1>

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