

## 29. Protection of civilians in armed conflict

### Overview

During the period under review, the Security Council held four meetings and adopted one presidential statement under the item entitled “Protection of civilians in armed conflict”.

In its deliberations, the Council considered a wide range of issues, focusing, *inter alia*, on the need for compliance with international humanitarian and human rights law by all parties to armed conflict, on the need to ensure accountability for crimes perpetrated against civilians in the context of armed conflict and on the criteria for the implementation of authorized use of force by peacekeeping missions. The Council also discussed the protection of journalists in conflict zones.

The Council continued to include provisions relating to the protection of civilians in armed conflict both in its country-specific decisions and in its decisions relating to other thematic issues.<sup>927</sup>

Table 1 lists the meetings at which the item was considered and gives information relating to, *inter alia*, invitees, speakers and decisions adopted. Tables 2 and 3 feature a selection of relevant provisions in decisions adopted under country-specific and thematic items, respectively.

### First open debate on the protection of civilians in armed conflict

On 25 June 2012, the Council held an open debate to consider the ninth report of the Secretary-General on the protection of civilians in armed conflict.<sup>928</sup> In his statement, the Secretary-General called attention to the fact that civilians were sometimes caught in the crossfire and frequently targeted in places that should be sanctuaries, such as hospitals, schools and places of worship. He stated that meeting the five core challenges for civilian protection, namely, compliance with international humanitarian and human rights law, engagement with non-State armed groups, resources for peacekeeping operations to protect civilians, humanitarian access and

accountability, required political will.<sup>929</sup> It also required the will on the part of the Council to deliver on its long-standing commitment to the protection of civilians by consistently using the tools at its disposal, including the imposition of arms embargoes, targeted sanctions and referral of situations to the International Criminal Court.<sup>930</sup>

The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator stressed the need for a comprehensive arms trade treaty. She also emphasized the need for action to address the use of explosive weapons in populated areas, and urged the Council to be more proactive and systematic in calling on all parties to conflicts to refrain from using explosive weapons in populated areas and to consider more robust actions against the leadership of those using such weapons. She stressed the need for more systematic recording of civilian casualties and for perpetrators of serious violations of international humanitarian law and human rights law to be held accountable.<sup>931</sup>

Stressing that the human rights monitoring and protection work undertaken by the United Nations was essential to safeguard civilians, the Assistant Secretary-General in the United Nations Office of the High Commissioner for Human Rights urged the Council to continue to include protection and accountability provisions in its resolutions. He also emphasized that missions with human rights-related mandates required necessary materiel and personnel to carry out their duties effectively.<sup>932</sup>

The Director for International Law and Cooperation of the International Committee of the Red Cross highlighted three main areas of concern: threats affecting the security and delivery of health care; the availability and use of arms; and the failure to comply with international humanitarian law. He urged members of the Council to take resolute action to counter a wide range of threats to health care, to adopt a strong arms

<sup>927</sup> For information on other cross-cutting issues before the Council, see part I, sect. 28, “Children and armed conflict” and sect. 31, “Women and peace and security”.

<sup>928</sup> [S/2012/376](#).

<sup>929</sup> See also previous reports of the Secretary-General in which he addressed the five core challenges ([S/2007/643](#) and [S/2009/277](#)).

<sup>930</sup> [S/PV.6790](#), pp. 2-3.

<sup>931</sup> *Ibid.*, pp. 3-5.

<sup>932</sup> *Ibid.*, pp. 7.

trade treaty and to commit to strengthening legal protection for the victims of armed conflict.<sup>933</sup>

During the debate speakers addressed a wide range of issues, including the strengthening of efforts to meet the five core challenges outlined by the Secretary-General in his report. Most speakers emphasized the need to enhance compliance with international humanitarian and human rights law by all parties to armed conflict, notably by ensuring unhindered access to humanitarian aid for civilians. The representative of Pakistan, by contrast, stated that there could be legitimate reasons for restricting access and that not all humanitarian actors performed in accordance with the humanitarian principles of humanity, neutrality, impartiality and independence.<sup>934</sup> The representative of Morocco welcomed the attention given by the Secretary-General in his report to the need for non-State actors to better respect international humanitarian and human rights law and to allow access with full security to those who needed assistance.<sup>935</sup> The representatives of Colombia and Turkey cautioned against the proposition of a greater and more systematic engagement with non-State armed groups advocated by the report, arguing that such an approach needed to be carefully examined and adopted on a case-by-case basis. They noted that any dialogue between the United Nations and internationally recognized illegal armed groups could be held only with the prior and explicit consent of the State in question.<sup>936</sup>

Several speakers highlighted the decisive action and principled stand taken by the Council to protect civilians in the previous year with resolution [1973 \(2011\)](#) in relation to Libya.<sup>937</sup> A number of speakers expressed concern about the interpretation of relevant decisions of the Council and of the norms of international humanitarian law in relation to the protection of civilians in armed conflict, and cautioned that measures to protect civilians during armed conflict, particularly when involving the use of force,

must be carried out under the auspices of the United Nations and in accordance with the provisions of the Charter, including respect for the sovereignty and territorial integrity of Member States.<sup>938</sup>

### **Second open debate and decision on measures for the enhancement of the protection of civilians in armed conflict**

On 12 February 2013, the Council held its second open debate on the protection of civilians in armed conflict, having before it the concept note circulated by the Republic of Korea.<sup>939</sup>

The Secretary-General stated that civilians remained subject to unacceptable threats to life and dignity and that warring parties had continued to violate human rights and international humanitarian law with impunity, as the efforts of the United Nations and other humanitarian actors to provide assistance and protection had been hampered by violence. Highlighting the situation in the Syrian Arab Republic, where four million people were in urgent need of humanitarian assistance and more than two million were displaced, he underscored the need for the international community to be given access to all areas so that more people in need could be reached. He noted that in other conflict zones worldwide civilians continued to suffer and die as parties to conflict ignored their obligations to protect. Drawing on his previous reports, the Secretary-General elaborated on his recommended steps for enhancing the protection of civilians, and welcomed the debate triggered by the call of some Member States for the Council to refer the situation in the Syrian Arab Republic to the International Criminal Court. He closed by urging the members of the Council to bring all their considerable powers to bear on reducing the unacceptable toll that conflict was taking on civilians every day.<sup>940</sup>

Echoing the Secretary-General with regard to the situation in the Syrian Arab Republic, the United Nations High Commissioner for Human Rights stated that civilians on all sides were paying the price of the

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<sup>933</sup> *Ibid.*, pp. 7-8.

<sup>934</sup> *Ibid.*, p. 17.

<sup>935</sup> *Ibid.*, p. 21.

<sup>936</sup> *Ibid.*, p. 12 (Colombia); [S/PV.6790 \(Resumption 1\)](#), p. 25 (Turkey).

<sup>937</sup> [S/PV.6790](#), p. 17 (France); and p. 26 (United States); [S/PV.6790 \(Resumption 1\)](#), p. 6 (European Union); p. 8 (Greece); p. 14 (Canada); p. 26 (Chile); and p. 30 (Libya).

<sup>938</sup> [S/PV.6790](#), pp. 21-22 (Russian Federation);

pp. 24-25 (India); and p. 28 (China); [S/PV.6790](#)

([Resumption 1](#)), p. 5 (Argentina); pp. 19-20 (Venezuela (Bolivarian Republic of)); pp. 23-24 (Bangladesh); p. 28 (Iran (Islamic Republic of)); and pp. 32-33 (Syrian Arab Republic).

<sup>939</sup> See [S/2013/75](#), annex.

<sup>940</sup> [S/PV.6917](#), pp. 3-4.

lack of consensus and the resulting inaction of the Council. She suggested that the Council could refer the Syrian Arab Republic to the International Criminal Court. She welcomed the consensus achieved by the Council with regard to the situation in Mali and in particular the provision for United Nations human rights monitoring in the country. She also welcomed the decision of the Council to provide a strong human rights mandate to the United Nations Assistance Mission in Afghanistan (UNAMA). She thanked the Secretary-General and Deputy Secretary-General for launching a follow-up process to the report of the Secretary-General's Internal Review Panel on United Nations Action in Sri Lanka (Petrie report),<sup>941</sup> which had highlighted systemic failings, and suggested areas where there was need for improvement. She stressed that the single most important element for United Nations protection of civilians was early political consensus among Member States acting through the United Nations.<sup>942</sup>

The Director for International Law and Cooperation of the International Committee of the Red Cross returned to the same three issues he had highlighted in the previous debate, given their continued urgency, namely, threats affecting access to health care, the availability and use of arms and the overarching lack of compliance with international humanitarian law on the part of States and non-State armed groups. He urged members of the Council to do all they could to address those issues.<sup>943</sup>

The members of the Council generally focused their statements on the need to ensure compliance with international humanitarian and human rights law by all parties to armed conflict and accountability in cases of its violation, particularly in view of the plight of civilians in the Syrian conflict. In that regard, the representatives of Luxembourg and France appealed to the Council for the situation in the Syrian Arab Republic to be referred to the International Criminal Court.<sup>944</sup> In respect of the development of strategies for the protection of civilians in peacekeeping operations, most members also underscored the importance of continuing to include protection

mandates and ensuring that the necessary resources were provided. The representative of Pakistan cautioned, however, that while missions provided physical protection and assisted host countries in creating protective environments, there should be no misplaced expectations as to what missions could ensure. Since they could not provide protection to all civilians all the time, it was essential to bolster national capacities with regard to defence and security forces.<sup>945</sup> The representative of China pointed out that relying solely on the deployment of peacekeeping operations could not resolve the fundamental issue of the protection of civilians. He stated that the Council and the international community should consider the long term by paying close attention to and fully taking into account the conditions prevailing in the host country, and take steps to strengthen the security and judicial sectors and improve the ability to effectively protect civilians.<sup>946</sup>

After the discussion and briefings, the Council adopted a presidential statement, in which it reaffirmed that parties to armed conflict bore the primary responsibility to ensure the protection of civilians, and reiterated its demand that all parties comply strictly with the obligations applicable to them under international humanitarian, human rights and refugee law. The Council emphasized the need for peacekeeping missions with protection of civilian mandates to ensure their implementation and the importance of ensuring that such missions develop mission-wide protection strategies and contingency plans in consultation with the host Government, local authorities, troop- and police-contributing countries and other relevant actors. The Council also requested the Secretary-General to include in his next report an assessment of concrete measures taken by peacekeeping missions to implement their mandates to protect civilians.<sup>947</sup>

During the debate speakers expressed regret that civilians, particularly women and children, continued to account for the vast majority of victims in armed conflict. They also reaffirmed the primary responsibility that national Governments bore to protect their civilian populations from mass atrocities and the subsidiary role of the international community to uphold international humanitarian, human rights and

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<sup>941</sup> Available from [http://www.un.org/News/dh/infocus/Sri\\_Lanka/The\\_Internal\\_Review\\_Panel\\_report\\_on\\_Sri\\_Lanka.pdf](http://www.un.org/News/dh/infocus/Sri_Lanka/The_Internal_Review_Panel_report_on_Sri_Lanka.pdf).

<sup>942</sup> S/PV.6917, pp. 4-5.

<sup>943</sup> Ibid., p. 6-7.

<sup>944</sup> Ibid., p. 23 (Luxembourg); and p. 24 (France).

<sup>945</sup> Ibid., p. 16.

<sup>946</sup> Ibid., p. 26.

<sup>947</sup> S/PRST/2013/2.

refugee law. Several speakers stressed the key role of the Council in ensuring accountability for violations of international humanitarian and human rights law, especially by making use of such mechanisms as referrals to the International Criminal Court or commissions of inquiry and fact-finding missions.<sup>948</sup> Expressing concern particularly over the escalating violence and lack of humanitarian access in the Syrian Arab Republic, speakers found it regrettable that the international community had been unable to address the situation, and urged the Council to take decisive action. In line with the position of Luxembourg and France, most speakers called for a referral of the situation in the Syrian Arab Republic to the Court, endorsing the letter from the Permanent Mission of Switzerland in that regard.<sup>949</sup>

### Debate on the protection of journalists

At its 7003rd meeting, on 17 July 2013, the Council focused on the protection of journalists in armed conflict. The Deputy Secretary-General noted that more than 600 journalists had been killed in the past decade, 41 in the Syrian Arab Republic in the course of 2012, and 108 in Iraq and Afghanistan since 2006. He reminded the Council that every time a journalist was killed by extremists, drug cartels or even Government forces, there was one voice less to speak on behalf of the victims of conflict, crime and human rights abuses. He added that it was unacceptable that more than 90 per cent of the assassinations of journalists went unpunished. In that context, he highlighted the relevance of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity launched to create a safe environment for the media in conflict and non-conflict situations. He also affirmed that the Council could play an important role by reacting to and standing against suppression of media freedom wherever and whenever it occurred. In closing, he suggested that the Council could consider the targeting of journalists

<sup>948</sup> S/PV.6917 (Resumption 1), p. 5 (Liechtenstein); p. 13 (Portugal); p. 14 (Spain); p. 17 (Estonia); p. 20 (European Union); pp. 33-34 (Sweden); pp. 34-35 (Costa Rica); p. 40 (United Republic of Tanzania); p. 40 (Lithuania); p. 50 (Montenegro); and p. 55 (New Zealand).

<sup>949</sup> See letter dated 14 January 2013 from the Permanent Mission of Switzerland to the United Nations addressed to the Secretary-General (S/2013/19).

and other threats to freedom of expression when addressing situations on its agenda.<sup>950</sup>

The Council was then briefed by four prominent journalists who had been invited to speak of their personal experiences as journalists in conflict situations.<sup>951</sup> The briefers pointed out the difficulty of distinguishing professional journalists from activists or rebels with cameras. They emphasized the urgent need to protect journalists covering conflicts and the freedom of the press, as journalists represented the right to information of the ordinary citizen. Concluding the briefings, Ghaith Abdul-Ahad said, *inter alia*, that there was a sense of immunity about killing a journalist and that journalists deserved to be protected. In his view, briefing the Council was a great opportunity, and he highlighted the Council's effort to recognize journalists as part of the humanitarian effort to tell the story.<sup>952</sup>

During the debate, speakers expressed support for the role played by journalists reporting under the difficult circumstances of armed conflict, and strongly condemned targeted attacks against them. While acknowledging the increasing lack of clarity in distinguishing career journalists from bloggers and social media users, most speakers recognized that the protection of journalists in armed conflict was an important part of the agenda, and underscored the need to end the culture of impunity for violence against the press. Member States agreed that the host Government and State institutions bore the primary responsibility for protecting journalists, and urged all parties to armed conflicts to take all possible measures to ensure the protection of media professionals in accordance with international humanitarian law and through the full implementation of the relevant decisions of the Council. The representatives of the United Kingdom and the United States pointed out, in that regard, that journalists provided an invaluable service to the United Nations, particularly to the work of the Council, by reporting on situations that threatened peace and security.<sup>953</sup> Lastly, some speakers noted that the press also had its own responsibilities, such as the adoption

<sup>950</sup> S/PV.7003, pp. 2-3.

<sup>951</sup> *Ibid.*, pp. 3-4 (Kathleen Carroll, Committee to Protect Journalists); pp. 4-5 (Mustafa Haji Abidinur, Agence France-Presse); pp. 5-7 (Richard Engel, NBC); and pp. 7-8 (Ghaith Abdul-Ahad, The Guardian).

<sup>952</sup> *Ibid.*, p. 8.

<sup>953</sup> *Ibid.*, p. 9 (United Kingdom); and p. 23 (United States).

of precautionary measures to avoid unjustifiable risks.<sup>954</sup>

### **Third open debate on the protection of civilians in armed conflict**

On 19 August 2013, the Council held its third open debate on the protection of civilians in armed conflict during that year, marking the tenth anniversary of the bombing of the United Nations headquarters in Baghdad and commemorating World Humanitarian Day.

The Secretary-General opened his remarks by calling for greater respect and protection for humanitarian workers. He expressed particular concern at the indiscriminate use of explosive weapons with wide-area effect in populated areas, and called on the Council and Member States to work through the General Assembly to recognize and act on that critical issue. He noted that protecting civilians demanded timely political action and prevention and meant helping Governments to build the necessary capacity, possibly including a presence or pre-emptive action by uniformed peacekeepers. He noted that the establishment of the new mandate for the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA)<sup>955</sup> and the strengthening of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)<sup>956</sup> had offered opportunities to enhance the ability to protect civilians. He pointed out, however, that the evolving nature of the United Nations protection role also posed significant challenges for the Council to consider, in particular, the risk of being seen as a party to conflict and diminishing the ability of the United Nations to provide impartial and timely humanitarian assistance. He also mentioned the Council's important role in efforts to ensure compliance with international law by promoting the cooperation of Member States with the International Criminal Court and by encouraging and assisting States to ensure accountability at the national level.<sup>957</sup>

In the three briefings that followed, the United Nations High Commissioner for Human Rights, the Under-Secretary-General for Humanitarian Affairs and the Director for International Law and Cooperation of the International Committee of the Red Cross acknowledged that the situation of civilians in the many conflict zones around the world remained tragic, with continuous violations of international humanitarian and human rights law. The United Nations High Commissioner for Human Rights welcomed both the increasing use by United Nations bodies of international commissions of inquiry and fact-finding missions and the developing practice of the Council of referring to their findings.<sup>958</sup> The Under-Secretary-General for Humanitarian Affairs highlighted the need for a more consistent use of all the tools at the disposal of the Council to close the gap between commitments made in the Chamber and the devastating impact of conflict on the lives of civilians. She also stated that ensuring unrestricted access for humanitarian assistance and accountability for violations of international humanitarian law and human rights law were among the main challenges.<sup>959</sup> The Director for International Law and Cooperation of the International Committee of the Red Cross reiterated his concern about the issue of violence against health care, affirming that a prevailing disrespect still existed among belligerents for the inviolability of health facilities, transport and personnel.<sup>960</sup>

During the debate, the majority of speakers focused on the three challenges highlighted in the concept note circulated by Argentina,<sup>961</sup> namely, enhancing compliance with international humanitarian law, human rights law and refugee law by all parties to the conflict; ensuring humanitarian access to affected populations; and strengthening accountability for serious violations of international humanitarian law and human rights law. Many speakers acknowledged that despite the normative progress achieved in relation to the protection of civilians, it was necessary to translate the established norms and laws into concrete action on the ground. Speakers emphasized the urgent need for unhindered humanitarian access and for bolstering accountability for crimes perpetrated against civilians, especially in the context of the ongoing

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<sup>954</sup> *Ibid.*, p. 9 (United Kingdom); p.11 (China), p. 14 (Russian Federation); and pp. 29-30 (Canada).

<sup>955</sup> See resolution [2100 \(2013\)](#).

<sup>956</sup> See resolution [2098 \(2013\)](#).

<sup>957</sup> [S/PV.7019](#), pp. 3-4.

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<sup>958</sup> *Ibid.*, pp. 5.

<sup>959</sup> *Ibid.*, pp. 6-7.

<sup>960</sup> *Ibid.*, pp. 9.

<sup>961</sup> [S/2013/447](#), annex.

conflict in the Syrian Arab Republic and the developments in the Sudan and South Sudan, the Sahel and the Great Lakes region. A number of speakers expressed support for stronger protection mandates for peacekeeping operations and for their effective implementation as a central part of the Security Council protection agenda.<sup>962</sup> Some Council members, however, raised concerns regarding the use of more robust peacekeeping mandates.<sup>963</sup> The representative of the Russian Federation stated that it was not always right to rely on strengthened mandates to provide peacekeepers the right to use force or intimidate, and that protecting civilians was one aspect of the activities of peacekeeping missions and was to be carried out in connection with specific mandates defined by the Council for each operation. He added that the

fundamental task of peacekeepers was to provide assistance to the peace process.<sup>964</sup> The representative of Guatemala cautioned that United Nations contingents could not replace the State in the fulfilment of its primary responsibility to ensure security and the right to life for its own civilian population, although they could sometimes contribute to mitigating the situation. He stated that peacekeeping missions had been increasingly charged with the protection of civilians in situations of armed conflict, but questioned whether the most recent innovations aimed at focusing missions on the imposition of peace would improve their performance in the field.<sup>965</sup> Finally, the representative of China stated that deploying peacekeeping operations could not be a fundamental solution to the problem of protecting civilians and that the focus of the Council should be on helping host countries to strengthen their security and justice sectors and improve their ability to protect civilians.<sup>966</sup>

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<sup>962</sup> S/PV.7019, p. 12 (Republic of Korea); p. 13 (Togo); p. 20 (Rwanda); p. 23 (France); p. 35 (Thailand); p. 42 (Uganda); p. 49 (New Zealand); p.56 (Chile); pp. 58-59 (Netherlands); p. 62 (Nigeria); p. 63 (Namibia); p. 65 (Democratic Republic of the Congo); and pp. 65-66 (Bolivia (Plurinational State of)).  
<sup>963</sup> Ibid., p. 10 (Russian Federation); pp. 24-25 (Guatemala); and p. 27 (China).

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<sup>964</sup> Ibid., p. 10.

<sup>965</sup> Ibid., pp. 24-25.

<sup>966</sup> Ibid., p. 27.

Table 1  
**Meetings: protection of civilians in armed conflict**

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
<a href="#">S/PV.6790</a> and <a href="#">S/PV.6790 (Resumption 1)</a> 25 June 2012	Report of the Secretary-General on the protection of civilians in armed conflict ( <a href="#">S/2012/376</a> )		29 Member States <sup>a</sup>	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Assistant Secretary-General in the United Nations Office of the High Commissioner for Human Rights, Director for International Law and Cooperation of the International Committee of the Red Cross (ICRC), Head of the Delegation of the European Union to the United Nations	Secretary-General, all Council members, <sup>b</sup> all invitees	
<a href="#">S/PV.6917</a> and <a href="#">S/PV.6917 (Resumption 1)</a> 12 February 2013	Letter dated 4 February 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/75</a> )		56 Member States <sup>c</sup>	United Nations High Commissioner for Human Rights, Director for International Law and Cooperation of ICRC, Secretary-General of the Organization of Islamic Cooperation, Deputy Head of the Delegation of the European Union	Secretary-General, all Council members, <sup>d</sup> 54 invitees under rule 37, <sup>e</sup> all invitees under rule 39	<a href="#">S/PRST/2013/2</a>
<a href="#">S/PV.7003</a> and <a href="#">S/PV.7003 (Resumption 1)</a> 17 July 2013	Protection of journalists Letter dated 3 July 2013 from the Chargé d'affaires a.i. of the United States Mission to the United Nations addressed to the Secretary-General ( <a href="#">S/2013/393</a> )		30 Member States <sup>f</sup>	Kathleen Carroll, Mustafa Haji Abdinur, Richard Engel, Ghaith Abdul-Ahad, Head of the Delegation of the European Union	Deputy Secretary-General, all Council members, 29 invitees under rule 37, <sup>g</sup> all invitees under rule 39	

<i>Meeting record and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.7019 19 August 2013	Letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General (S/2013/447)		37 Member States <sup>h</sup>	United Nations High Commissioner for Human Rights, Under-Secretary-General for Humanitarian Affairs, Director for International Law and Cooperation of ICRC, Deputy Head of the Delegation of the European Union	Secretary-General, all Council members, all invitees	

<sup>a</sup> Argentina, Armenia, Australia, Austria, Bangladesh, Brazil, Canada, Chile, Egypt, Estonia, Finland (on behalf of the Nordic countries), Greece, Indonesia, Iran (Islamic Republic of), Israel, Japan, Jordan (on behalf of the Human Security Network), Libya, Liechtenstein, Luxembourg, Mexico, Philippines, Republic of Korea, Sri Lanka, Switzerland (in its national capacity and on behalf of the Group of Friends on the protection of civilians), Syrian Arab Republic, Turkey, Uruguay and Venezuela (Bolivarian Republic of).

<sup>b</sup> Guatemala was represented by its Minister for Foreign Affairs.

<sup>c</sup> Armenia, Austria, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire (on behalf of the Economic Community of West African States), Croatia, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, Estonia, Georgia, Germany, Hungary, India, Indonesia, Ireland, Iran (Islamic Republic of, on behalf of the Non-Aligned Movement), Israel, Italy, Japan, Jordan, Liechtenstein, Lithuania, Malaysia, Mexico, Montenegro, Netherlands, New Zealand, Nicaragua, Nigeria, Norway (on behalf of Argentina, Austria, Indonesia and Norway), Portugal, Qatar, Senegal, Sierra Leone, Spain, South Africa, Sri Lanka, Sudan, Sweden (on behalf of the Nordic countries), Switzerland (on behalf of the Group of Friends on the protection of civilians), Syrian Arab Republic, Turkey, United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of).

<sup>d</sup> Azerbaijan was represented by its Minister for Foreign Affairs; Republic of Korea by its Minister for Foreign Affairs and Trade; and Rwanda by its Minister for Foreign Affairs and Cooperation.

<sup>e</sup> Brazil was represented by its Minister for External Relations. The representatives of Cuba and Jordan did not make statements.

<sup>f</sup> Austria, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Colombia, Costa Rica, Czech Republic, Ecuador, Greece, India, Israel, Japan, Lithuania, Malaysia, Netherlands, New Zealand, Poland, Qatar, Senegal, South Africa, Sweden (on behalf of the Nordic countries), Switzerland, Syrian Arab Republic, Turkey, Ukraine, Uganda and Venezuela (Bolivarian Republic of).

<sup>g</sup> The representative of South Africa did not make a statement.

<sup>h</sup> Armenia, Belgium, Bolivia (Plurinational State of), Brazil, Canada, Chile (on behalf of the members of the Human Security Network), Colombia, Croatia, Democratic Republic of the Congo, Denmark (on behalf of the Nordic countries), Egypt, Estonia, Georgia, Hungary, India, Indonesia, Iran (Islamic Republic of), Israel, Japan, Liechtenstein, Lithuania, Malaysia, Namibia, Netherlands, New Zealand, Nigeria, Qatar, Slovakia, South Africa, Spain, Sudan, Switzerland (in its national capacity and on behalf of the Group of Friends on the protection of civilians), Syrian Arab Republic, Thailand, Turkey, Uganda and Venezuela (Bolivarian Republic of)



### **Mainstreaming of issues relating to the protection of civilians in armed conflict in the decisions of the Security Council**

During the period under review, the Council continued to include provisions relevant to the protection of civilians in armed conflict in country-specific decisions and in those relating to other thematic issues.<sup>928</sup> Table 2 features a selection of such provisions in resolutions and statements by the President, adopted in connection with country or regional-specific items, which are organized by categories. Table 3 features a selection of provisions relating to the protection of civilians in armed conflict in decisions adopted under other thematic items.

The Council focused on the primary responsibility of national authorities to protect the population, calling upon all parties to comply with their obligations under international law and for all perpetrators of such crimes to be held accountable (see table 2). In several instances, the Council decided to adopt targeted measures against perpetrators or expressed its strong intention to do so. In addition, the Council demanded that all parties ensure full, safe and unhindered access for delivery of humanitarian assistance to populations in need, and condemned attacks, threats and acts of obstruction and violence perpetrated against humanitarian workers, including United Nations personnel.

The practice of authorizing more robust peacekeeping mandates under Chapter VII of the Charter of the United Nations with a view to protecting civilians continued to evolve. In particular, the Council adopted resolution 2098 (2013), in which it decided to establish, under the direct command of the Force Commander of MONUSCO, an intervention brigade

that was mandated to carry out offensive operations to neutralize armed groups threatening civilians in eastern Democratic Republic of the Congo. The Council also adopted resolution 2100 (2013), in which it decided to establish MINUSMA, and authorized the Mission, *inter alia*, to use all necessary means, within the limits of its capacities, to stabilize key population centres and to deter threats and take active steps to prevent the return of armed elements in the north of Mali. The Council continued to request additional monitoring mechanisms and reporting arrangements to improve the protection of civilians in armed conflict.

In decisions related to thematic items (see table 3), the Council reaffirmed its strong opposition to impunity for serious violations of international humanitarian law and human rights law and emphasized the responsibility of States to comply with their relevant obligations to protect civilians and end impunity. The Council, in its first resolution on small arms, acknowledged that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons fuelled armed conflict and had an impact on the protection of civilians. The Council reiterated its demand that all parties to armed conflict comply strictly with the obligations applicable to them, stressed the need for parties to take all required measures to avoid civilian casualties and to respect and protect the civilian population, and called upon parties to, *inter alia*, respect and protect humanitarian personnel, and take all required steps to facilitate the safe, rapid and unimpeded passage of relief consignments, equipment and personnel.<sup>967</sup>

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<sup>967</sup> See resolution 2117 (2013), in connection with the item entitled “Small arms”.

Table 2

**Decisions relating to the protection of civilians in armed conflict, by country: selected provisions**

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<i>Decision</i>	<i>Provisions</i>
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**Condemnation of all forms of violence against civilians**

**The situation in the Middle East: Syrian Arab Republic**

<a href="#">S/PRST/2012/10</a>	The Council calls upon the Government of the Syrian Arab Republic to implement urgently and visibly its commitments, as it agreed to do in its communication to the Joint Special Envoy of 1 April 2012, to (a) cease troop movements towards population centres, (b) cease all use of heavy weapons in such centres, and (c) begin pullback of military concentrations in and around population centres, and to fulfil these in their entirety by no later than 10 April 2012 (fourth paragraph)
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**Peace and security in Africa: Mali**

Resolution <a href="#">2056 (2012)</a> (adopted under Chapter VII)	Calls upon all parties in the North of Mali to cease all abuses of human rights and violations of international humanitarian law, condemns in particular the targeted attacks against the civilian population, sexual violence, recruitment and use of child soldiers and forced displacement, recalls in this regard all its relevant resolutions on women and peace and security, on children and armed conflict, and on the protection of civilians in armed conflicts, and stresses that the perpetrators shall be brought to justice (para. 13)
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Reiterates its unequivocal condemnation of Al-Qaida and other individuals, groups, undertakings and entities associated with it, for criminal acts of kidnapping, ongoing and multiple criminal terrorist acts aimed at causing the deaths of innocent civilians and other victims, destruction of property and greatly undermining stability, including in the north of Mali and the Sahel region (para. 19)

*See also resolution [2071 \(2012\)](#), para. 5*

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**The situation concerning the Democratic Republic of the Congo**

Resolution <a href="#">2076 (2012)</a> (adopted under Chapter VII)	Strongly condemns the 23 March Movement and all its attacks on the civilian population, peacekeepers of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and humanitarian actors, as well as its abuses of human rights, including summary executions, sexual and gender-based violence and large-scale recruitment and use of child soldiers, further condemns the attempts by the 23 March Movement to establish an illegitimate parallel administration and to undermine State authority of the Government of the Democratic Republic of the Congo, and reiterates that those responsible for crimes and human rights abuses will be held accountable (para. 3)
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*See also [S/PRST/2012/22](#), second paragraph and resolution [2078 \(2012\)](#), para. 6*

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**Reports of the Secretary-General on the Sudan**

Resolution <a href="#">2063 (2012)</a>	Demands that all parties to the conflict in Darfur immediately end violence, including attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; affirms in this context condemnation of the Council of serious violations of international humanitarian law and human rights law; calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; and underlines the need for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) to report on major instances of violence which undermine the full and constructive efforts of the parties towards peace (para. 13)
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*See also resolution [2113 \(2013\)](#), paras. 15 and 17*

*Decision*

*Provisions*

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### **The situation in Somalia**

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII)

Condemns all attacks against civilians in Somalia, calls for the immediate cessation of all acts of violence, including sexual and gender-based violence, or abuses committed against civilians, including women and children, and humanitarian personnel in violation of international humanitarian law and human rights law, stresses the responsibility of all parties in Somalia to comply with their obligations to protect the civilian population from the effects of hostilities, in particular by avoiding any indiscriminate attacks or excessive use of force, and underscores the need to end impunity, uphold human rights and hold those who commit crimes accountable (para. 26)

*See also resolution [2067 \(2012\)](#), para. 18*

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### **The situation in Afghanistan**

Resolution  
[2041 \(2012\)](#)

Condemns in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks, assassinations and abductions, targeting civilians and Afghan and international forces, and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use, by the Taliban and other extremist groups, of civilians as human shields (para. 28)

*See also resolution [2096 \(2013\)](#), para. 28*

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## **Accountability and compliance with international humanitarian law and human rights law**

### **The situation in Libya**

Resolution  
[2040 \(2012\)](#)  
(adopted under  
Chapter VII)

Calls upon the Libyan authorities to promote and protect human rights, including those of women and people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian law and human rights law, calls for those responsible for serious violations of such law, including sexual violence, to be held accountable in accordance with international standards, and urges all Member States to cooperate closely with the Libyan authorities in their efforts to end impunity for such violations (para. 3)

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### **Reports of the Secretary-General on the Sudan**

Resolution  
[2046 \(2012\)](#)  
(adopted under  
Chapter VII)

Calls upon all parties to promote and protect human rights, including those of women and people belonging to vulnerable groups, and to comply with their obligations under international law, including international humanitarian and international human rights law, and calls for those responsible for serious violations of such law, including sexual violence, to be held accountable (para. 7)

Resolution  
[2109 \(2013\)](#)  
(adopted under  
Chapter VII)

Calls upon the authorities of South Sudan to combat impunity and hold accountable all perpetrators of human rights and international humanitarian law violations, including those committed by illegal armed groups or elements of South Sudan Security Forces, and to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice (para. 22)

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### **The situation in Somalia**

Resolution  
[2067 \(2012\)](#)

Emphasizes that protecting and promoting human rights, investigating breaches of international humanitarian law and bringing those responsible for such breaches to account will be essential for the legitimacy of the new Somali authorities, and calls on Somalia to fulfil its obligations under international human rights and international humanitarian law (para. 15)

[S/PRST/2013/7](#)

... The Council calls on the Federal Government of Somalia to ensure that all perpetrators of violations and abuses of human rights and violations of international humanitarian law are held fully accountable, in line with the relevant provision of international humanitarian law and human rights law (thirteenth paragraph)

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*Decision*

*Provisions*

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Resolution  
[2102 \(2013\)](#)

Stresses the need for the Federal Government of Somalia to ensure that all perpetrators of serious violations and abuses of human rights and serious violations of international humanitarian law are held accountable, and emphasizes the importance of the United Nations Assistance Mission in Somalia (UNSOM) supporting the Federal Government in developing and implementing a national strategy for preventing and responding to sexual and gender-based violence (para. 8)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under Chapter VII)

Urges the transitional authorities to ensure, without delay, that all perpetrators of violations and abuses of human rights and violations of international humanitarian law are held accountable (para. 18)

Underlines the importance of strengthening the capacity of police, justice and corrections institutions to uphold the rule of law and bring to justice perpetrators of violations of international humanitarian law, international human rights law and of human rights abuses (para. 14)

Requests that the Secretary-General rapidly establish an international commission of inquiry for an initial period of one year, including experts in both international humanitarian law and human rights law, in order immediately to investigate reports of violations of international humanitarian law and international human rights law and abuses of human rights in the Central African Republic by all parties since 1 January 2013, to compile information, to help to identify the perpetrators of such violations and abuses, to point to their possible criminal responsibility and to help ensure that those responsible are held accountable, and calls on all parties to cooperate fully with such a commission (para. 24)

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**Unhindered humanitarian access**

**The situation in Somalia**

Resolution  
[2036 \(2012\)](#)  
(adopted under Chapter VII)

Demands that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and further demands that all parties ensure full and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, consistent with humanitarian, human rights and refugee law (para. 16)

Resolution  
[2060 \(2012\)](#)  
(adopted under Chapter VII)

Demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across Somalia, in accordance with the humanitarian principles of impartiality, neutrality, humanity and independence, underlines its concern at the humanitarian situation in Somalia, urges all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and expresses its readiness to apply targeted sanctions against individuals and entities if they meet the listing criteria set out in resolutions [1844 \(2008\)](#) and [2002 \(2011\)](#) (para. 6)

*See also resolution [2067 \(2012\)](#), para. 19*

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**The situation in Afghanistan**

Resolution  
[2096 \(2013\)](#)

Notes with concern the continued high incidence of attacks against humanitarian workers, condemns these attacks in the strongest terms, emphasizing that the attacks impede efforts to aid the people of Afghanistan, and underlines the need for all parties to ensure full, safe and unhindered access of all humanitarian actors, including United Nations staff and associated personnel, and to comply fully with applicable international humanitarian law (para. 29)

*See also resolution [2041 \(2012\)](#) para. 29*

*Decision*

*Provisions*

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### **The situation in the Middle East: Syrian Arab Republic**

Resolution  
[2042 \(2012\)](#) Reiterates its call for the Syrian authorities to allow immediate, full and unimpeded access of humanitarian personnel to all populations in need of assistance, in accordance with international law and guiding principles of humanitarian assistance. The Council calls upon all parties in the Syrian Arab Republic, in particular the Syrian authorities, to cooperate fully with the United Nations and relevant humanitarian organizations to facilitate the provision of humanitarian assistance (para. 10)

*See also resolution [2043 \(2012\)](#), para. 11, and [S/PRST/2012/10](#), eighth paragraph*

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### **Reports of the Secretary-General on the Sudan**

Resolution  
[2046 \(2012\)](#)  
(adopted under  
Chapter VII) Strongly urges the Sudan and the Sudan People's Liberation Movement-North to accept the tripartite proposal submitted by the African Union, the United Nations and the League of Arab States, to permit humanitarian access to the affected population in the two areas, ensuring in accordance with applicable international law, including applicable international humanitarian law, and guiding principles of emergency humanitarian assistance, the safe, unhindered and immediate access of United Nations and other humanitarian personnel, as well as the delivery of supplies and equipment, in order to allow such personnel to efficiently perform their task of assisting the conflict-affected civilian population (para. 4)

*See also [S/PRST/2012/5](#), fourth para.*

Resolution  
[2075 \(2012\)](#)  
(adopted under  
Chapter VII) Also demands that all parties involved provide humanitarian personnel with full, safe and unhindered access to civilians in need of assistance and all facilities necessary for their operations, in accordance with international law, including applicable international humanitarian law, and guiding principles of humanitarian assistance (para. 13)

*See also resolution [2047 \(2012\)](#), para. 11, resolution [2104 \(2013\)](#) para. 17 and resolution [2126 \(2013\)](#), para. 20*

Resolution  
[2113 \(2013\)](#) Expresses its serious concern at the deteriorating humanitarian situation in Darfur, and at the threats to humanitarian organizations that persist, welcomes the fact that humanitarian organizations are able to deliver aid to most people in need of assistance in Darfur but expresses serious concern that access to populations in conflict-affected areas remains constrained, deplores the increased restrictions on humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict and bureaucratic impediments imposed by the Government of the Sudan, notes the publication of the Government's Directives for Humanitarian Work 2013, regarding cooperation with the humanitarian community on facilitation of humanitarian access in Darfur, and calls for their full implementation, stressing the need for the timely issuance of visas and travel permits for humanitarian organizations; and demands that the Government, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel, and the delivery of humanitarian assistance to populations in need, while respecting United Nations guiding principles of humanitarian assistance including humanity, impartiality, neutrality and independence (para. 16)

*See also resolution [2063 \(2012\)](#), para. 14*

### **The situation concerning the Democratic Republic of the Congo**

Resolution  
[2053 \(2012\)](#)  
(adopted under  
Chapter VII) Demands that all parties cooperate fully with the operations of MONUSCO and allow, in accordance with relevant provisions of international law, full, safe, immediate and unhindered access for United Nations and associated personnel in carrying out their mandate to all those in need and delivery of humanitarian assistance, in particular to internally displaced persons, throughout the territory of the Democratic Republic of the Congo, including in the Lord's Resistance Army-affected areas, and requests the Secretary-General to report without delay any failure to comply with these demands (para. 26)

*See also resolution [2098 \(2013\)](#), para. 27*

*Decision*

*Provisions*

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Resolution  
[2076 \(2012\)](#)  
(adopted under  
Chapter VII)

Calls upon all parties, in particular the 23 March Movement, to allow safe, timely and unhindered humanitarian access to those in need in accordance with international law, including applicable international humanitarian law and the guiding principles of humanitarian assistance, and to refrain from any violence against civilians (para. 11)

*See also* [S/PRST/2012/22](#)

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**Peace and security in Africa: Mali**

Resolution  
[2056 \(2012\)](#)  
(adopted under  
Chapter VII)

Demands that all parties in Mali ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance, and further demands that all parties and armed groups take appropriate steps to ensure the safety and security of humanitarian personnel, equipment and supplies, in accordance with international law, including applicable international humanitarian, human rights and refugee law (para. 14)

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**Central African region**

[S/PRST/2013/6](#)

The Council commends efforts by international donors to provide humanitarian assistance to Lord's Resistance Army-affected populations in the Central African Republic, the Democratic Republic of the Congo and South Sudan. The Council reaffirms the requirement for all parties to allow safe and unhindered access for humanitarian organizations to the civilian population, in accordance with international law, including applicable international humanitarian law, and the United Nations guiding principles of humanitarian assistance. The Council expresses concern about the lack of regular humanitarian access to many Lord's Resistance Army-affected communities in the Central African Republic and the Democratic Republic of the Congo, including because of poor infrastructure, and encourages increased United Nations efforts and international donor support for humanitarian access (twelfth paragraph)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Demands that all parties to the conflict, in particular the former Séléka, ensure the rapid, safe and unhindered access of humanitarian organizations and relief personnel and the timely delivery of humanitarian assistance to populations in need, while respecting the United Nations guiding principles of humanitarian assistance, including neutrality, impartiality, humanity and independence in the provision of humanitarian assistance (para. 52)

*See also resolution* [2088 \(2013\)](#), *para. 9* and *resolution* [2121 \(2013\)](#), *para. 14*

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**The situation in the Great Lakes region**

[S/PRST/2013/11](#)

The Council expresses grave concern about the ongoing humanitarian crisis, including the 2.6 million internally displaced people and the 6.4 million people in need of food assistance and emergency agricultural aid, and calls upon all parties to allow safe and unhindered access for the timely and full delivery of humanitarian aid to all civilians in urgent need of assistance, in accordance with relevant provisions of international law, including international humanitarian law and the United Nations guiding principles of humanitarian assistance. The Council further expresses concern with the over 500,000 refugees from the Democratic Republic of the Congo in neighbouring countries and calls upon the Democratic Republic of the Congo and all States in the region to work towards the peaceful environment that will allow for the eventual and voluntary return of refugees to the Democratic Republic of the Congo, with the support, as appropriate, of the Office of the United Nations High Commissioner for Refugees. The Council commends in this regard the support provided by neighbouring countries to refugees from the Democratic Republic of the Congo (fourteenth paragraph)

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Decision

Provisions

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### Protection of journalists in armed conflict

#### The situation in Somalia

Resolution  
[2067 \(2012\)](#) Strongly condemns the grave and systematic violations and human rights abuses perpetrated by many parties and in particular by Al-Shabaab and its affiliates against the civilian population, including violence against, children, journalists and human rights defenders and sexual violence against women and children, and calls for the immediate cessation of such acts, and emphasizes the need for accountability for all such violations and abuses (para. 18)

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII) Also recalls the obligation of the Federal Government of Somalia with respect to the protection of journalists, the prevention of violence against them, and the fight against impunity for perpetrators of such acts (para. 30)

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#### The situation in Afghanistan

Resolution  
[2096 \(2013\)](#) Calls for full respect for and protection of all human rights and fundamental freedoms, including those of human rights defenders, and of international humanitarian law throughout Afghanistan, welcomes the growth in Afghan free media, but notes with concern the continued restrictions on freedom of the media, and attacks against journalists, commends the Afghanistan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect those rights and to promote the emergence of a pluralistic civil society, stresses the importance of full cooperation with the Commission by all relevant actors and of promoting their independence, as well as of ensuring their safety, and supports broad engagement across government agencies and civil society for the realization of the mutual commitments made, including the commitment to provide sufficient government financing for the Commission (para. 42)

*See also resolution [2041 \(2012\)](#), para. 41*

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### Targeted measures against perpetrators of crimes against civilians in armed conflict

#### Reports of the Secretary-General on the Sudan

Resolution  
[2035 \(2012\)](#)  
(adopted under  
Chapter VII) Regrets that some individuals affiliated with the Government of the Sudan and armed groups in Darfur have continued to commit violence against civilians, impede the peace process and disregard the demands of the Council, expresses its intention to impose targeted sanctions against individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution [1591 \(2005\)](#), and encourages the Panel of Experts, in coordination with the Joint African Union-United Nations mediation, to provide to the Committee, when appropriate, the names of any individuals, groups, or entities that meet the listing criteria (para. 9)

*See also resolution [2091 \(2013\)](#), para. 7*

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#### The situation in Somalia

Resolution  
[2093 \(2013\)](#)  
(adopted under  
Chapter VII) Also decides that the measures in paragraphs 1, 3, and 7 of resolution [1844 \(2008\)](#) shall apply to individuals, and that the provisions of paragraphs 3 and 7 of that resolution shall apply to entities, designated by the Committee

...

(e) As being responsible for violations of applicable international law in Somalia involving the targeting of civilians, including children and women, in situations of armed conflict, including killing and maiming, sexual and gender-based violence, attacks on schools and hospitals and abduction and forced displacement (para. 43)

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**The situation concerning the Democratic Republic of the Congo**

Resolution  
[2078 \(2012\)](#)  
(adopted under  
Chapter VII)

Decides that the measures referred to in paragraph 3 [of the resolution] shall apply to the following individuals and, as appropriate, entities, as designated by the Security Council Committee established pursuant to resolution [1533 \(2004\)](#):

...

(e) Individuals or entities operating in the Democratic Republic of the Congo and committing serious violations involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction, and forced displacement; (f) Individuals or entities obstructing the access to or the distribution of humanitarian assistance in the eastern part of the Democratic Republic of the Congo (para. 4)

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**The situation in the Central African Republic**

Resolution  
[2127 \(2013\)](#)  
(adopted under  
Chapter VII)

Expresses its strong intent to swiftly consider imposing targeted measures, including travel bans and assets freezes, against individuals who act to undermine the peace, stability and security, including by engaging in acts that threaten or violate transitional agreements, or by engaging or providing support for actions that threaten or impede the political process or fuel violence, including through violations of human rights and international humanitarian law, the recruitment and use of children in armed conflict in violation of applicable international law, sexual violence or supporting the illegal armed groups or criminal networks through the illicit exploitation of natural resources, including diamonds, in the Central African Republic, or by violating the arms embargo established in paragraph 54 [of the resolution] (para. 56)

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**Mandates for the protection of civilians<sup>a</sup>**

**The situation concerning the Democratic Republic of the Congo**

Resolution  
[2053 \(2012\)](#)  
(adopted under  
Chapter VII)

Decides to extend until 30 June 2013 the mandate of MONUSCO as set out in paragraphs 2, 11 and 12 (a) to (p) and (r) to (t) of resolution [1925 \(2010\)](#) of 28 May 2010, reaffirms that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and encourages further the use of innovative measures implemented by the Mission in the protection of civilians (para. 1)

Encourages the Mission to enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities and to collect reliable information on violations and abuses of international humanitarian and human rights law perpetrated against civilians (para. 24)

*See also resolution [2098 \(2013\)](#), para. 25*

Resolution  
[2098 \(2013\)](#)  
(adopted under  
Chapter VII)

Authorizes MONUSCO, through its military component, in pursuit of the objectives described in paragraph 11 [of the resolution], to take all necessary measures to perform the following tasks, through its regular forces and its Intervention Brigade as appropriate:

*(a) Protection of civilians*

(i) Ensure, within its area of operations, effective protection of civilians under imminent threat of physical violence, including civilians gathered in displaced and refugee camps, humanitarian personnel and human rights defenders, in the context of violence emerging from any of the parties engaged in the conflict, and mitigate the risk to civilians before, during and after any military operation;

...

(iii) Work with the Government of the Democratic Republic of the Congo to identify threats to civilians and implement existing response plans to ensure the protection of civilians from abuses and violations of human rights and violations of international humanitarian law ...

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*Decision*

*Provisions*

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*(b) Neutralizing armed groups through the Intervention Brigade*

In support of the authorities of the Democratic Republic of the Congo, on the basis of information collation and analysis, and taking full account of the need to protect civilians and mitigate risk before, during and after any military operation, carry out targeted offensive operations through the Intervention Brigade referred to in paragraph 9 and paragraph 10 [of the resolution], either unilaterally or jointly with the Armed Forces of the Democratic Republic of the Congo, in a robust, highly mobile and versatile manner and in strict compliance with international law, including international humanitarian law and with the human rights due diligence policy on United Nations support to non-United Nations forces, to prevent the expansion of all armed groups, neutralize these groups, and to disarm them in order to contribute to the objective of reducing the threat posed by armed groups on State authority and civilian security in eastern Democratic Republic of the Congo and to make space for stabilization activities (para. 12)

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**Reports of the Secretary-General on the Sudan**

Resolution  
2057 (2012)  
(adopted under  
Chapter VII)

Notes the priority of the mandated tasks of the United Nations Mission in South Sudan (UNMISS) in resolution 1996 (2011) for the protection of civilians and for the achievement of an improved security environment, urges the Mission to deploy its assets accordingly, and underscores the need for the Mission to focus adequate attention on capacity-building efforts in this area, welcomes the development of a protection of civilians strategy and an early warning and early response strategy, encourages the Mission to implement them, and requests the Secretary-General to include progress made in implementing these strategies in his reports to the Council (para. 3)

*See also resolution 2109 (2013), para. 3*

Authorizes UNMISS to use all means necessary, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 3 (b) (iv) to (vi) of resolution 1996 (2011) (para. 5)

*See also resolution 2109 (2013), para. 8*

Resolution  
2063 (2012)

Underlines the need for UNAMID to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to:

(a) the protection of civilians across Darfur, including through the implementation of a mission-wide early warning strategy; proactive military deployment and increased patrols in areas at high risk of conflict; securing, through increased police patrols, internally displaced persons camps, adjacent areas and areas of return; and supporting the development and training of community policing for internally displaced persons camps and areas of return; and

(b) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and humanitarian activities, so as to facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and requests UNAMID to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives (para. 3)

*See also resolution 2113 (2013), para. 4*

Emphasizes the Chapter VII mandate of UNAMID, as defined in resolution 1769 (2007), to deliver its core tasks to protect civilians without prejudice to the primary responsibility of the Government of the Sudan and to ensure the freedom of movement and security of the Operation's own personnel and humanitarian workers; urges UNAMID to deter any threats against itself and its mandate; and notes the observation in the report of the Secretary-General that it is important to ensure that contingents are properly prepared and effectively equipped to be able to carry out the mandate of the Operation (para. 4)

*See also resolution 2113 (2013), para. 5*

<i>Decision</i>	<i>Provisions</i>
Resolution <a href="#">2104 (2013)</a> (adopted under Chapter VII)	Underscores that the protection of civilians mandate of the United Nations Interim Security Force for Abyei (UNISFA) as set out in paragraph 3 of resolution <a href="#">1990 (2011)</a> includes taking the actions necessary to protect civilians under imminent threat of physical violence, irrespective of the source of such violence (para. 4)  <i>See also resolution <a href="#">2109 (2013)</a>, para. 4, and resolution <a href="#">2126 (2013)</a>, para. 5</i>
Resolution <a href="#">2132 (2013)</a> (adopted under Chapter VII)	Demands that all parties cooperate fully with UNMISS as it implements its mandate, in particular the protection of civilians, and stresses that efforts to undermine the ability of the Mission to implement its mandate and attacks on United Nations personnel will not be tolerated (para. 2)  Endorses the recommendation made by the Secretary-General to temporarily increase the overall force levels of UNMISS to support its protection of civilians and provision of humanitarian assistance (para. 3)

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### The situation in Côte d'Ivoire

Resolution <a href="#">2112 (2013)</a> (adopted under Chapter VII)	Decides further that the mandate of the United Nations Operation in Côte d'Ivoire shall be the following: <i>(a) Protection of civilians</i> <ul style="list-style-type: none"> <li>– To protect, without prejudice to the primary responsibility of the Ivoirian authorities, the civilian population from imminent threat of physical violence, within its capabilities and areas of deployment;</li> <li>– To implement the comprehensive strategy for the protection of civilians in coordination with the United Nations country team;</li> <li>– To work closely with humanitarian agencies, particularly in relation to areas of tensions and with respect to the return of displaced persons, to collect information on and identify potential threats against the civilian population, and bring them to the attention of the Ivoirian authorities, as appropriate (para. 6)</li> </ul>
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### The situation in Mali

Resolution <a href="#">2100 (2013)</a> (adopted under Chapter VII)	Decides that the mandate of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) shall be the following: ... <i>(c) Protection of civilians and United Nations personnel</i> <ul style="list-style-type: none"> <li>(i) To protect, without prejudice to the responsibility of the transitional authorities of Mali, civilians under imminent threat of physical violence, within its capacities and areas of deployment</li> </ul> ... <i>(d) Promotion and protection of human rights</i> <ul style="list-style-type: none"> <li>(i) To monitor, help to investigate and report to the Council on any abuses or violations of human rights or violations of international humanitarian law committed throughout Mali and to contribute to efforts to prevent such violations and abuses</li> </ul> ... <i>(e) Support for humanitarian assistance</i> In support of the transitional authorities of Mali, to contribute to the creation of a secure environment for the safe, civilian-led delivery of humanitarian assistance, in accordance with humanitarian principles, and the voluntary return of internally displaced persons and refugees in close coordination with humanitarian actors (para. 16)  Requests that MINUSMA take fully into account the need to protect civilians and mitigate risk to civilians, including, in particular, women, children and displaced persons and civilian objects in the performance of its mandate as defined in paragraphs 16 and 17 [of the resolution], where undertaken jointly with the Malian defence and security forces, in strict compliance with the human rights due diligence policy on United Nations support to non-United Nations security forces (para. 26)  <i>See also resolution <a href="#">2085 (2012)</a>, para. 9</i>
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## Monitoring, analysis and reporting on protection of civilians in armed conflict

### Reports of the Secretary-General on the Sudan

Resolution <a href="#">2057 (2012)</a> (adopted under Chapter VII)	Calls upon UNMISS to coordinate with the Government of South Sudan and participate in regional coordination and information mechanisms to improve protection of civilians and support disarmament, demobilization and reintegration efforts in the light of the attacks by the Lord's Resistance Army in South Sudan, and requests the Secretary-General to include in his trimesterly reports on the Mission a summary of cooperation and information-sharing between UNMISS, UNAMID, MONUSCO and regional and international partners in addressing the Lord's Resistance Army threats (para. 19)
Resolution <a href="#">2091 (2013)</a> (adopted under Chapter VII)	Requests the Panel of Experts to continue to coordinate its activities, as appropriate, with the operations of UNAMID and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution <a href="#">1556 (2005)</a> , paragraph 7 of resolution <a href="#">1591 (2005)</a> and paragraph 10 of resolution <a href="#">1945 (2010)</a> , and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual and gender-based violence and grave violations and abuses against children, and other violations of the above-mentioned resolutions, and to provide the Committee with information on the individuals and entities that meet the listing criteria in paragraph 3 (c) of resolution <a href="#">1591 (2005)</a> (para. 6)

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### The situation concerning the Democratic Republic of the Congo

Resolution <a href="#">2098 (2013)</a> (adopted under Chapter VII)	Also requests the Secretary-General to report to the Council every three months: ... (b) in coordination with his Special Representative for the Democratic Republic of the Congo on: ... (iii) the implementation by MONUSCO of its mandate, including on the deployment, readiness and activities of the Intervention Brigade and all other forces of the Mission, on any violations of international human rights law and international humanitarian law that may occur and on efforts undertaken to mitigate civilian harm (para. 34)
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### The situation in Somalia

Resolution <a href="#">2093 (2013)</a> (adopted under Chapter VII)	Recalls the commitment of the African Union Mission in Somalia (AMISOM) to establish a Civilian Casualty Tracking, Analysis and Response Cell, underlines the importance of its establishment, requests AMISOM to report on the progress made in establishing the Cell, and calls upon international donors and partners to further support the establishment of the Cell (para. 11)  <i>See also resolution <a href="#">2124 (2013)</a>, para. 11</i>
Resolution <a href="#">2111 (2013)</a> (adopted under Chapter VII)	Requests the Emergency Relief Coordinator to report to the Council by 20 March 2014 and again by 20 September 2014 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations Resident and Humanitarian Coordinator for Somalia in the preparation of such reports and in the interests of increasing transparency and accountability (para. 23)  <i>See also resolution <a href="#">2060 (2012)</a>, para. 8</i>

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<sup>a</sup> For more information on mandates and decisions relating to peacekeeping and political missions, see part X.

Table 3

**Decisions relating to the protection of civilians in armed conflict, by thematic issue: selected provisions**

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*Decision*

*Provision*

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**The promotion and strengthening of the rule of law in the maintenance of international peace and security**

[S/PRST/2012/1](#) The Council reiterates its call upon all parties to armed conflict to comply with the obligations applicable to them under international humanitarian law and to take all steps required to protect civilians and recalls in this regard resolution [1894 \(2009\)](#) (eleventh paragraph)

The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation (twelfth paragraph)

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**Peace and security in Africa: prevention of conflicts in Africa — addressing the root causes**

[S/PRST/2013/4](#) The Council recalls the previous statements by its President concerning the various factors and causes that play a role in triggering, worsening or prolonging conflicts in Africa, and in particular the factors and causes that have been highlighted and addressed by the Council. The Council highlights the importance of implementation of effective security sector reform programmes, strengthening of human rights and the rule of law, protection of civilians, addressing of all forms of discrimination and political exclusion, including against women and children, protection of persons belonging to national or ethnic, religious and linguistic minorities, ensuring of accountability, support for the reintegration and rehabilitation of former soldiers and child soldiers, promotion of reconciliation and locally driven solutions, promotion of meaningful progress in sustainable socioeconomic development, poverty eradication, support for representative electoral processes and building of democratic institutions, inter alia, and effective control of small arms ... (eighth paragraph)

The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law and emphasizes in this context the responsibility of States to comply with their relevant obligations to end impunity and, to that end, to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law, also in the context of conflict prevention and conflict resolution. The Council underlines the importance of raising awareness of and ensuring respect for all applicable international law, including international humanitarian law and human rights law, stresses the importance of the responsibility to protect as outlined in the 2005 World Summit Outcome, including the primary responsibility of Member States to protect their populations from genocide, ethnic cleansing, crimes against humanity and war crimes. The Council further underlines the role of the international community in encouraging and helping States, including through capacity-building, to meet their primary responsibility. The Council looks forward to the 2013 report of the Secretary-General on the responsibility to protect. The Council further recalls the important role of the Special Advisers to the Secretary-General on the Prevention of Genocide and Responsibility to Protect in matters relating to the prevention and resolution of conflict (thirteenth paragraph)

Decision

Provision

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### United Nations peacekeeping operations: United Nations peacekeeping — a multidimensional approach

Resolution 2086 (2013) 8. Notes, in this regard, that multidimensional peacekeeping missions may be mandated by the Security Council, inter-alia:

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(f) To help to establish the security conditions necessary to facilitate delivery of humanitarian assistance, taking into account the special needs of refugees, internally displaced persons, women, children, the elderly and disabled persons, and to create conditions necessary for voluntary, safe, dignified and sustainable return of refugees and internally displaced persons;

...

(h) To protect civilians, particularly those under imminent threat of physical violence, in conformity with paragraph 16 of its resolution 1674 (2006) of 28 April 2006, within missions' zones of operation and taking into account their capacities and resources, and support the efforts of the host authorities in the protection of civilians from violence, including all forms of sexual and gender-based violence, and in this regard to help in building and reforming security sector institutions of the host country that are able to sustainably and consistently protect civilians, while recognizing that the protection of civilians is the primary responsibility of the host country (para. 8)

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### Women and peace and security

Resolution 2106 (2013) Affirms that sexual violence, when used or commissioned as a method or tactic of war or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate and prolong situations of armed conflict and may impede the restoration of international peace and security, emphasizes in this regard that effective steps to prevent and respond to such acts significantly contribute to the maintenance of international peace and security ... (para. 1)

Resolution 2122 (2013) Calls upon Member States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law, and further notes that the fight against impunity for the most serious crimes of international concern against women and girls has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals (para. 12)

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### Small arms

Resolution 2117 (2013) Bearing in mind that the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons fuel conflict and impact on the protection of civilians, reiterates its demand that all parties to armed conflict comply strictly with the obligations applicable to them under international humanitarian law, human rights law and refugee law, and stresses the need for parties to take all required measures to avoid civilian casualties and to respect and protect the civilian population (para. 13)

Calls upon parties to armed conflict, in this regard, to comply with obligations under international humanitarian law to respect and protect humanitarian personnel, facilities and relief consignments, and to take measures to eradicate the negative impact of the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons on humanitarian actors, and take all required steps to facilitate the safe, rapid and unimpeded passage of relief consignments, equipment and personnel (para. 14)

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## 30. Small arms

### Overview

On 26 September 2013, the Security Council held a high-level meeting and adopted its first resolution in connection with small arms. The resolution was adopted by 14 votes in favour, none against and one abstention (Russian Federation).

### Briefing and decision on small arms

During the meeting, the Secretary-General introduced his biennial report on small arms,<sup>968</sup> underscoring how the absence of regulation, the ease of access to arms and the great profitability of the illicit trade in small arms and light weapons fuelled insecurity and conflict, leading to a vast range of human rights violations.<sup>969</sup> The Council also heard a briefing by the Vice-President of the International Committee of the Red Cross, who stated that the Committee was a first-hand witness to the devastating costs to civilians of the easy access to, and misuse of, small arms and light weapons.<sup>970</sup>

Speaking prior to the vote, the representative of the Russian Federation maintained that the draft resolution lacked a provision on the supply of small arms and light weapons to non-State actors. He affirmed that the root of the problem of small arms and light weapons was illicit trafficking and stated that imposing universal prohibitions on the transfer of small arms and light weapons to non-State actors and unauthorized State recipients and users was of particular importance. A salient example was the recent events in Mali, where the weapons used, initially transferred to Libyan groups for humanitarian reasons, became instruments for the violation of fundamental human rights and the source of suffering for the civilian population.<sup>971</sup>

In the resolution, the Council, *inter alia*, encouraged the establishment or strengthening, where appropriate, of subregional and regional cooperation, coordination and information-sharing mechanisms with

a view to preventing, combating and eradicating the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons.<sup>972</sup> The Council also encouraged information-sharing on possible arms embargo violations between groups of experts, peacekeeping missions within their mandates and other relevant United Nations entities. In addition, the Council urged States to consider signing and ratifying the Arms Trade Treaty<sup>973</sup> as soon as possible, and encouraged States, intergovernmental, regional and subregional organizations that were in a position to do so to render assistance in capacity-building to enable States parties to fulfil and implement the Treaty's obligations.

During the debate that followed the adoption of resolution [2117 \(2013\)](#), speakers welcomed the resolution and the recommendations proposed by the Secretary-General in his report, concurring on ways in which international cooperation could be strengthened to better tackle the issue through existing mechanisms. Several delegations also expressed their support for the recently adopted Arms Trade Treaty, which for the first time regulated international trade in conventional weapons, and vowed to work towards its rapid entry into force and implementation.

Speakers emphasized the impact of illicit small arms and light weapons on international peace and security, stating that they exacerbated conflict and posed a threat to civilians, especially women and children.<sup>974</sup> In that regard, several speakers stressed the importance of the role of the Council in regard to the issue of illicit small arms and light weapons in conflict and post-conflict situations.<sup>975</sup> The representative of the Republic of Korea outlined an enhanced role for the Council that could be achieved, *inter alia*, by assisting and supporting Member States in

<sup>968</sup> [S/2013/503](#). In 2007, the Council requested that the Secretary-General submit to it on a biennial basis, beginning in 2008, a report on the issue of small arms (see [S/PRST/2007/24](#)).

<sup>969</sup> [S/PV.7036](#), pp. 2-3.

<sup>970</sup> *Ibid.* p. 3.

<sup>971</sup> *Ibid.*, pp. 4-5.

<sup>972</sup> Resolution [2117 \(2013\)](#).

<sup>973</sup> See General Assembly resolution [67/234 B](#) of 2 April 2013.

<sup>974</sup> [S/PV.7036](#), p. 6 (Australia); p. 7 (Guatemala); p. 8 (Luxembourg); pp. 11-12 (Morocco); p. 13 (Rwanda); pp. 18-19 (Togo); and p. 19 (Argentina).

<sup>975</sup> *Ibid.*, p. 6 (Australia); p. 7 (Guatemala); p. 8 (Luxembourg); p. 9 (United Kingdom); p. 10 (Republic of Korea); p. 15 (Azerbaijan); p. 16 (United States); pp. 18-19 (Togo); and p. 19 (Argentina).