



The Protection of Civilians Cannot Wait: Ending Impunity and Supporting Civilian-Led Approaches

Advocacy Note | May 2024

Background: This year marks both the 25th anniversary of the UN Security Council’s adoption of the protection of civilians in armed conflict agenda, and the 75th anniversary of the 1949 Geneva Conventions. The opportunity to renew and step-up serious commitments and actions to protect civilians must not be missed.

This note was developed by the Global Protection Cluster’s Advocacy Working Group and Community-Led Protection Task Team. It highlights key drivers of the severe protection risks communities affected by armed conflict are facing across relevant Protection Cluster operations as well as emphasize the actions needed to further strengthen the Protection of Civilians, with two examples shared, one from the occupied Palestinian territory (oPt) and one from the Democratic Republic of Congo (DRC), to highlight these elements in current crisis contexts. The Note aims to serve as a complement to the [Secretary General’s Report on the Protection of Civilians](#) and further inform action leveraging and in follow up to this year’s [Protection of Civilians Week](#) in New York.

1. Protection Risks Are Driving Civilian Harm

Civilians are facing high levels of deaths, injury, displacement, and violence across contexts of armed conflicts, with little to no signs of justice and accountability under domestic and international laws. The reluctance of governments and parties to conflict to uphold their legal obligations and a growing sense of impunity leave communities exposed to severe protection risks and under pressure to provide for their own protection, however constrained.

Results of Protection Clusters’ [monitoring of risks to civilian protection](#) are extremely alarming. In 2023, in the majority of the countries monitored, Protection Clusters reported that civilians are exposed to high levels of more than half of the 15 risks tracked.¹ In Sudan and South Sudan, civilians are reported to face all 15 risks monitored at high levels. These risks include attacks against civilians, the presence of mines and other explosive ordnance and forced recruitment into armed forces and groups. Throughout 2023, the protection risks related to gender-based violence were particularly severe in contexts such as Syria, Sudan, South Sudan, Somalia, and Afghanistan, as women and girls, and other excluded groups, are disproportionately affected by the prevalent patriarchal conduct of war amidst already existing gendered injustices. Psychosocial related protection risks were reported at extreme and high levels in contexts such as Ukraine and Cameroon, reflecting the pernicious impacts of the stress and trauma that come with living through crisis, particularly for children. In several contexts including Palestine and the DRC, severe trends of deliberate targeting of civilians and civilian objects were reported. In most cases, armed conflict is the major driver of violence, deprivation, and coercion.

The international community, including government duty bearers, member states and accountability bodies, is faced today with the challenge of not only contributing to the safeguarding of rights and

¹ The 15 protection risks monitored and tracked by Protection Clusters across crisis contexts are [outlined here](#).



protection, but also of rebuilding confidence in human rights, accountability, and protection mechanisms. This has been eroded through ongoing failures to prevent or punish those responsible for violations and atrocities. This is especially relevant in contexts that have witnessed protracted conflict, military occupation, and displacement for decades amidst little action to hold duty bearers accountable and little support to local communities and organizations to demand and access rights and protection domestically.

International law and standards must be upheld and applied consistently without discrimination, accountability and protection mechanisms must be strengthened and national and local efforts demanding and aimed at rights and protection must be prioritized and supported.

Call to Action:

- Parties to conflict must respect International Humanitarian Law (IHL) and their obligations towards civilian protection. All states party to the Geneva Conventions must act upon their obligation to promote the respect of IHL and take necessary measures in accordance with international law to advance civilian protection and strengthen accountability mechanisms.
- Governments, as the primary duty bearers, must deliver on their protection obligations towards the people they govern across conflict-affected contexts.
- States, parties to conflict, must uphold international human rights law (IHRL) in situations of armed conflict; and ensure accountability for violations and abuses.
- The international community must further foster systems that end impunity and ensure accountability of duty-bearers vis-à-vis the protection of civilians and champion local and national efforts aimed at demanding and reinforcing protection and rights.

Member states, world powers and the members of the United Nations Security Council must ensure that international mechanisms serve their intended purpose of prevention and protection.

Spotlight: Protection Risks and Civilian Harms - The War on Gaza: Dismissal of International Law, an Absence of Accountability

The Protection Cluster in the occupied Palestinian territory (oPt), along with other protection and human rights organizations, have reported violations of IHL and Human Rights in Gaza and the West Bank, which have led to unprecedented civilian casualties and massive destruction of civilian infrastructure, characterized as a policy of "domicide" by UN experts. Despite the International Court of Justice's (ICJ) order to Israel to take all measures possible to prevent and reduce harm to civilians and the facilitation of humanitarian aid, 2.3 million people in the Gaza Strip continue to face "death and Injury from Israeli strikes, from explosive ordnance and collapsing buildings, with undersupplied and under threat hospitals and severe restrictions on access to life-saving services."² With airstrikes targeting all areas of Gaza, civilians have nowhere safe or habitable to go, yet they are repeatedly issued with evacuation orders, as witnessed most recently in Rafah. Civilians have even been attacked when attempting to access aid amidst growing reports of famine. Starvation being used as a weapon of war is a serious violation of IHL and UNSC Resolution 2417.

² oPt Protection Cluster and Global Protection Cluster Joint Statement, May 2024, [available here](#).



What civilians in Gaza are facing “is not an inevitable tragedy of conflict. It is due to the specific choices made by Israel in its conduct of hostilities. Israel’s actions over the past seven months include the use of explosive weapons in densely populated areas, attacks on hospitals and clinics, targeting of civilian structures and continued cuts to water and electricity supplies.”³

Respect of IHL (an obligation of all warring parties), the promotion of the respect of IHL (an obligation of all states signatory to the Geneva Conventions) and enforcing compliance with the ICJ order and other justice and accountability mechanisms, including the International Criminal Court’s request for arrest warrants, are necessary to support the protection of civilians impacted by the war in Gaza – as well as necessary to sustain a world system, which we all work towards, that fosters respect for human rights, protection, and dignity of all civilians.

2. Programmatic Support: Civilian-Led Approaches

Nothing matches the importance, urgency, and impact of the respect of the law, accountability, and the end of impunity. They are critical for limiting the exponentially increasing and deliberate targeting of civilians. Action to follow this year’s Protection of Civilians Week, must direct political will and support towards upholding rights and strengthening an enabling protection environment for conflict-affected civilians.

It is essential to also pay attention to and support the central role of communities and individuals in implementing protection strategies that are rooted in their contexts and based on local capacities and knowledge. Community and local actors, including women-led organizations as key agents of change, can identify and prioritize protection risks and those who are most in need, ensuring that no one is left behind. These structures and coping strategies have in many instances successfully interrupted, prevented, and reduced violence. They have a better understanding of the contextual factors that affect the protection environment and can build impactful responses based on existing knowledge and resources. Conflict-ridden communities have, under duress and in response to mounting risks, designed and established structures and mechanisms of solidarity and protection. These efforts should be supported and strengthened, and international protection actors should act in complementarity with them.

The root causes and sources of violence need to be addressed and proactive, responsive approaches to protection that are grounded in locally identified and led solutions is integral to this endeavor. Initiatives in reforming the humanitarian system, such as the localization agenda, as well as approaches such as the Humanitarian Development and Peace Nexus are well placed to support and help resource civilian-led and centered protection efforts throughout the conflict cycle and the continuum of violence.

Local humanitarian leadership, especially women-led and women’s rights organizations, are often first responders, and women and girls remain disproportionately affected by armed conflicts. However, these stakeholders are too often neither fully recognized or included, nor resourced in many crises response systems. Within a wider global context of rising extreme inequalities, restrictions on humanitarian access and civic spaces, the drawdown of peace operations in contexts of ongoing conflict and violence, and

³Ibid.



backsliding in gender justice and women's rights, there is intense pressure on an over-stretched humanitarian system.

It is essential that the international community supports structured and deliberate [civilian-led and centered efforts](#) carried out at individual, community, and national levels aimed at preventing and interrupting violence at the different stages of the conflict and engaging with and influencing – including through negotiations, dialogue, sensitization, and capacity strengthening – as well as through advocacy and accountability - parties to the conflict to abide by IHL and IHRL. These efforts should maintain a gendered and feminist lens and be heavily aimed at eliminating injustices.

Call to Action:

- For Member states and their donor agencies to further support localized civilian-led and centered efforts to interrupt violence and promote protection through political commitment and flexible long-term funding necessary for such action.
- For donor agencies and international aid agencies to step up their support to national and local partners who are at the forefront of protection responses and part of the affected communities, through true and equitable partnerships. This should include support to increase women and girls' voice and their full, equal, meaningful, and safe participation and leadership in relevant structures at all levels from local to global.
- For the UNSC to strengthen civilian-centered planning and approaches throughout the lifespan of peace operations. Protection risks associated with mission presence must be addressed.

Spotlight: Civilian-Led Protection Efforts - Democratic Republic of Congo: Community Structures and Efforts Interrupting Violence

In the absence of protection provided by authorities and prevalent violations of parties to the conflict, civilians in eastern DRC have organized and built on their capacities to address their needs and mitigate the risks undermining their protection. Community groups and networks in areas of Uvira, South Kivu, supported by CEDIER,⁴ demonstrate a case where civilian-led efforts successfully mitigated and prevented violence and addressed protection risks.

These community networks used their local connections and knowledge to carry out a series of negotiations with local security councils and state and non-state armed groups to address violations at the checkpoints, where civilians were experiencing violence and extortion. They successfully managed to remove all fees and the battalion commander reduced the number of checkpoints, including those on the way to the local market used by host and displaced households.

Similar community structures in the village of Luhito identified and reported the risks associated with the incursions of armed groups including conflict-related sexual violence and the theft of food stocks which civilians relied on for survival. The community group raised the issue with the members of the local security council including the FARDC (the armed forces of the DRC), the Congolese National Police, and local administrators and chieftains. Under the resulting scrutiny and pressure, the FARDC agreed to

⁴ Centre de Développement Intégral de l'Enfant Rural (CEDIER).



prioritize the protection of civilians, especially women, and take necessary measures in the area to prevent or reduce the frequency of such incursions, despite other military objectives. Similar measures were applied beyond Luhito, in neighboring villages.

These community protection structures established by CEDIER had the advantage of the local knowledge and acceptance by local armed and non-armed actors, which enabled them to engage with and influence key stakeholders and successfully reduce violence and abuse against civilian populations.

Conclusion:

The persistent reluctance of duty bearers in many contexts to respect their obligations under domestic and international law has left civilians exposed to severe protection risks and harm. Faced with this reality, conflict-affected individuals and communities are left alone implementing protection strategies, leveraging their own capacities and strengths, despite major challenges and limitations. Such civilian-led, community-based efforts must be strengthened while at the same time Member States must champion, support and advance enhanced compliance with national and international law, backed up by robust accountability measures.

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