

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	763
Land:	Nigeria
Kilde:	UN Security Council
Titel:	Protection of civilians in armed conflict
Udgivet:	14. maj 2024
Optaget på baggrundsmaterialet:	10. juni 2024



Security Council

Distr.: General
14 May 2024

Original: English

Protection of civilians in armed conflict

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to the request in the statement by the President of the Security Council of 21 September 2018 (S/PRST/2018/18). It also responds to the Council's requests for reporting on specific themes in resolutions [2286 \(2016\)](#), [2417 \(2018\)](#), [2474 \(2019\)](#), [2475 \(2019\)](#) and [2573 \(2021\)](#).

2. 2024 marks the twenty-fifth anniversary of the Security Council's consideration of the protection of civilians as an item on its agenda. It also marks the seventy-fifth anniversary of the Geneva Conventions of 1949, a cornerstone of international humanitarian law. In the context of the appalling harm inflicted upon countless civilians across the world's conflict zones, they call for reflection on what it means to protect civilians and what more can be done to prevent or mitigate their exposure to harm.

3. The state of the protection of civilians in 2023 was resoundingly grim. As discussed in part II, the 7 October attack by Hamas and other Palestinian armed groups on Israel, and the abduction of some 250 people, including civilians, and the intense Israeli military response in Gaza resulted in civilian deaths and destruction at a level unprecedented in the decades-long conflict. In the Sudan, the outbreak of deadly conflict in April 2023 has been catastrophic, with tens of thousands of civilians killed and injured and millions displaced. In the Democratic Republic of the Congo, Myanmar, Nigeria, the Sahel region, Somalia, the Syrian Arab Republic, Ukraine and elsewhere, existing conflicts continued with varying degrees of intensity but a consistent pattern of grave and lasting civilian harm. These are all conflicts in which compliance with international humanitarian law and human rights law is often lacking; and in which the demands of the Council's protection of civilians resolutions of the past 25 years have gone largely unheeded.

4. For the protection of civilians agenda in the years ahead a commitment to respect international law, including the Charter of the United Nations, is urgently needed. Central to this, is redoubling of efforts to strengthen compliance by parties to conflict with international humanitarian and human rights law and ensure accountability for violations. States should ensure that "A Pact for the Future" is more than a reaffirmation of their commitment to full respect for the law in armed conflict and that commitments to strengthen protection and investigate violations are matched by practical and effective measures to these ends.



5. It is also necessary to reflect on our understanding of what it means to protect civilians in contemporary and future armed conflicts. As discussed in part III, strengthening compliance with international humanitarian and human rights law is central to the protection of civilians agenda. However, this approach must be complemented with a focus on the harm that civilians experience in conflict, even when parties claim to be in compliance with the law as the basis for identifying effective responses to address it.

II. Global state of the protection of civilians

A. Widespread civilian harm

6. Throughout 2023, hundreds of thousands of civilians were killed or suffered appalling injuries as victims of deliberate or indiscriminate attacks, as well as purportedly lawful attacks under international humanitarian law. The United Nations recorded at least 33,443 civilian deaths in armed conflicts in 2023, a 72 per cent increase as compared with 2022. The proportion of women and children killed doubled and tripled, respectively, as compared with 2022. In 2023, 4 out of every 10 civilians killed in conflicts were women, and 3 out of 10 were children. Seven out of ten recorded deaths occurred in the Occupied Palestinian Territory and Israel, making it the deadliest conflict for civilians in 2023. The death of some 1,200 people, the majority civilians, in the attacks by Hamas and other armed groups on Israel on 7 October, as well as the abduction of civilians and sexual violence, was followed by widespread civilian death and destruction during the military operation by Israel in Gaza. According to the Gaza Ministry of Health, by the end of 2023, 21,672 Palestinians had been killed and 56,165 injured, the majority women and children. 2023 was also the deadliest year for Palestinians in the occupied West Bank, including East Jerusalem, since the United Nations started recording casualties there in 2005.

7. According to United Nations sources, widespread civilian harm was also reported in the Democratic Republic of the Congo, Mali, Mozambique, Myanmar, Somalia, South Sudan, the Sudan, the Syrian Arab Republic and elsewhere. More than 219,000 victims of armed conflict were reported in the Democratic Republic of the Congo. Mali saw 1,300 civilians killed in security incidents, while in Myanmar, the last quarter of 2023 saw an escalation of the ongoing conflict with air strikes, shelling and the burning of villages. Urban areas were more affected than previously, with bombing and shelling reported in towns and cities. Violence in north-east Nigeria claimed 4,533 civilian lives in 2023, and more than 1,400 civilians were killed or injured in attacks in Somalia. South Sudan saw 848 incidents in 2023, with 1,527 civilians killed, 1,040 injured and 597 abducted. In the Sudan, approximately 12,260 people were killed and 33,000 injured after conflict erupted in April between the Sudanese Armed Forces and the Rapid Support Forces. Fighting included attacks on residential neighbourhoods with explosive weapons, as well as summary executions and sexual violence, particularly affecting women and girls. In the Syrian Arab Republic, at least 556 civilians were reported killed during conflict violence. In Ukraine, as a result of the invasion of the country by the Russian Federation, conflict in 2023 killed 1,958 civilians and injured a further 6,572.

Urban warfare and the use of explosive weapons in populated areas

8. The impact on civilians was particularly acute when fighting took place in populated areas and involved the use of explosive weapons. In 2023, almost 30,000 civilians were killed and injured by the use of explosive weapons in just six conflicts: Gaza, Myanmar, the Sudan, the Syrian Arab Republic, Ukraine and Yemen. Civilians accounted for 90 per cent of those killed and injured when explosive weapons were

used in populated areas. United Nations sources indicate that the use of explosive weapons in populated areas was the leading cause of civilian casualties in the Sudan and Ukraine. In the case of the latter, entire towns and cities were devastated by such use. Significant numbers of civilian casualties also resulted in 2023 from the use of improvised explosive devices in Afghanistan, Burkina Faso, Cameroon, Democratic Republic of the Congo, Mali, the Niger, Nigeria, the Philippines, Somalia, the Syrian Arab Republic and elsewhere.

9. In the policy brief on A New Agenda for Peace, the Secretary-General called on States to strengthen the protection of civilians in populated areas, including by taking combat out of urban areas. The Secretary-General also called on States that are yet to do so to endorse the 2022 Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas. In line with the Declaration, States should review and revise existing, or develop new, military policy that is in line with the Declaration and the principle of avoiding the use of explosive weapons in populated areas owing to the high likelihood of civilian harm. States are also encouraged to fulfil their commitment to seek adherence to the provisions of the Declaration by all parties to armed conflict. In particular, arms exports or transfers to parties could be conditional on implementation of the Declaration's provisions and respect for international humanitarian and human rights law.

Attacks on critical infrastructure

10. Critical infrastructure, including for the provision of electricity, water and health care, was damaged or destroyed and access to these services disrupted in numerous conflicts. In Burkina Faso, 48 types of water infrastructure were destroyed, impacting access to water for more than 149,000 people. Hostilities in Gaza left 23 hospitals and 56 health-care centres out of service, 11 bakeries destroyed, 370 educational facilities damaged and at least 88 United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) shelters hit, as well as widespread damage to agricultural infrastructure, including wells, farms and warehouses. In Myanmar, bridges, key transport routes, telecommunication towers, school, hospitals and power plants were targeted. In the Sudan, extensive damage to water, sanitation and electricity networks, as well as hospitals and clinics, was reported across the country. In the Syrian Arab Republic, water infrastructure suffered extensive damage in attacks or was forced to shut down owing to loss of power, affecting access to water for millions of people.

11. In Ukraine, repeated attacks against power plants and electrical substations disrupted the supply of power, heating and water, with millions of civilians put at risk during the winter months. Hostilities also continued to affect the provision of basic services, with 103 medical facilities and 294 educational institutions destroyed or damaged. Massive flooding following the destruction of the Kakhovka Dam and hydropower plant in June 2023 damaged 37,000 homes, 37 education facilities and 11 health-care facilities and disrupted water and sanitation services for 1 million people. It has also had a long-term impact on the agricultural sector. Critical infrastructure in Ukraine was also reportedly subject to offensive cyberoperations in 2023, further underlining the urgency of protecting civilian populations against such operations. In the Secretary-General's New Agenda for Peace, he calls for action to prevent the extension and escalation of conflict to the cyber domain and calls on States to declare infrastructure essential for public services and to the functioning of society off limits to malicious cyberoperations.

Landmines and explosive remnants of war

12. Landmines and explosive remnants of war exacted a heavy toll on civilians in Afghanistan, the Central African Republic, Colombia, the Democratic Republic of the Congo, Libya, Mali, Myanmar, the Niger, Nigeria, the Occupied Palestinian Territory, Somalia, South Sudan, the Syrian Arab Republic, Ukraine, Yemen and elsewhere. They were the second leading cause of civilian casualties in Afghanistan, killing and maiming more than 60 people, mostly children, each month. In Colombia, the authorities registered 96 victims of landmines and explosive remnants of war in 2023. Landmines and explosive remnants of war posed a threat to approximately 600,000 people across 146 municipalities and hindered socioeconomic activities. In Myanmar, 2023 saw a 270 per cent increase in landmine casualties as compared with 2022, with 1,052 people killed or injured, with children accounting for 20 per cent. Ukraine saw a 16 per cent increase in civilian casualties from landmines and explosive remnants of war, with 116 civilians killed and 383 injured. In Yemen, there were 183 incidents, resulting in 189 casualties, including 132 fatalities.

Private military and security companies

13. There were increasing concerns in 2023 over the possible involvement of private military and security companies in violations of international humanitarian and human rights law. The Montreux Document and the International Code of Conduct for Private Security Providers, adopted in 2008 and 2010, respectively, set out good practices and highlighted the applicability of existing international law to private military and security company activities. Since then, the hiring of private military and security companies in armed conflict has proliferated and their role has evolved in some situations to include conducting hostilities alongside or on behalf of a State. With this evolution, concerns have mounted over possible private military and security company involvement in violations.

B. Aggravated suffering

Forced displacement

14. Forced displacement remained a defining feature of armed conflicts in 2023. By midyear, a record-breaking 110 million people globally were in a situation of displacement owing to conflict, as well as persecution, violence and/or human rights violations or abuses. Sixty per cent were internally displaced. Conflict remained the primary driver, notably in the Sudan, where it led to 6 million new internally displaced persons and 1.4 million fleeing to neighbouring countries. This was followed by the Democratic Republic of the Congo, with 2.9 million new displacements in 2023 and 6.5 million displaced overall. Conflict displaced 1.9 million people, or 85 per cent of the population of Gaza, by the end of 2023.

15. Conflict in Colombia, Myanmar, the Karabakh region of Azerbaijan, Nigeria, the Sahel, the Syrian Arab Republic and Ukraine added to the unprecedented levels of displacement. In Colombia, 163,719 people were officially registered as internally displaced by conflict in 2023, contributing to an internally displaced population of 8.5 million. Displacement throughout Myanmar increased by nearly 500,000 people in 2023 to an estimated 2.2 million. In north-east Nigeria, more than 2 million people remained displaced in camps and host communities, some two thirds of whom had been displaced for more than five years. In the Syrian Arab Republic, a surge in attacks in August and October in Dayr al-Zawr and in Idlib and western Aleppo, respectively, led to the temporary displacement of 180,000 people. After more than 13 years of conflict, the Syrian Arab Republic has an internally displaced population of 7.2 million. By the end of 2023, 6.3 million people from Ukraine remained as

refugees and 3.7 million were internally displaced, including nearly 1 million children. The majority of internally displaced persons were in front-line locations with strained government services and limited access for humanitarian actors.

Medical care

16. More than 2,370 incidents of violence against and other forms of interference in the performance of the functions of medical workers, as well as violence against patients, facilities, equipment and transport, were recorded across 21 conflicts in 2023, with the Occupied Palestinian Territory, Myanmar, the Sudan and Ukraine the most affected. More than 700 medical workers were killed in 2023, 373 injured, 178 abducted and a further 440 arrested while performing medical duties.¹ The World Health Organization (WHO) also recorded incidents harming patients, transports, facilities and supplies.

17. The first three months of the military operation in Gaza had a devastating impact on medical care, with reports of military use of medical facilities, armed raids on hospitals, lack of safe passage for medical transports and the number of functioning hospitals reduced from 36 to 13. The remaining hospitals faced critical shortages of drugs, blood products, other supplies and fuel. In the Sudan, less than one third of medical facilities in conflict-affected areas were functioning at the end of 2023. In Ukraine, 18 medical facilities were destroyed and 85 damaged, in addition to the death and injury of medical workers and patients. In Burkina Faso, insecurity forced the closure of 402 medical centres, while 374 reduced their services, affecting access to health care for 3.6 million people. In Colombia, from January to October, there were 187 attacks on medical facilities. Medical workers in Myanmar and civilians seeking medical attention were arrested, and facilities and ambulances were destroyed and supplies confiscated. In the Syrian Arab Republic, shelling and air strikes in Idleb and Western Aleppo in October impacted 40 medical facilities, including a maternity hospital.

Conflict-driven hunger and access to water

18. Conflict was the major driver of acute food insecurity in 2023, displacing people from land and livestock grazing areas, destroying food stocks and agricultural assets and disrupting food systems and markets, leading to increased food prices or decreased household purchasing power, and decreased access to supplies required for food preparation, including water and fuel. Globally, owing to gender inequality, women were disproportionately affected by food insecurity, and this increases their exposure to gender-based violence such as through resorting to negative coping strategies.

19. In 2023, approximately 117 million people experienced acute food insecurity (Integrated Food Security Phase Classification (IPC) phase 3 and above) in 19 conflict-affected countries or territories. In Gaza, infrastructure for food production, processing and distribution was damaged or destroyed by military operations or crippled by the long-standing closure of Gaza. By December, more than 90 per cent of the population of Gaza was estimated to be experiencing acute food insecurity, including some 577,000 people facing catastrophic levels (IPC phase 5). In December, experts warned of a risk of famine that would increase daily if hostilities and restrictions on humanitarian access persisted or worsened.

20. In the Sudan, the most acutely food-insecure populations were in conflict-affected areas, such as Khartoum, Kordofan and Darfur. Three months into the

¹ Insecurity Insight figures. Available at www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SG%20report.pdf.

conflict, 20.3 million people – almost half the population – were experiencing acute food insecurity, including 6.3 million people in emergency (IPC phase 4) from July to September 2023. This is a severe deterioration, in terms of scale and severity, as compared with the same period in 2022: a 74 per cent increase in people in crisis or worse levels of acute food insecurity and a 101 per cent increase in people in the emergency phase.

21. Ongoing conflict in Burkina Faso, the Democratic Republic of the Congo, Mali and the Niger contributed to food insecurity in 2023. In Burkina Faso and Mali, conflict-induced displacement reduced opportunities for agricultural activities and increased prices for staple food products while also reducing humanitarian access. Approximately 2.3 million people in Burkina Faso and 715,410 people in Mali were experiencing high levels of acute food insecurity as at October 2023. Furthermore, approximately 42,694 people in Burkina Faso and 1,671 people in Mali were projected to face catastrophic (IPC phase 5) levels of food insecurity by August 2023. In the Niger, conflict and the effect of economic sanctions imposed by the Economic Community of West African States led to commodity shortages and price spikes. Approximately 2.3 million people faced acute food insecurity as at October 2023. In the Democratic Republic of the Congo, an estimated 25.4 million people (more than 25 per cent of the population) were projected to be acutely food-insecure, including as a result of conflict.

22. Pursuant to resolution [2417 \(2018\)](#), the Security Council was alerted to the risk of conflict-induced famine and widespread food insecurity in parts of Burkina Faso and the Democratic Republic of the Congo. Council members, as well as other Member States and relevant stakeholders, were called upon to take various steps, including to ensure that all relevant parties facilitate the movement of commercial food supplies and access to necessary fuel and cash, as well as the safe, rapid and unimpeded passage of humanitarian relief.

23. In Burkina Faso, the Sudan, the Syrian Arab Republic, Ukraine and elsewhere, conflict triggered and aggravated water scarcity. The destruction, damage and disruption – sometimes deliberate – of water services, combined with the impact of climate change and years of disrepair, left millions without safe water, causing contamination of water sources, the outbreak of deadly infectious diseases and the risk of malnutrition. In the Syrian Arab Republic, for example, water infrastructure suffered extensive damage in attacks or was forced to shut down due to loss of power, affecting access to water for millions of people.

Environment and climate change

24. The environment suffered lasting destruction and degradation as a result of conflict. In Gaza, damage to water infrastructure caused raw sewage to spill into residential areas and the sea, worsening environmental conditions and affecting soil and groundwater quality. In the Sudan, the use of explosive weapons also damaged water infrastructure, industrial locations storing hazardous substances and energy and oil facilities. Urban destruction and the resulting conflict rubble continued to pose health risks in both Gaza and the Sudan.

25. In Ukraine, air strikes on fuel infrastructure resulted in air pollution from burning oil tanks, and localized oil spills polluted ground and surface waters. Damage to agro-industrial facilities storing hazardous chemicals increased the risks of civilian exposure. The conflict also continued to contribute to the destruction of the country's biodiversity and nature. Flooding following the destruction of the Kakhovka Dam affected the storage of chemicals and hazardous materials, washing them into the Black Sea. It also impacted 333,000 hectares of protected areas and 11,294 hectares of forested areas, altering river morphology, causing pollution and habitat destruction.

26. In the Democratic Republic of the Congo, non-State armed groups continued to engage in illicit activities, such as mining, poaching and logging, contributing to deforestation, soil erosion and loss of biodiversity. In Colombia, non-State armed groups deforested parts of Amazonas in order to expand the production of illicit crops and mining activities, also posing a risk to Indigenous groups.

27. Climate change exacerbated vulnerabilities in places where access by civilians to key resources had already suffered because of conflict. In September 2023, unprecedented rainfall in north-east Libya caused widespread flooding and the collapse of two dams in the city of Darnah, leading to 5,000 deaths, 3,000 missing, 44,800 displaced and severe damage to essential infrastructure in areas already affected by years of conflict. In the Niger, in addition to conflict, flooding and droughts led to loss of livelihoods and land degradation, reducing access to arable land and food availability. Unpredictable rainfall, soil erosion and desertification in Nigeria caused food shortages threatening 4.4 million people and increased tensions between farmers and herders. The climate crisis also aggravated the humanitarian situation in the Syrian Arab Republic, where harsh weather threatened lives and access to essential services for a population that has endured more than 10 years of conflict, in particular affecting 1,500 displacement camps and informal sites in the north-west that were sheltering 2 million people.

C. Specific vulnerabilities

Children

28. In Afghanistan, the Central Sahel and Lake Chad Basin regions, the Central African Republic, the Democratic Republic of the Congo, Israel, Myanmar, the Occupied Palestinian Territory, Somalia, the Sudan, the Syrian Arab Republic, Ukraine and elsewhere, more than 11,300 children were killed or maimed by parties to conflict. The long-term effects of explosive remnants of war continue to impact children, including after conflict has ended, as in Afghanistan and Iraq. Killing and maiming, denial of humanitarian access and the detention of children increased significantly in 2023. Attacks damaging or destroying schools and hospitals, notably in the Occupied Palestinian Territory and the Sudan, deprived children of their right to education and health and of child-friendly safe spaces. 2023 saw 665 incidents affecting access to education across 21 conflicts, including attacks against and occupation of schools, and the death and injury of educators and students. Myanmar, the Occupied Palestinian Territory and Ukraine were among the most affected.² Other grave violations, the recruitment and use of children, their abduction, rape and sexual violence, continued at elevated levels. These violations further compound the impact of conflict on children and cause many children to be the victims of multiple violations.

Sexual violence

29. Conflict-related sexual violence against women, girls, men and boys was reported in 2023 in Cameroon, the Central African Republic, the Democratic Republic of the Congo, Ethiopia, Israel, Mali, Myanmar, Somalia, South Sudan, the Sudan, the Syrian Arab Republic, Ukraine and elsewhere. In 2023, United Nations-verified cases of conflict-related sexual violence increased by 50 per cent compared with 2022. The vast majority of incidents targeted women and girls (95 per cent). In the Central African Republic, service providers registered more than 3,169 cases of gender-based violence, including sexual violence, attributed to armed groups. Women and girls accounted for 50 per cent and 46 per cent of the victims, respectively. Inadequate

² Insecurity Insight figures.

funding for the gender-based violence response programmes meant that only 29 per cent of rape survivors were able to access medical and psychosocial support within 72 hours. In the Democratic Republic of the Congo, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) documented 733 cases, including rape, gang-rape, sexual slavery and forced marriage, accompanied by extreme physical violence, affecting 509 women, 205 girls, 18 men and 1 boy.

30. On 4 March, the Special Representative of the Secretary-General on Sexual Violence in Conflict released findings from her mission to Israel and the occupied Palestinian territory indicating that there are reasonable grounds to believe that conflict-related sexual violence occurred in multiple locations during the 7 October attacks by Hamas and other armed groups, in Israel and that there was clear and convincing information that sexual violence has been committed against hostages and reasonable grounds to believe that such violence may be ongoing against those still in captivity. While the scope of the visit in the occupied West Bank did not include verification, the Special Representative stated that she had received information about various forms of sexual violence, as well as sexual harassment and threats of rape against Palestinian men and women in detention settings, during house raids and at checkpoints in the West Bank. (S/2024/292). Myanmar saw an increase in sexual violence, attributed to the military and compounded by the lack of community-based protection, displacement, family separation and the scarcity of essential goods. In the Sudan, at least 118 people were verified to have suffered conflict-related sexual violence from April to December, including rape and gang-rape.

Persons with disabilities

31. Persons with disabilities were impacted disproportionately by conflict and its aftermath in 2023. In Afghanistan, for example, they faced physical, communication, institutional and attitudinal barriers to accessing assistance. In Myanmar, the destruction of homes by warring parties led to casualties among persons with disabilities and older persons who were unable to flee, resulting in their death by fire in some cases. In north-east Nigeria, persons with disabilities were killed after they remained in areas of conflict or under the control of armed groups. Women with intellectual and psychosocial disabilities, in particular older women, were killed due to accusations of witchcraft. In Gaza, persons with disabilities and older persons were unable to evacuate, lacked safe passage and accessible transport or were unable to use assistive devices on destroyed roads and remained in their homes at risk of attack. In Ukraine, from February 2022 to September 2023, the number of persons with disabilities surged from 300,000 to approximately 3 million as a result of the conflict, underlining the role of conflict, and the use of explosive weapons in particular, in causing temporary or permanent impairments. Whether in Gaza, the Sudan, Ukraine or elsewhere, many of those affected lack access to medical and rehabilitation services, and many more civilians will be at risk of future impairment from explosive remnants of war.

Journalists

32. In 2023, the United Nations Educational, Scientific and Cultural Organization recorded 71 killings of journalists, of which 35 occurred in armed conflict in Colombia, Mali, the Occupied Palestinian Territory, Somalia, the Sudan, the Syrian Arab Republic, Ukraine and Yemen. Twenty-one of those killed were Palestinian journalists in Gaza. A further two journalists were killed in Israel as a result of violence related to the situation in Gaza, while three were killed in Lebanon following exchanges of fire across the Blue Line.

Missing persons

33. The International Committee of the Red Cross registered 40,000 new missing persons cases in 2023 and was following more than 212,000 cases, the majority of which were related to armed conflict. This is the highest ever number of annual registrations, an increase in large part due to the conflict in Ukraine, where some 23,000 people are missing. In June 2023, the General Assembly established the Independent Institution on Missing Persons in the Syrian Arab Republic to help clarify the fate and whereabouts of missing persons in the Syrian Arab Republic and to support victims, survivors and the families of those missing, in close cooperation with all relevant actors.

D. Efforts to provide assistance, protect civilians and seek accountability

Humanitarian action

34. Widespread and persistent constraints on humanitarian access jeopardized humanitarian operations and the ability of affected populations to meet their basic needs in several conflicts in 2023. Besides active hostilities and logistical challenges, the most severe constraints were attacks against humanitarian workers and bureaucratic impediments.

35. With regard to the former, 91 humanitarian workers were killed, 120 wounded and 53 abducted in 14 conflicts in 2023, not including the Occupied Palestinian Territory.³ National staff constituted the vast majority (90 per cent) of those affected. In Afghanistan, 168 incidents of violence against humanitarian workers were reported, as well as the detention of 170 workers. In the Central African Republic, 169 incidents were reported, including one fatality and multiple detentions. In the Democratic Republic of the Congo, there were 239 reported incidents, resulting in 2 fatalities, 17 injured and 26 abducted. South Sudan saw 198 incidents, including the killing of four humanitarian workers. In neighbouring the Sudan, 20 humanitarian workers were reportedly killed, 34 detained and 33 injured. In Ukraine, 15 humanitarian workers were killed in 2023 and 35 injured. In Gaza alone, UNRWA lost 142 staff members in conflict-related violence from October to December. The United Nations Development Programme and WHO also lost a staff member each.

36. Bureaucratic impediments were reported in Afghanistan, Burkina Faso, Cameroon, the Central African Republic, Colombia, the Democratic Republic of the Congo, Iraq, Mali, Myanmar, the Niger, Nigeria, the Occupied Palestinian Territory, the Philippines, Somalia, South Sudan, the Sudan, the Syrian Arab Republic, Ukraine and Yemen. Afghanistan saw a surge in bureaucratic and administrative challenges following the de facto authorities' introduction of new procedures for coordinating humanitarian action. From January to December, more than 1,775 access challenges were reported, including interference in humanitarian programming and movement restrictions. Operations were further undermined by the ban in December 2022 on Afghan women working for non-governmental organizations and the subsequent severe restrictions on United Nations female national staff introduced in April 2023. In Iraq, humanitarian actors reported 20 access incidents, mostly relating to administrative restrictions.

37. In Myanmar, humanitarian actors were subject to a new compulsory registration regime involving lengthy administrative procedures, as well as movement

³ Humanitarian Outcomes, "2023", Aid Worker Security Database. Available at www.aidworkersecurity.org/.

restrictions. Furthermore, the military, contrary to humanitarian principles, made decisions on who would receive assistance and the timing and type of assistance. Humanitarian actors in the Occupied Palestinian Territory faced severe restrictions that intensified following 7 October. These included denials of planned missions, prolonged delays at checkpoints, closure of crossing points, restrictions on the entry of critical items, communications equipment, protective gear and armoured vehicles and lack of issuance of visas. In Somalia, access was constrained by flooding and by interference in humanitarian activities by armed groups, as well as movement restrictions owing to military operations. In the Sudan, 1,107 access incidents were reported from April to December 2023, including 213 incidents related to bureaucratic impediments, as well as the looting of humanitarian supplies. Humanitarian organizations in Ukraine reported 227 incidents affecting their operations in 2023, as well as the continued inability of humanitarian convoys to cross the front line into the territories of Ukraine temporarily controlled or occupied by the Russian Federation. In Yemen, more than 1,411 access constraints were reported, including interference in humanitarian programming and visa and movement restrictions.

38. In Burkina Faso, misinformation and disinformation discrediting humanitarian actors affected public perception, undermined trust, created security risks and hindered efforts to assist populations in need. Misinformation, disinformation and hate speech, especially on digital platforms, are an increasing challenge in the protection of civilians and for the broader delivery of the mandates of the United Nations. In response to this broad and accelerating challenge, the Secretary-General published a policy brief in 2023 to advance a code of conduct for information integrity on digital platforms. Through extensive multistakeholder dialogues, the code of conduct has evolved into a set of global principles for information integrity and will be published in 2024.

39. Sanctions and counter-terrorism measures challenged impartial humanitarian activities, despite progress in overcoming some of their unintended effects with the adoption of Security Council resolution [2664 \(2022\)](#). States implemented domestic and regional measures to implement the resolution, and some States and the European Union adopted similar humanitarian exemptions under their own sanctions. However, humanitarian actors still faced financial and logistical hurdles and operational delays in some contexts owing to overlapping counter-terrorism, United Nations and unilateral sanctions, de-risking by the private sector and donor fears that humanitarian activities could incidentally benefit targeted actors.

Peacekeeping and special political missions

40. The protection of civilians remained a priority objective of peacekeeping, with 96 per cent of peacekeepers serving in missions with protection mandates. In addition to protecting civilians at their bases and in internally displaced persons and refugee camps, peacekeepers continued to adjust their proactive deployment postures to deter violence and armed groups. In South Sudan, the United Nations Mission in South Sudan (UNMISS) extended its reach through temporary operating bases and long-range patrols and continued to establish integrated presences with civilian and uniformed personnel in remote locations. This enhanced the confidence of communities and capacities of local authorities and enabled unimpeded movement of civilians, in particular in Unity State. In the Democratic Republic of the Congo, timely intervention by peacekeepers helped thwart more than a dozen attacks against civilians by armed groups. Proactive posture and good offices by MONUSCO also contributed to the relatively peaceful conduct of the 2023 elections. In areas of the Central African Republic, where clashes between armed groups and national forces escalated, the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) conducted robust patrols to protect

civilians, deterring reprisals. In other identified hotspots, MINUSCA intensified joint patrols with national forces or established a protective presence. Following the events of 7 October in Israel, the United Nations Interim Force in Lebanon (UNIFIL) coordination and liaison role between parties on both sides of the Blue Line has proven critical to deconflicting activities, de-escalating tensions and mitigating harm to civilians.

41. Nonetheless, the challenges of protecting civilians varied by context and changed quickly in some missions. In several contexts, threats of physical violence against civilians increasingly included cross-border threats. The withdrawal of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) following the termination of its mandate and the departure of peacekeepers from Mali in late 2023 led to protection gaps. The termination of the 2015 peace agreement in January 2024 raises the risk of renewed violence that threatens civilians in Mali. While MONUSCO continued efforts to disengage in a progressive and responsible manner from South Kivu, there are concerns that this could create important gaps in the protection of civilians. MONUSCO continued to adapt to the presence of shifting armed actors in the east.

42. In partnership with regional organizations, the United Nations continued its efforts to enhance civilian harm mitigation in its own operations, recognizing its important role in advancing this agenda. Following the adoption of Security Council resolution [2719 \(2023\)](#) on United Nations funding to African Union peace support operations, in which the Council emphasized that such operations must ensure that the protection of civilians was prioritized in the planning of African Union-led peace support operations, the United Nations will continue to share the experience and expertise gained from 25 years of protection of civilians mandates in its peacekeeping operations.

43. Special political missions also contributed to the protection of civilians through the implementation of their mandates in child protection and children in armed conflict, conflict-related sexual violence and human rights in several countries, including Afghanistan, Libya, Iraq and Somalia.

Accountability for international crimes

44. Progress was made in 2023 towards accountability for international crimes. This included the extension of the mandate of the Special Criminal Court in the Central African Republic until 2028 and the appointment of a Special Public Prosecutor for conflict-related sexual violence. In Colombia, the Special Jurisdiction for Peace continued public hearings and formally opened an investigation into sexual and gender-based violence committed on the basis of sexual orientation or gender identity. In the Democratic Republic of the Congo, 10 mobile courts were operating from January to August, resulting in 156 convictions for war crimes and crimes against humanity. The Democratic Republic of the Congo also saw the first prosecution by a national court of the crime of forced pregnancy.

45. In Ukraine, the authorities launched or continued criminal investigations into allegations of war crimes. They also began investigating the destruction of the Kakhovka dam and other environmental damage resulting from the conflict as possible ecocide crimes under the Ukrainian criminal code. That there are only a handful of States that have criminalized ecocide is a reminder of the need to establish a crime of ecocide at the international level. Advancing accountability for environmental damage in armed conflicts also requires that international and national courts consider more systematically existing international crimes committed by means of, or that result in, environmental damage.

46. Other examples of accountability efforts included the conviction by courts in France of two Rwandans for genocide and crimes against humanity, in May and December, and the conviction in Belgium of two other Rwandans, for genocide and war crimes, in December. In February and July, German courts convicted two Syrians of war crimes committed during the conflict in the Syrian Arab Republic.

47. At the International Criminal Court (ICC), proceedings began or continued against individuals accused of international crimes in the Central African Republic, Darfur and Mali. In March 2023, ICC issued arrest warrants for the alleged war crimes of unlawful deportation of population (children) and of unlawful transfer of population (children) from occupied areas of Ukraine to the Russian Federation.

III. Reframing our approach to the protection of civilians

48. The twenty-fifth anniversary of the protection of civilians agenda provides an opportunity to reflect on what it means to protect civilians in contemporary armed conflicts and to begin to elaborate a more holistic approach that has meaning for all civilians affected by conflict, both now and in the future.

A. The need for legal compliance

49. The protection of civilians is, first and foremost, the responsibility of parties to conflict. Civilian harm would be reduced if parties complied with their obligations under international humanitarian law and human rights law and if third States took the necessary steps to ensure respect for international humanitarian law by parties to conflict, as required by that law. It is logical, therefore, that strengthening compliance with the law and accountability for its violation have been central to the protection of civilians agenda since its inception.

50. The Security Council, in its first protection of civilians resolution, in September 1999 (resolution [1265 \(1999\)](#)), expressed deep concern at the erosion in respect for international law in conflict and urged all parties to comply with their obligations. It called on States to ratify the key international treaties and to take legislative, judicial and administrative measures to implement them. It emphasized the responsibility of States to prosecute persons responsible for genocide, crimes against humanity and serious violations of international humanitarian law. Similar provisions are to be found in the Council's subsequent resolutions on the protection of civilians⁴ and in an increasing number of situation-specific resolutions. The Council has also taken steps to strengthen accountability, including establishing criminal tribunals and other mechanisms and referring situations to ICC ([S/2019/373](#), paras. 20–22).

51. Strengthening compliance has also been central to the reports of the Secretary-General⁵ since 1999. In his reports, he has consistently called for compliance with international humanitarian law, for States to ratify the relevant international treaties and recommended actions to strengthen implementation of the law. These include calls on States and non-State parties to conflict to train combatants on the law; to issue manuals, orders and instructions setting out their obligations; to ensure the availability of legal advisers; and to ensure that orders and instructions are observed.

52. The current state of the protection of civilians is grave, requiring urgent and concerted efforts to strengthen compliance by warring parties with the law and ensure accountability for international crimes and other serious violations, including through

⁴ Resolutions [1296 \(2000\)](#), [1674 \(2006\)](#), [1738 \(2006\)](#), [1894 \(2009\)](#), [2175 \(2014\)](#), [2222 \(2015\)](#), [2286 \(2016\)](#) and [2417 \(2018\)](#).

the measures recommended in the previous reports of the Secretary-General on the protection of civilians.

B. Complementing compliance with a focus on civilian harm

53. As critical as strengthened compliance and accountability are, it is essential to complement this approach with a focus on the harm that civilians experience in contemporary conflicts and the actions required to prevent or mitigate that harm, even when parties claim to be in compliance with the law.

54. Civilian harm in contemporary conflicts has multiple sources and is complex, overlapping, cumulative and long term. For example, it can be direct, in the form of death, injury and mental trauma. It can often be indirect, resulting from the destruction of critical infrastructure such as hospitals, water and power systems, as well as transport networks and agricultural and other means of production which impact the provision of essential services and health care and the availability of food and other essentials, leading to hunger, disease and further civilian deaths. Civilian harm is inherent in the displacement of civilians, who are at risk of further violence of different forms and have limited, if any, access to food, water, shelter and other assistance, causing yet further harm. Civilian harm also raises important gender, age and disability-related concerns.

55. The sources of civilian harm are also evolving. The present report contains references to environmental damage, the climate emergency and the malicious use of digital technologies, including the dissemination of misinformation and disinformation, as compounding civilian harm. Developments in the use of artificial intelligence and autonomous weapons systems may further increase the risks for civilians. They underline the need for a legally binding instrument to prohibit autonomous targeting of humans by machines, along with autonomous weapons systems which function in such a way that their effects cannot be predicted, and to impose clear restrictions on all other types of autonomous weapons systems. In addition, so-called “large-scale combat operations”, which are the subject of increased attention from some States and military organizations, would be devastating for civilians. Large-scale combat operations are characterized by high-intensity warfare, involving extensive joint combat operations, often in urban areas, with multiple corps and divisions against a peer or near-peer adversary. They are considered more intense and destructive than limited contingencies, and call for careful review as to whether such operations may raise the risk of causing heavy civilian casualties.

Towards a more holistic approach to the protection of civilians

56. The patterns and types of civilian harm that are seen in contemporary conflicts cannot always be attributed to, or clearly identified as resulting from, violations and may occur even when parties are acting in compliance with or claim to be complying with the law. Protecting civilians, both now and in the future, therefore requires a broader approach that is aimed at addressing the full range of civilian harm.

57. First, a focus solely on compliance with the law can imply that “incidental civilian harm” resulting from attacks that are lawful under international humanitarian law is acceptable. However, every day, civilians are killed and injured and experience long-term suffering as incidental harm that may be considered lawful. That the incidental harm is acceptable under the law does not change the reality of the experience or lessen its practical impact on the lives of those affected, even if it results, in very limited situations, in compensation.

58. This is complicated by the fact that parties to conflict do not interpret and apply international humanitarian law in a uniform manner and have different understandings of what compliance looks like. For example, not all parties share the same understanding of how the obligation to take feasible precautions should be implemented, since the party's capabilities and the circumstances of each attack vary.

59. Second, in the application of the principle of proportionality, some parties do not factor in the accumulation of civilian deaths and injuries, and damage to civilian objects, that result from multiple attacks over time. Nor do they necessarily factor in the full range of sources of harm in armed conflict, in particular the indirect effects of conflict, such as the partial or complete destruction of essential infrastructure, individual mental and societal trauma or socioeconomic decline.

60. Third, a compliance-centred approach has tended to politicize civilian harm as States and other actors assert which attacks are lawful or unlawful not on the basis of detailed evidence or formal legal judgements but on the basis of whether the party in question was an adversary or not. Civilian harm arising from the actions of one's own or partner forces may be assumed to be lawful or treated with doubt or dismissed, while harm arising from the actions of parties that one is opposed to is characterized as unlawful. A civilian harm-centred approach can help to avert such political distortion by focusing on victims rather than parties.

61. If the protection of civilians agenda is to have meaning for all civilians affected by conflict, it is essential to work towards the full protection of civilians, to adopt an approach whereby protecting civilians is an ongoing and evolving challenge and goal, with the aim of strengthening compliance and accountability while also seeking to understand the complexity of civilian harm and identify effective legal, policy and operational responses to address it.

Waypoints towards the full protection of civilians

62. If one imagines the full protection of civilians as lying at one end of a spectrum of protection, important waypoints already exist along that spectrum, not least full compliance with international humanitarian law. However, additional waypoints that move us closer towards the full protection of civilians are emerging at the global, regional and national levels and can be further built and expanded upon.

63. At the global level, the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas is an important manifestation of the full protection of civilians approach: it elaborates the nature and complexity of civilian harm resulting from the use of explosive weapons in populated areas and commits endorser States to respond through domestic policy measures. This includes a commitment to ensure that their armed forces adopt and implement policies and practices to avoid civilian harm by restricting or refraining from the use of explosive weapons in populated areas, when such use may be expected to cause harm to civilians or civilian objects. The harm does not need to be potentially unlawful to warrant restrictions. There need only be the possibility that harm may occur.

64. Endorser States have also committed to ensuring that their armed forces, including in their policies and practices, take into account the direct and indirect effects on civilians and civilian objects which can reasonably be foreseen in the planning of military operations and the execution of attacks in populated areas. The elaboration in the Declaration of reasonably foreseeable effects, as contained in the preamble, is arguably broader than the way in which such effects may be understood by some States and parties to conflict under international humanitarian law but accurately reflects the patterns and types of harm observed in contemporary conflicts.

65. Reference should also be made to the 2015 Safe Schools Declaration, through which 119 States endorsed the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict – a set of non-legally binding, voluntary guidelines that reflect existing good practice and provide guidance to further reduce the impact of conflict on education. They further agreed to use the Guidelines and bring them into domestic policy and operational frameworks as far as possible.

66. At the national and regional levels, as reported previously, there have been important developments towards the adoption of protection of civilians policies or the introduction of processes and tools aimed at better understanding and mitigating civilian harm which move us closer towards the full protection of civilians. These include the establishment in February 2021 by the New Zealand Defence Force of a standardized procedure for responding to civilian casualty reports arising from military activity in armed conflict overseas. Furthermore, the North Atlantic Treaty Organization (NATO), in its revised joint targeting doctrine issued in November 2021, established a casualty tracking mechanism as part of the targeting cycle which will be invaluable in helping to understand, respond to and prevent civilian harm. More recently, in December 2023, the United States Department of Defense released its Instruction on Civilian Harm Mitigation and Response which builds upon the earlier 2022 Civilian Harm Mitigation and Response Action Plan. The Instruction takes an expansive view of civilian harm to include civilian casualties and damage to, or destruction of, civilian objects resulting from military operations as well as other adverse effects on civilians and the personnel, organizations, resources, infrastructure, essential services and systems on which civilian life depends resulting from such operations. It also observes that mitigating civilian harm goes beyond compliance with the law and encourages commanders to take additional protective measures.

67. An important commonality between some of these instruments and policies is their broad understanding of civilian harm. With this in mind, an additional waypoint towards the full protection of civilians would be a more developed understanding of the nature, patterns and types of civilian harm in contemporary conflicts. Some have, for example, recommended a public health approach as a means of better understanding the harms that conflict inflicts on a population's health and well-being and illuminating more successful entry points for legal and policy responses.

68. Strengthened implementation of international human rights law in armed conflict is another waypoint. To illustrate, consideration of international human rights law was largely absent from the consultations on the Political Declaration on Explosive Weapons. However, human rights law continues to apply in situations of armed conflict, subject to certain derogations and limitations, and contains additional protections for civilians which must also be implemented. In February this year, the Secretary-General launched the Agenda for Protection and pledged the support of the United Nations system to States in fulfilling their responsibility to promote and protect human rights in times of peace and conflict. It is important to view the protection of civilians in armed conflict through a human rights lens, including reflecting on the extent to which contemporary conflict impacts on the enjoyment of rights such as the right to an adequate standard of living and to a healthy environment.

IV. Recommendations

69. The present report has begun to outline a more comprehensive approach to protecting civilians, including identifying different waypoints that lead towards the full protection of civilians. Moving forward, it is recommended that:

(a) States and parties to conflict redouble their efforts to strengthen compliance with international humanitarian law and ensure accountability for violations, including as recommended in this and previous reports on the protection of civilians;

(b) States, parties to conflict, United Nations actors and international and civil society organizations promote and strengthen the implementation of international human rights law in situations of armed conflict; and ensure accountability for violations and abuses;

(c) States, parties to conflict, United Nations actors and international and civil society organizations reflect on the full protection of civilians approach and how they could contribute to its further development and implementation;

(d) States that are yet to do so endorse the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas and the Safe Schools Declaration and all endorser States implement them fully;

(e) States develop a national protection policy that establishes institutional authorities and responsibilities for the protection of civilians and civilian objects in the conduct of military operations. The protection policy should include a broad understanding of civilian harm and, as discussed previously ([S/2018/462](#), paras. 56-61), a proactive approach to its prevention and mitigation, emphasizing accountable leadership and an organizational culture that prioritizes protection of civilians. It should also establish capabilities to track, analyse, respond to and learn from incidents of civilian harm;

(f) States, United Nations actors, international and civil society organizations further develop and improve understanding of the patterns and types of civilian harm in contemporary conflicts, including how it affects different groups such as older persons and persons with disabilities, as the basis for identifying effective legal, policy and operational responses to civilian harm.

V. Conclusion

70. The current state of the protection of civilians is overwhelmingly tragic and serves as a grim and compelling reminder of the urgent need for parties to conflict to take all necessary steps to comply with international humanitarian and human rights law. However, given the nature and extent of the harm to which civilians are exposed in contemporary conflicts, and the risk that harm will intensify as conflict evolves, the focus to date on compliance and accountability must be complemented by an approach that also takes into account the complexity and cumulative nature of the full range of civilian harm and that offers effective legal, policy and operational responses to address it. While the full protection of civilians remains a distant goal, it is one to which all efforts must be directed.
