

# Protection of Civilians in UN Peace Operations: A Functional Approach from Mandates to Realities

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*"The Plight of civilians is no longer something which can be neglected, or made secondary in consideration because it complicates political negotiations or interests. It is fundamental to the main mandate of Organization. The responsibility for the protection of the civilians cannot be transferred to others. "The United Nations is the only international body that has the ability and power to put a halt to these practices."*

- Report of the Secretary-General to the Security Council on the Protection of the Civilians in Armed Conflict 1999.

## Keywords:

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**Abstract:** Civilian protection as a mainstay of United Nations peace operations is an outcome of the failures in Rwanda, Bosnia and Timor-Leste and codified in Security Council Resolution 1265 (1999). This paper draws the thread of armed conflict from states to asymmetrical and urbanized warfare, in which civilians have come to constitute the proportionate majority of the killed. It analyzes the adaptation of peacekeeping mandates by the UN, the mainstreaming of humanitarian agency approaches and implementation of the Responsibility to Protect (R2P). The analysis highlights the three tier PoC framework that includes dialogue and engagement, physical protection and environments for protection and the ever-present challenges of mandate ambiguity, resource deficits, host state consent and the gap between the expectations and operational actuality. By locating Protection of Civilians (PoC) within broader conversations on the topics of sovereignty, governance and humanitarian ethics, the research illuminates the normative relevance, as well as practical limitations of PoC. After all, PoC was and still remains the UN's most significant accomplishment and greatest challenge, requiring greater explicit release of mandate, training and sustained political will to succeed.

## Introduction

Protection of civilians (PoC) is now an essential part of modern-day peace operations. The disasters and crises of UNAMIR, in Rwanda; UNPROFOR, in the former Yugoslavia; and of the UN in Timor-Leste, in the mid-1990s, demonstrated the need for PoC. They prompted the adoption of UNSC Resolution 1265 (1999) as an item of the thematic agenda. The first PoC resolution by UNSC was passed in 1999 (S/RES/1265). This was the first time that an explicit directive was given to a peacekeeping operation that it should do what it can do to defend civilians against bodily assault as in the case involving the United Nations Mission in Sierra Leone (UNAMSIL) (S/RES/1270) (1999). Since the adoption of the PoC mandate, UNSC

policy and practice has increased, particularly in respect of the mandates of UN peacekeeping operations. More than twenty years have passed before an advance in one of the norms can be successfully converted to successful systematic and uniform protection of the civilians on the ground. The PoC Handbook 2020 points out that experience has contributed to providing useful lessons that are currently helping the UN strengthen the credibility and efficacy of peacekeeping. Complexities in the differences between actors during previous missions have benefited the better approaches today in which active participants of today's peacekeeping forces have a constructive role to play in promoting neutral civilian protection.

The realization of PoC is still as difficult today as it has ever been owing to present-day conflicts becoming increasingly complex which is rightly articulated as, no failure did more to damage the standing and credibility of United Nations peacekeeping in the 1990s than its failure to distinguish between victim and aggressor<sup>1</sup>. This paper examines the evolving dynamics of PoC in UN peace operation tracing both historical developments and contemporary challenges. It first analyses the changing nature of armed conflict, and then the UN's effort in adjusting of the peacekeeping mandate to place greater emphasis on the Protection of Civilians (PoC). The discussion then considers the approaches of humanitarian agencies and the Responsibility to Protect (R2P) as frameworks which increase and enhance the level of protection of civilians. Finally, the paper identifies major issues and relevant factors for an efficient UN PoC strategy for complex conflict environments.

### **The Changing Pattern of Armed Conflicts and Vulnerability of Civilians**

Armed conflict has gone through a profound transformation and hence changed radically throughout the centuries, from large-scale interstate wars between States and increasingly more devious battles inside States and in asymmetries - one between strong and weak or using points of insurgents in particular areas. Yet one tragedy never changes - it's the civilians who suffer the most as victims. In modern conflict there is now rarely as rise to any more traditional open battlefields, cities and their centers are now highly populated, thus blurring the lines of be considered combatants or refugees and exacerbating both the death toll and humanitarian issues (ICRC, 2020; OCHA, 2021).

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<sup>1</sup>Brahimi Report, A/55/305-S/2000/809 of 21 August 2000, p. ix

Historically, the wars were between one or more organized armies in battle fields where civilians had been more or less left on the sidelines. Through the course of time, however, this dynamic dramatically changed. As Ramesh Rajasingam, Director of Coordination UN Office for the Coordination of Humanitarian Affairs (OCHA) says in reference to the UN Secretary-General's Report on the Protection of Civilians in Armed Conflict (S/2022/381) nowadays civilian victims are the new losers of armed conflict (United Nations Security Council, 2022; OCHA, 2022). Mary Kaldor (2013), in his ground-breaking work *New and Old Wars: Organized Violence in a Global Era*, highlights this change in perspective: "One hundred years ago, about 10% - 15% of victims of war were civilians today, yet about 16% - 20% of deaths are civilians" (p. 89). "There is no doubt that by the Second World War this had risen to close to 50% and in the 1990s civilians were responsible for between 80 and 85% of those who lost their lives in armed conflict - and this trend has continued, if not increased, into the twenty-first century" (Kaldor, 2013, p. 112). This increased percentage of civilian casualties illustrates the need for strong frameworks to protect civilians which to this day are still models that the UN is in the process of refining as they go about their peacekeeping strategies.

The brutal transformation of warfare, from interstate conflict of wars, to internal wars, proxy war and insurgencies have swallowed civilian populations head-on (Geneva Academy, 2021). Twenty-first century conflicts are increasingly being illuminate asymmetrical and urbanized and non-state actors, insurgencies, and hybrid forces are helping to insinuate themselves within civilian communities. Such tactics make use of civilians as shields or uses their sufferings in attempt to procure political legitimacy. In response, the traditional armies face serious ethical and tactical quandaries as they attempt to minimize the level of collateral damage whilst waging war against their adversaries who seek to muddy the boundaries of combatant and civilian (ICRC, 2020; Slim, 2016).

Recent wars, such as the war between Russia and the Ukraine provides us some of the devastating consequences of such dynamics. Civilian infrastructure, including of hospitals, schools and where people live, have been repeatedly been targeted or intentionally attacked and led to the mass displacement and breakdown of vital services, as well as acute humanitarian disasters (Human Rights Watch, 2023 UNHCR, 2023). These examples point the importance of having humanitarian-centered approaches to peacekeeping and adaptable approaches to PoC that are able to respond to the realities of modern conflict.

The changing face of armed conflict has meant that not only have civilians become more vulnerable to direct effect, but because of this conflict has already made them more vulnerable to the indirect effect of conflict. Contemporary armed conflict is being increasingly unfolded and exposed to asymmetric setting and urban environments. In these contexts, there may be an attempt by non-state armed groups to employ tactics that target, or expose civilian populations to, violence, and that are designed to maximize this outcome, and this may also be compounded by conventional forces and their partners in their military responses. These trends have severe implications for the civilians who are trapped or forced to flee fighting between belligerents, and humanitarians and others who are trying to address issues of protection<sup>2</sup>. Beyond having immediate implications on their physical canons, the impact of the destruction of critical infrastructure facilities, including water systems, electricity networks and health facilities, by the conflict leads to prolonged hardship, increased vulnerability and also takes heavy tolls on civilians<sup>3</sup>. Disease epidemics, famine and forced dislocation add to the humanitarian cost while economic collapse and psychological trauma make the effects of war far-reaching and extend well beyond the battlefield. These indirect consequences are often more devastating in terms of long-term consequences than the direct violence leaving generations of impoverished and displaced populations (UNHCR, 2023; OCHA, 2022).

### **UN Peacekeeping: Evolution and Commitment to the Safeguarding of the Civilians**

The emergence and creation of United Nations in 1945, were the results of devastation of the World War II with one central mission, that of maintenance of International peace and security. Since 1948, the UN has been accomplishing this task, through helping to prevent conflict, when conflict arises it helps parties in conflict, it deploys peace keepers and creates the conditions to allow peace to take hold and flourish<sup>4</sup>. Peacekeeping has proved to be one of the best tools that the UN has in helping countries to navigate the difficult path from conflicts to peace<sup>5</sup>. But this journey, it has never been easy. Since 1948, over two million women and men have carried out their duties as UN peacekeepers. Tragically some make the ultimate sacrifice - over 3500 peacekeepers had lost their lives in the cause of peace<sup>6</sup>.

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<sup>2</sup> civiliansinconflicts.org-POC:20 Twenty years of the Protection of civilians, Challenges, Progress and Priorities for the Future

<sup>3</sup> Un.org/en/our-work/mam

<sup>4</sup> Ibid

<sup>5</sup> Peacekeeping.un.org

<sup>6</sup> POC Handbook 2020

Countless lives have been saved by UN Peacekeeping efforts since then, but by no means without failings. In the Brahimi Report (2000), additional decision-making and mandates and deployment reforms were recommended. Civilian protection became one of the obvious aims of peace keeping and while the implementation is complex the UN still strives to perfect its strategies. In "Understanding Peacekeeping", Alex J Bellamy and Paul D Williams identify four inter-related variables, which explain UN peace operations have evolved, which reflect the increasing responsiveness of the Security Council to the Protection of Civilians agenda: Although resolutions with respect to the issue of the protection of civilians had been adopted in the early 1990s, the issue was brought into real prominence with some during the latter part of the decade. A turning point in August 1999 when Canada successfully moved in the Council with a statement by the President demanding that the Secretary-General prepare a report on how to strengthen the security of civilian components with a commitment for regular review. Since this time the Council has made a point of holding periodic (biannual) open debates on PoC, which signal the fact that attention has been given on a regular basis. This responsiveness was reinforced by a report in 2000, the Brahimi Report, which advocated for strengthening the UN's ability to carry out varying missions, as well as an emphasis on the fact that peacekeepers seeing acts of violence against civilians should be assumed to have power to intervene, if they had the capacity. At the same time, broad mandates that may be impossible because of the extent of threats or low resources should be avoided, the report said. Together these developments have shown how the UN have tried to devise a more effective and practical approach to PoC, all about ensuring that the protection of activities are made integrated in order to ensure safety before, during and after potential threats to civilian population. The mission reacts with some of the action of PoC in four phases which are represented in Table 1.

**Table 1.** Four Phases of Response in PoC Mandate

Serial	Phases	Theme
1.	PREVENTION	Where no clear threat to civilians has been identified
2.	PRE-EMPTION	Where likely threats are identified, and attacks against civilians are anticipated
3.	RESPONSE	Where attacks against civilians are imminent or occurring
4.	CONSOLIDATION	Where violence against civilians is subsiding

Source: UN DPKO-DFS CPTM Version 2017 - page 20 module- 2-Lesson 2.5: Protection of Civilians

### Humanitarian Agency Approaches

Agencies such as ICRC, UNHCR, UNICEO, OCHA engage with complementary protection strategies which include anything from legal protection to dignity programming. The concept of protection (traditionally seen by humanitarian agencies as the legal protection of individual human rights) began to change in the 1990s with development of what Duffield called the "new aid paradigm." This paradigm stressed on the close prevalence of security and stability with the humanitarian concerns of social and economic development and good governance with human rights (Cooper & Pugh, 2002, p. 14). While humanitarian agencies are not always in a position to physically guarantee the safety of civilians from imminent danger, their contribution to the broader agenda of protection has a role to play. Working on the structural vulnerabilities, which are understood through the promotion of legal safeguards, and on governance and development initiatives, humanitarian actors build to a framework of easier defense of civilian populations, which complements the UN's developing strategies to PoC<sup>7</sup>.

Table 2 below provides an overview of protection approaches by different humanitarian agencies.

**Table 2.** Approach to Protection by Humanitarian Agencies

Name of Agency	Approach to Protection by Humanitarian Agencies
ICRC	Protection encompasses activities aimed at preventing and/or ending violations of international humanitarian law and ensuring that authorities and belligerents meet their legal obligations.
UNHCR	Measures ensure that people of concern to the UNHCR have equal access to and enjoyment of their rights under international (refugee) law.
UNICEF	Protection means freedom from violence, injury, or abuse, neglect, maltreatment, or exploitation.
OCHA	Activities aim to ensure respect for individuals' rights in accordance with international human rights law and refugee law.
IRC	Activities aim to ensure full respect for the rights of the individual in accordance with international law.
WFP	Programming designed to promote safety and dignity.

<sup>7</sup> Understanding Peace keeping- Alex Bellamy and Paul D Williams

OXFAM	Protection is understood as safety from violence, coercion, and deliberate deprivation.
Save the Children	Protection is described as freedom from violence, injury, or abuse, neglect, maltreatment, or exploitation.

Source: Understanding peacekeeping - second edition by Alex J Bellamy and Paul D Williams paraphrased from O'Callaghan and Pantuliano (2007:13).

**Responsibility to Protect (R2P)**

Protection of Civilians in peace operations is the Responsibility to Protect (R2P) which was unanimously agreed to by UN member states at the World Summit in 2005. R2P offers three main responsibilities: firstly, every state bears the primary responsibility to protect its population from four masses atrocities crimes - genocide, war crimes, crimes against humanity and ethnic cleansing, secondly, that the wider international community has a responsibility to encourage and assist states in fulfilling this responsibility; and thirdly, that if a state is manifestly failing to protect its population, the international community must be willing to embark on decisive and timely collective action in accordance with the UN Charter. Over the years, peace operations have come to be understood as one of the prime mechanisms for operationalizing R2P, as a way of providing a practical solution to save lives of civilians under the imminent threat and reinforcing the UN’s evolving strategy to address the complexities of a threat and strengthen UN's changing strategy to deal with the complexity of modern conflict<sup>8</sup>.

These factors contribute to the implementation of the Three-tier Framework in the United Nations Resolution<sup>9</sup>. As a result, as the 2010 Operational Concept for the PoC developed and evolved the UN protection strategies were formalized to a 3-tier structure: Protection through dialogue and engagement (Tier 1), Physical Protection (Tier 2) and Establishment of a protective environment (Tier 3). The three-tier approach has resulted in a change in the traditional orientation of peace keeping. In his recent article, "Protection Trinity: Assessing the three-tier Framework in United Nations Resolutions", Andrea Knapp mentioned physical protection cluster (Tier 2) and is more numerous in respect of Tier 1 and 3. While Tier 2 is often in front and center, all tiers help build up-resilience and a long-term peace. As such, the use of United Nations adopted strategy is key to effective PoC.

<sup>8</sup> POC Handbook 2020

<sup>9</sup> Andera Knapp, Protection Trinity: Assessing the Three-tier Framework in United Nations Resolution

The three tiers are shown in Figure 1.



**Figure 1.** Three tier Framework in United Nations Resolutions (Source: Author's Construct from Andrea Knapp's article, " Protection Trinity: Assessing the three-tier Framework in United Nations Resolutions)

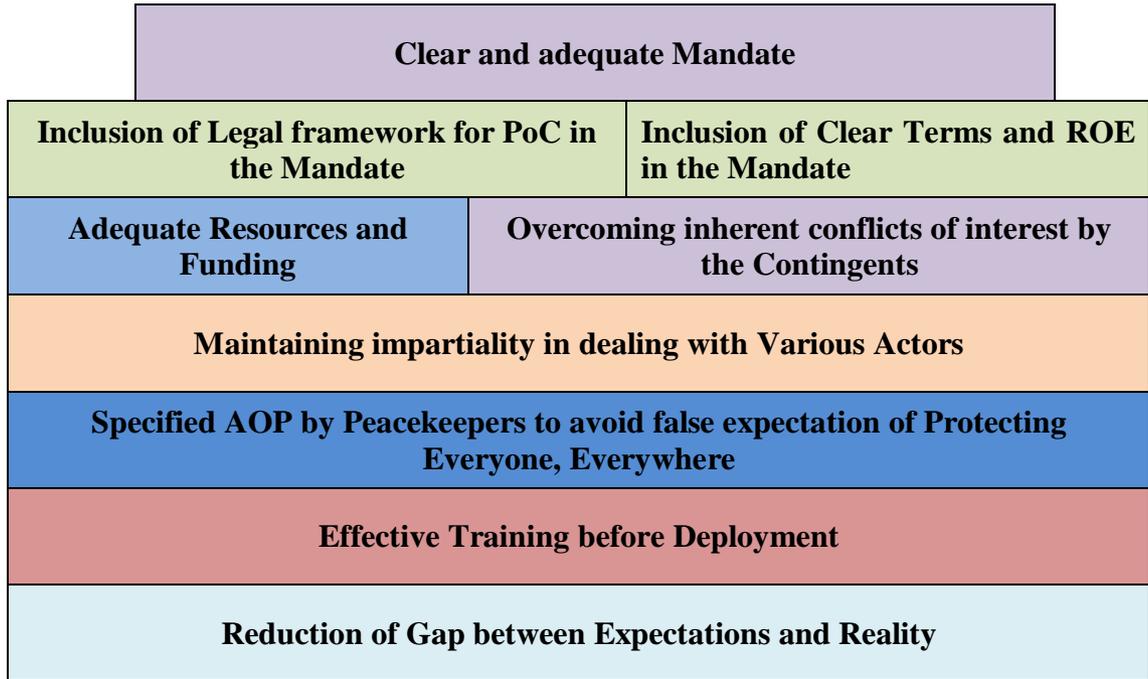
### **Navigating Challenges in Implementing Civilian Protection Mandates**

*"I would argue that all peacekeeping operations, whatever the mandate, ultimately are about the protection of civilians . . . POC in addition to being one of the greatest achievements of peacekeeping, is probably our greatest challenge as well."*

-Jean-Pierre LaCroix, UN Under-Secretary for Peacekeeping Operations

Since 1999, UN peacekeeping operations have made notable progress in protecting civilians, yet their effectiveness remains constrained by persistent challenges. Converting mandates into operational practice on ground remains as a challenge due to its scarcity of clarity. The prevalence of difference between increased responsibilities and constraint resource and funding remains as a paradox as regards to implement the PoC agenda. The requirement of host-countries consent often limits the deployment and slows down protection efforts. The notion of becoming more assertive by host-countries also reduces the freedom of movement for UN personnel and restricts access to areas of concern. Despite these obstacles, the UN's evolving PoC strategy, with more explicit mandates, better planning, enhanced training, allocation of required resources would facilitate and creating the enabling environment which in turn strengthen the ability of peacekeeping operations to protect civilians in a complex an devolving conflict environments. The cardinal factors of PoC strategy approach of the UN are furnished within Figure 2.

**CARDINAL FACTORS FOR EFFECTIVE UN POC STRATEGY APPROACH**



**Figure 2.** Cardinal Factors for an Effective UNPoC Strategy

**Clear and Adequate Mandate:** The UNSC needs to pass clear, credible and achievable mandates for protection of civilians along with the specific resources needed to carry out those mandates. Internal UN reviews during the last 20 years have identified the same basic gaps in UNSC support to peacekeeping missions, in particular on the issue of clarity of mandates and expectations<sup>10</sup>. In this context, the Security Council needs to consult with all troop- and police contributing countries deployed to carry out the mission when mandates for peacekeeping missions are under consideration and may be altered accordingly.

**Inclusion of Legal Framework in the Mandate:** The legitimacy of mandate is obtained through the inclusion of legal framework as a fundamental element. The framework mandate that all actions, particularly the use of force should be in line with International Humanitarian Law (IHL) which provides the legal basis for, but

<sup>10</sup> HIPPO report-2015

also constraints on, the use of force to protect civilians under imminent threat of physical violence. Therefore, the UNSC would do well to pay special attention to incorporate such provision while drafting the mandate to operationalize the peacekeepers and the use of force in a legal defined framework.

**Clarity of Terminology and Specific Rules of Engagement (ROE):** Clarity of terminology and ROE are critical and often considered as “Achilles heel” of PoC mandates in UN peace operation. The detailed, mission-specific ROE are necessary to provide clear, actionable instructions for troops facing fast-moving and complex threat.

**Adequate Resources and Funding:** The adequate resources and funding are crucial for conducting effective peace operation as POC remains as a core mandate for over 95% of peace keepers. Budget limitations limit the mobility of peacekeepers and significantly impact to the capacity to respond to threat in vast remote areas. In this context, the Brahimi report has correctly recommended, if an operation is given any mandate to protect civilians it must be given the specific resources necessary to accomplish that mandate<sup>11</sup>.

**Overcoming Conflict of Interest before Deployment:** Peacekeepers are no substitute to political engagement to address the hidden and main causes of conflict and violence. As a result, contingents have trouble, at times, working on their own without the consent of the host nation. Therefore, robust pre-deployment vetting and preparation, ensuring units on ground are not affiliated with, or beholden to, any party involved in the conflict.

**Maintaining Impartiality in Dealing with Various Actors:** Ensuring impartiality is critical by the troops on ground which does not mean neutrality in the face of atrocities, but rather even-handedness in implementing the mandate against any party violating it.

**Defined Area of Operation by the Peacekeepers:** Peacekeepers operating in conflict zones cannot help provide for the protection of all the civilians suffering harm especially where the forces do not have effective control. The area of operation (AOP) of the peacekeeper should be well defined in order to operate effectively and not give a false impression that it can protect everybody everywhere.

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<sup>11</sup>Brahimi Report(UN 2000:111)

**Effective Training before Deployment:** Effective training to all deployed troops to mission by TCC on the PoC role is a key pre-requisite for achieving peace. High degree of training and preparedness by the sector and the commanders of contingency forces for peacekeeping operations, in particular the protection of civilians is very important. This has also been reflected in Kigali Principles.

**Reducing the Gap Between Expectation and Reality:** The gap between the expectation and reality can only be reduced by having a clear mandate, adequate funding, effective training before deployment, maintaining impartiality, resources and a clear ROE.

### **Conclusion**

The shift between traditional forms of armed conflict to asymmetrical warfare has meant that civilians were brought into the heart of the violence and they are not only suffering from direct attack, but often suffer from horrendous indirect consequences including displacement, famine, economic collapse, destruction of vital infrastructure etc. No longer peripheral to warfare, civilians now endure deliberate acts of violence and attacks on schools, hospitals and residential zones, creating long-term cycles of vulnerability and impoverishment. This stark evolution underscores the urgency of robust and adaptable PoC strategies as the United Nations continues to refine the frameworks related to peacekeeping efforts in order to keep pace with the complex realities of modern conflicts.

In response to these shifting dynamics, the UN has progressively embedded PoC into peacekeeping mandates, complemented by humanitarian agency approaches and reinforced through the Responsibility to Protect (R2P) framework. Together, these developments demonstrate the UN's responsiveness in crafting a multidimensional, pragmatic strategy that combines immediate intervention with long-term resilience. Humanitarian actors address structural vulnerabilities and advocate for legal safeguards, while R2P provides a normative foundation that aligns moral obligation with practical mechanisms of intervention. These interconnected efforts highlight how peacekeeping, humanitarian engagement and global consensus have converged to make civilian protection a defining principle of international security.

Yet despite notable progress, the implementation of PoC remains fraught with persistent challenges. Mandates often lack clarity, resources remain inadequate, host-state consent constrains operations, and dilemmas over impartiality undermine

legitimacy. The gap between expectations and operational realities continues to test the credibility of peacekeeping missions, leaving them able to address only a fraction of threats. Recognizing these weaknesses, the UN has sought to strengthen its approach through clearer mandates, improved planning, enhanced training, and the integration of humanitarian principles. Civilian protection thus stands as both the most significant achievement and the greatest challenge of UN peacekeeping. By learning from past experiences and embracing constructive reforms, peacekeepers can continue to advance PoC as a cornerstone of global peace, embodying the UN's vision of peacekeepers not as warriors but as guardians of civilian life amid modern conflict.

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