

# Protection of Civilians (POC) – A CCOE Fact Sheet

## Introduction

Protection of Civilians is an overarching issue for military personnel and aid workers, to protect the civilian population. It ties closely with the political idea of the Responsibility to Protect.

Protection entails that “in situations of armed conflict, all parties to the conflict are responsible for ensuring that the civilian population is respected and protected. This includes ensuring they are spared the effects of fighting and have access to food, medical services and other basic needs.”

For military forces, their mandate usually has several commonly used themes. They ought to: “protect civilians under imminent threat of physical violence [...] ‘within the capabilities’ and the ‘areas of deployment’ of the mission [...] ‘without prejudice to the responsibility’ of the host state [...] [and] use ‘all necessary means’ in conducting the mission.”

“Civilians and all persons not taking part in combat may under no circumstances be the object of attack and must be spared and protected. In fact, however, this principle has been undermined, because the civilian population, particularly since the Second World War, has suffered most of the consequences of armed violence.”

*International Committee of the Red Cross*

## Mission Implications

Providing safety and security for civilians is an integral part of military operations and is crucial for the legitimacy and credibility of the mission.

IOs and NGOs will be responsible for broader protection initiatives like capacity building. The role of the military is protection from imminent threat and the Commander should include this in all aspects of the mission.

The Commander needs to make sure there is adequate support and reaction capacity to provide protection. There also needs to come a clarification from the Commander whether POC operations will be merely defensive or also offensive.

Inclusion of POC in a mission will increase acceptance by the local populace and this increase force protection. In addition it contributes to winning hearts and minds.

## Legal Implications

The legal basis for POC comes from the 1949 Geneva Convention. This is expanded by the Additional Protocols, adopted in 1977.

Civilians ought to be treated humanely during conflict. In addition forces need to provide protection against violence and degrading treatment. Finally they are also entitled to fair trial. The Commander has the obligation to make sure these rights are guaranteed.

In addition medical units and humanitarian bodies also deserve this protection, and they should be allowed safe access to civilians in need. Aid should also be given to particular vulnerable groups, like women, children and refugees. All this has to be part of the mission.

## Assessment Implications

When making a CIMIC assessment POC has to be including in two ways. First the problems that are directly related to basic needs of the population must be identified. There are five identified critical factors, which require thorough consideration, for a lack in this area will put an additional burden on the force. These factors are water, sanitation, power, health and food. This should be checked against the Sphere Standards.

Second it must be assessed if any civil population is in direct danger from imminent threat. Thus are there other armed groups which have the capability and the intention to cause harm? If so this needs to be reported to the Commander and dealt with.



## Responsibilities in CMI

POC has to be including by J3 and J5 in the plans and operations. It starts with the political mandate, and must then be operationalized. J2 has to provide analysis on which civilian populations are vulnerable and require protection.

J-Med and J1 can assist in providing medical needs or helping with non-combatant evacuation operations.

J4 has to provide advice on how military infrastructure usage can cause the least hindrance for civilians.

Finally J6 has to provide forces with information on their responsibilities in the AOO.

## Cross-Cutting Topics

As said POC is closely tied to the concept of the Responsibility to Protect. This is the idea that nations have the responsibility and authority to intervene in other countries to protect civilian populations from war crimes, under the authority of the UN.

Apart from that, POC links to gender and CAAC as it also deals with the protection of men, women, boys and girls.

Finally Rule of Law is very important, as a working security force can help with protection and RoL also contributes to ensuring promotion of human rights and accountability for perpetrators.

## Leading Organisations

Within the UN cluster approach, the leading organisation on protection is UNHCR. This is however mostly focussed on the protection of refugees and IDPs. UNOCHA also plays an important role with regards to POC, working with the Emergency Relief Coordinator.

The leading humanitarian organisation is the International Committee for the Red Cross (ICRC). On the one hand they provide both help on the ground, and on the other they promote compliance with international law by different fighting forces.

NATO does not have a leading agency on POC, instead POC is incorporated separately into mission mandates.

## Point of Contact during the Mission

During the mission there are a few key players who should be kept in contact with. The first is local authority, which includes official, but also unofficial, like village elders. These will be the first who are able to tell if people are in need, or if there is immediate danger to a certain civilian population.

Apart from them, policy officials from the identified leading organisations should be contacted. UNHCR, UNOCHA, and the ICRC most probable have representatives on the ground. They can also point to other IOs and NGOs working in the AOO.

## Sources of Additional Information

On the UN and POC: <http://www.unocha.org/what-we-do/policy/thematic-areas/protection>

On NATO and the Responsibility to Protect: <http://www.nato.int/docu/review/2002/Managing-Crisis/Responsibility-protect/EN/index.htm>

## References

V. Holt, G. Taylor & M. Kelly (2009), *Protecting Civilians in the Context of UN Peacekeeping Operations*, Independent study commissioned by UNOCHA and UNDPKO

United Nations Office for the Coordination of Humanitarian Affairs (2012), *OCHA on Message Protection*.

International Committee for the Red Cross, <https://www.icrc.org>.

Supreme Headquarter Allied Powers Europe (2012), *ACO MANUAL 86-1-1*

North Atlantic Treaty Organization (2013), *AJP-3.4.9*





### Do's

- Spread awareness of what POC entails for the force.
- Make sure information exchange takes place between IOs/NGOs and the military, especially on vulnerable civilians.
- Report on violations of International law. This is both an impetus for action and evidence for prosecution.
- Take care that vulnerable groups in societies are afforded extra protection.
- Make every effort to prevent harm to the civilian population in Targeting.

### Don'ts

- Don't assume everyone has the same understanding of the POC concept.
- Don't provide support to actors violating international law.
- Don't damage civilian infrastructure, unless under military necessity.
- Don't take on the burden of POC alone, it requires a holistic approach by all parties.

### CIMIC Tasks

- Engaging in dialogue with the host nations about their expectations of the military and about who will fulfil what role with regards to protection.
- Mediating between civil entities and the military in case of requests for support to be provided by the military.
- Assisting civil actors in the effective distribution of humanitarian aid within means and capabilities and upon request only.
- Restoring essential services, but only when appropriate civil agencies are unable to act quickly or operate with sufficient safety.
- Helping in setting up explosive ordnance disposal teams.

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