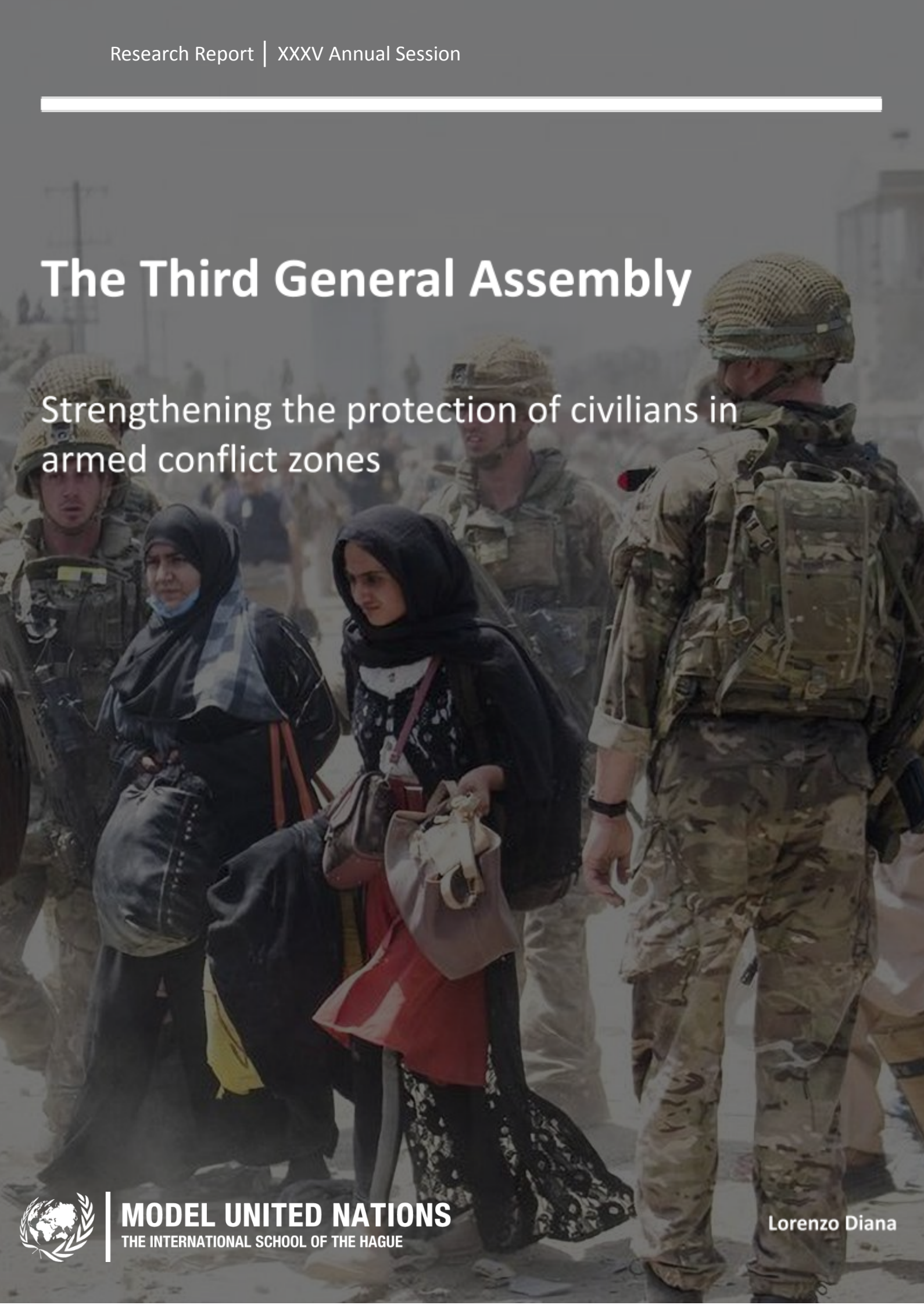
# The Third General Assembly

## Strengthening the protection of civilians in armed conflict zones



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## Introduction

In times of war, it is civilians who bear the greatest toll, despite their lack of involvement in the conflict. This harsh reality is reflected in recent trends, which show an alarming increase in civilian casualties, which surged by 72% in 2023 compared to the previous year. Nowhere is this more evident than within the pressing context of urban warfare, where the line between the battlefield and home is invisible, and combat finds itself taking place in schools and hospitals. The dense nature of cities, combined with the explosiveness of modern weapons and the proximity of military targets and civilian infrastructure, renders it an environment where civilian casualties are not only likely, but often inevitable.

In spite of the presence of various international laws to protect civilians, the implementation of such laws remains inconsistent, and accountability for violations are rare. This is especially notable with the presence of non-state actors in conflict, which, despite in theory needing to respect International Humanitarian Law (IHL) as much as state parties, are often subject to very limited punishments.

The importance of protecting civilians in conflict cannot be overstated. They are frequently the most vulnerable and least capable of defending themselves. Ensuring their safety is not only a moral imperative, but also a legal requirement. By minimising civilian suffering, human dignity is preserved, humanitarian crises are reduced, and stability is maintained, all of which are essential to stimulate a lasting and effective peace once the conflict is over.

## Definition of Key Terms

### Air strike

an attack by military aircraft on a city, enemy soldiers, or their supplies, either by bombing or by firing guns (Cambridge)

### Casualties

A person injured or killed in a serious accident or war

### De facto

existing in fact, although perhaps not intended, legal, or accepted (Cambridge)

### Indiscriminate

Not marked by careful distinction: deficient in discrimination and discernment (Merriam-Webster)

### Status

The official position of a person or thing according to the law (Britannica)

## General Overview

### Clarifications

#### International and non-international armed conflict

IAC (International Armed Conflict) includes both declared wars or **de facto** conflicts between two or more States, regardless of whether the war is recognised by only one party, and whether the use of force is unilateral.

NIAC (Non-International Armed Conflict) is a prolonged armed confrontation that takes place within a State's territory between government forces and one or more armed groups. For it to be considered a conflict, it must reach a minimum level of intensity and the parties involved must show a minimum of organisation.

### *Difference between combatants and civilians in an IAC*

The ICRC (International Committee of the Red Cross) considers a combatant to be someone who is a member of a party of armed forces (excluding medical and religious personnel). Combatants must be clearly distinguishable.

On the other hand, a civilian is simply considered to be anyone who is not a combatant (other than the two aforementioned exceptions).

### *Applications of law on combatants and civilians in an IAC*

A combatant holds the legal right to participate in an armed conflict; this, in turn, renders them a legitimate target by enemy parties and will grant them POW (Prisoner of War) **status** in case of their capture.

A civilian is never considered to be a legitimate target in armed conflict, unless they start taking direct part in hostilities.

### *Combatants and civilians in an NIAC*

Contrary to an IAC, combatants do not hold a special privilege which grants them POW status in the case of their capture. There is no legal recognition of a combatant status in NIACs, largely because States are reluctant to legitimise internal opposition forces. Regardless, civilians are still not classified as lawful targets under IHL, meaning that intentionally directing attacks against them would constitute a war crime.

## Nature of modern armed conflicts

Defending forces often choose urban areas as their battlefield due to its increased ease to defend. Civic features such as narrow streets, dense buildings, and underground infrastructure allow defenders to set ambushes and conceal themselves with the local population. While this strategy may be optimal from a military perspective, it greatly increases the hazards that civilians face. When combat occurs in cities, the proximity between combatants and civilians renders it difficult to

distinguish a soldier accurately. The tense and chaotic nature of these environments, rich in confusion and chaos, instigate split-second decisions, which unfortunately heightens the risks of errors, and therefore harm to civilians.

Urban warfare also sees the widespread use of explosive weapons with wide-area effects, such as artillery, mortars, and air-dropped bombs. While these weapons are rather effective at what they do, they are ill-suited for such environments, and cause **indiscriminate** harm, with the potential of destroying homes and hospitals in the same way that they can damage bunkers or military supply lines. According to research held by the ICRC regarding safety in four governorates in Iraq and Syria between March 2017 and July 2018, civilians were eight times more likely to be killed in an urban area, as opposed to other zones. Beyond the short-term effects, fighting also causes long-term damage to civilian infrastructure and other essential services whose reparation may be rendered even more challenging by the unexploded ordnance which poses deadly threats long after the conflict is over.

### Role of Non-State Armed Groups

In many conflicts across the world, particularly in NIACs, there is a prominent presence of non-state armed groups. These groups, which can range from ideologically motivated insurgents to criminal militias and paramilitary organisations, significantly challenge efforts to protect civilians. Unlike formal state militaries, these non-state actors often lack formal training regarding the laws of armed conflicts, do not wear uniforms and hence are not easily distinguishable from the civilian population.

A major issue regarding their presence is their often fragmented and/or decentralised nature. It is estimated that there are hundreds, if not thousands of armed groups, meaning that it is rather difficult to communicate with all armed groups and ensure that they are aware of IHL. Further, there are armed groups that dismiss IHL due to the belief that it is not valid in the case of asymmetric capabilities (one side is significantly stronger than the other) or that it is simply Western laws being applied onto them.

The dispersed features of armed groups also mean that it becomes significantly more challenging to enforce accountability onto those who violated IHL. This issue can incite groups to intentionally embed themselves within civilian populations, protecting themselves but putting

civilians at risk to any military responses that they provoke. Additionally, non-state armed groups often exploit humanitarian aid and relief efforts for their own benefits, controlling and manipulating access to what are essential services and supplies. This manipulation not only exacerbates the suffering of civilians in conflict zones, but also renders the safe and impartial deliveries significantly more challenging.

### Internally displaced civilians

As fighting intensifies, civilians may find themselves having to flee their homes to seek relative safety, often moving to other areas which are still within the conflict zone. This internal displacement often leads to camps that lack adequate protection and essential services such as food, water, and healthcare. Further, within these unstable settings, civilians remain vulnerable to ongoing violence, such as crossfire and airstrikes due to the volatile qualities of a frontline.

Displacement also leads to splintered communities and social networks, reducing civilians' ability to collectively resist violence and advocate for their rights. It also makes it more difficult for aid organisations to reach the dispersed and frequently moving populations, playing a role in increasing the risk of exploitation. The poor conditions that these internally displaced people are in also leads them to be more vulnerable to abuse, such as forced recruitment by armed groups or gender-based violence.

The chaotic environment of displacement zones within conflict areas also hampers monitoring and accountability of violations of IHL, weakening the enforcement mechanics which may already have been struggling. Again, the combinations of all these effects, further aggravate the suffering of civilian populations within conflict zones.

## Major Parties Involved

### ICRC (International Committee of the Red Cross)

The ICRC plays an important role in protecting civilians in armed conflicts. As a neutral, independent, and unbiased party, the ICRC is capable of operating in both international and non-international conflicts, often accessing areas that are off-limits to others. One of the ICRC's jobs

is promoting respect for IHL, by doing activities such as engaging with both state and non-state armed groups via, for example,, training.

### ICC (International Criminal Court)

The ICC has been established to investigate individuals who have committed the "most serious crimes of concern to the international community as a whole". Following the signature of 60 countries in 1998, it was established in 2002 to investigate and prosecute war criminals. By launching arrest warrants, the ICC plays a role in deterring future violations and provides justice for victims, reinforcing the rule of law in conflict settings. Although the ICC's authority is limited by the cooperation of States, its mere presence is a significant step toward promoting accountability for crimes against civilians.

### Myanmar

The state of Myanmar has become an effective example of how civilians are suffering, particularly following the coup of 2021. The "Tatmadaw" (Myanmar's military) has reportedly carried out attacks against civilian targets by means such as **air strikes** and setting fire to houses. These actions have caused the displacement of thousands and caused numerous civilian casualties.

Just a few years earlier, in 2017, government forces began a "sweeping campaign" in northern Rakhine State. More than 730,000 Rohingya evaded the area to seek refuge in flood prone refugee camps, despite this, five years later, no one has been held accountable for the crimes against humanity.

The violations of IHL demonstrate the need to strengthen protections for civilians in conflict zones. The failure to uphold IHL and the lack of accountability leaves many civilians vulnerable to ongoing violence.

## Timeline of Key Events

| Date | Description of event |
|---|---|
| 1949 | Geneva Convention adopted |
| 1977 | Additional Protocols to the Geneva Convention adopted |

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| 1988 | Rome Statute for the ICC signed |
| 28 April, 2006 | UN Security Council resolution 1674 passed |
| 11 November, 2009 | UN Security Council resolution 1984 passed |
| February 2021 | Military coup in Myanmar overthrew the government |

## UN involvement, Relevant Resolutions, Treaties and Events

- Geneva Convention, 1949
- Additional Protocol to the Geneva Conventions, 1977
- 2005 World Summit Outcome, 24 October 2005 (A/RES/60/1)
- Protection of Civilians in Armed Conflict, 28 April 2006 (S/RES/1674)
- Enhanced Protection of Civilians in Armed Conflict, 11 November 2009 (S/RES/1894)
- Resolution on Armed Conflict and Hunger, 24 May 2018 (S/RES/2417)

## Previous Attempts to Solve the Issue

### IHL (International Humanitarian Law)

International Humanitarian Law is a set of rules aimed to limit the effect of armed conflict for humanitarian reasons. It aims primarily to protect people who are not involved or are no longer participating in hostilities, such as civilians, wounded soldiers, and medical personnel. IHL applies to armed conflicts. Its core principles include the distinction between combatants and civilians, the prohibition of targeting civilians, and restrictions on the means and methods of warfare to prevent unnecessary suffering. The Geneva Convention and their Additional Protocols are the major treaties

that make up UHL. The ICRC is entrusted with promoting and monitoring compliance with IHL, providing humanitarian assistance, and helping to implement its protections.

### Security Council resolutions

Since the 1990s, the Security Council has played an important role in strengthening the protection of civilians in armed conflict zones by passing various resolutions, which, being from the Security Council, have the power to be potentially legally binding. One of the most notable resolutions to have passed was S/RES/1674 in 2006, which "reaffirmed" each individual State's responsibility to protect its own citizens. Since then, other resolutions have been ensuring humanitarian access, protecting vulnerable groups, and holding perpetrators accountable. While the enforcement of these resolutions does not always remain certain, the Council's actions remain important tools for promoting civilian protections in conflict zones worldwide.

## Possible Solutions

### Mandating communication of non-state armed groups

As mentioned before, an important issue with protecting civilians in armed conflicts is the difficulty to enforce accountability. A possible solution to this would be to pass a law to oblige all non-state armed groups to formally submit their structure and leadership, in the case in which they refuse to do so, there could be a trained UN task force designated specifically to the elimination of these non-compliant groups.

### Prohibition of weapons in civilian zones

The use of indiscriminate weapons causes the deaths of many civilians. Taking inspiration from the ban on the use of cluster bombs following the Convention of Cluster Bombs in Dublin, it could be a possibility to prohibit the use of certain weapons within urban areas, which could be defined as an area with a population density greater than a certain quota.

### Civilian evacuation and safe zones

While there are already existing safe zones, the UN could enforce the existence of safe havens for refugees, these would be guarded by armed UN personnel, and interfering with them in any way would constitute a war crime. Further, the increased security within these zones would decrease the amount of chaos, therefore allowing UN forces to divide their goods with greater ease and with less chance of it falling into the wrong hands.

## Bibliography

**Works Cited**

Bothe, Michael. *Second Expert Meeting on the Notion of Direct Participation in Hostilities Direct Participation in Hostilities in Non-International Armed Conflict*. 2004.

Cambridge Dictionary. "Airstrike." *@CambridgeWords*, 25 June 2025, dictionary.cambridge.org/dictionary/english/airstrike Accessed 30 June 2025.

---. "Casualty." *CambridgeWords*, Cambridge , 4 Oct. 2023, dictionary.cambridge.org/dictionary/english/casualty. Accessed 30 June 2025.

"Combatants and POWs | How Does Law Protect in War? - Online Casebook." *Icrc.org*, 2015, casebook.icrc.org/law/combatants-and-pows#chapter2. Accessed 29 June 2025.

"DE FACTO | Meaning in the Cambridge English Dictionary." *Dictionary.cambridge.org*, dictionary.cambridge.org/dictionary/english/de-facto. Accessed 30 June 2025.

"Definition of INDISCRIMINATE." *Www.merriam-Webster.com*, www.merriam-webster.com/dictionary/indiscriminate. Accessed 30 June 2025.

"Doctors without Borders | the Practical Guide to Humanitarian Law." *Guide-Humanitarian-Law.org*, 2010,

guide-humanitarian-law.org/content/article/3/non-state-armed-groups/. Accessed 27 June 2025.

Elfversson, Emma, and Kristine Höglund. "Are Armed Conflicts Becoming More Urban?" *Cities*, vol. 119, Dec. 2021, p. 103356, https://doi.org/10.1016/j.cities.2021.103356. Accessed 26 June 2025.

F E R E N C, R, and E Polic. *THE ICRC ITS MISSION and WORK*.

"Frequently Asked Questions: Rules of War." *International Committee of the Red Cross*, 19 Oct. 2016, www.icrc.org/en/document/FAQ-rules-of-war-ihl. Accessed 30 June 2025.

Geneva Academy. "Today's Armed Conflicts." *Geneva-Academy.ch*, 2024, geneva-academy.ch/galleries/today-s-armed-conflicts. Accessed 27 June 2025.

"How Is the Term "Armed Conflict" Defined in International Humanitarian Law?" *International Review of the Red Cross*, 17 Apr. 2024, pp. 1–26, https://doi.org/10.1017/s1816383124000122.

Human Rights Watch. "Myanmar: No Justice, No Freedom for Rohingya 5 Years On." *Human Rights Watch*, 24 Aug. 2022, www.hrw.org/news/2022/08/24/myanmar-no-justice-no-freedom-rohingya-5-years. Accessed 30 June 2025.

ICRC. *ADVISORY SERVICE What Is International Humanitarian Law?* July 2004.

---. "Principle of Distinction | How Does Law Protect in War? - Online Casebook." *Casebook.icrc.org*, casebook.icrc.org/law/principle-distinction. Accessed 29 June 2025.

---. “Principle of Distinction | How Does Law Protect in War? - Online Casebook.” *Casebook.icrc.org*, casebook.icrc.org/law/principle-distinction. Accessed 29 June 2025.

“International Armed Conflict (IAC) | UNDRR.” *Www.undrr.org*, 7 June 2023, www.undrr.org/understanding-disaster-risk/terminology/hips/so0001. Accessed 29 June 2025.

International Committee of the Red Cross. “The Principle of Distinction between Civilians and Combatants.” *Icrc.org*, 2022, ihl-databases.icrc.org/en/customary-ihl/v1/rule1. Accessed 29 June 2025.

International Criminal Court. “Understanding the International Criminal Court.” International Criminal Court, 2020.

“International Humanitarian Law and the Challenges of Contemporary Armed Conflicts.” *International Review of the Red Cross*, 19 Mar. 2025, international-review.icrc.org/articles/reports-and-documents-ihl-and-the-challenges-of-contemporary-armed-conflicts-927. Accessed 30 June 2025.

*INTERNATIONAL HUMANITARIAN LAW and the CHALLENGES of CONTEMPORARY ARMED CONFLICTS RECOMMITTING to PROTECTION in ARMED CONFLICT on the 70 TH ANNIVERSARY of the GENEVA CONVENTIONS REPORT*.

Ministerie van Algemene Zaken. “The International Criminal Court (ICC) - International Peace and Security - Government.nl.” *Www.government.nl*, 30 Sept. 2014, www.government.nl/topics/international-peace-and-security/international-legal-order/the-international-criminal-court-icc. Accessed 30 June 2025.

"Myanmar Crisis: Civilians Killed in Airstrikes as Rohingya Risk Dangerous Journeys." *UN News*, 22 Jan. 2025, news.un.org/en/story/2025/01/1159316. Accessed 30 June 2025.

Nations, United. "SDG Indicators." *Un.org*, 2024, unstats.un.org/sdgs/report/2024/Goal-16/. Accessed 26 June 2025.

Regan, Helen, and Avery Schmitz. ""The Entire Town Is Burning." Fires Rage as Rohingya Caught up on the Front Lines of Myanmar's Civil War." *CNN*, 23 May 2024, edition.cnn.com/2024/05/23/asia/myanmar-rohingya-arson-buthidaung-intl-hnk. Accessed 30 June 2025.

"Resolution 1674 (2006)." *Un.org*, 28 Apr. 2006, docs.un.org/en/S/RES/1674(2006). Accessed 30 June 2025.

"Rule 3." *Icrc.org*, 2023, ihl-databases.icrc.org/en/customary-ihl/v1/rule3. Accessed 29 June 2025.

Spencer, John. "The City Is Not Neutral: Why Urban Warfare Is so Hard." *Modern War Institute*, 4 Mar. 2020, mwi.westpoint.edu/city-not-neutral-urban-warfare-hard/. Accessed 30 June 2025.

"Status Definition & Meaning | Britannica Dictionary." *Www.britannica.com*, www.britannica.com/dictionary/status. Accessed 30 June 2025.

"The ICRC Engagement with Armed Groups: A Humanitarian Necessity." *Www.icrc.org*, 7 July 2021, www.icrc.org/en/document/icrc-engagement-armed-groups-humanitarian-necessity. Accessed 30 June 2025.

"UN Documents for Protection of Civilians: Security Council Resolutions." *Securitycouncilreport.org*, 2019, www.securitycouncilreport.org/un_documents_type/security-council-resolutions/?ctype=Protection%20of%20Civilians&cbtype=protection-of-civilian. Accessed 30 June 2025.

UNDRR. "Non-International Armed Conflict (NIAC) | UNDRR." *Www.undrr.org*, 7 June 2023, www.undrr.org/understanding-disaster-risk/terminology/hips/so0002. Accessed 29 June 2025.

United Nations General Assembly. *Resolution Adopted by the General Assembly on 16 September 2005*. United Nations, 24 Oct. 2005.

Vijitha Veerakatty. *Arbitrary Withholding of Consent to Humanitarian Relief in Non-International Armed Conflict*. BRILL, 19 Aug. 2024.

"War at the Front Door: A Virtual Reality Challenge inside Urban Conflict." *The International Committee of the Red Cross (ICRC)*, 22 Oct. 2018, www.icrcnewsroom.org/story/en/529/war-at-the-front-door-a-virtual-reality-challenge-inside-urban-conflict. Accessed 30 June 2025.