

**Security Council**

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**Letter dated 14 May 2020 from the Permanent Representative of
Estonia to the United Nations addressed to the Secretary-General**

I have the honour to inform you that Estonia, in its capacity as President of the Security Council for the month of May 2020, intends to hold an open high-level videoconference on the theme “Protection of civilians in armed conflict” on 27 May 2020, at 10 a.m.

In order to help to guide the debate, Estonia has prepared the attached concept note and guidelines (see annexes I and II).

We should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) **Sven Jürgenson**
Ambassador
Permanent Representative



Annex I to the letter dated 14 May 2020 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General

Concept note for the Security Council open high-level videoconference on the theme “Protection of civilians in armed conflict”, to be held on 27 May 2020, at 10 a.m.

I. Background

1. Civilians continue to account for the vast majority of casualties in armed conflicts. The short- and long-term impacts of armed conflict on civilians include widespread civilian deaths, injuries and psychological harm, forced displacement, lack of access to food and other life-saving assistance, as well as health care, as hospitals and clinics are damaged and destroyed, loss of housing, and lack of access to essential services such as water and electricity as a result of damage to essential civilian infrastructure. Sexual and gender-based violence continues to be employed with impunity across armed conflicts. The past 12 months continued to reflect these worrying trends, with tens of thousands of civilians killed, maimed or injured – including in Afghanistan, the Central African Republic, Iraq, Libya, Nigeria, Somalia, South Sudan, the Syrian Arab Republic, Ukraine and Yemen – and millions forcibly displaced and affected by widespread and persistent constraints on humanitarian access.

2. The Security Council has reaffirmed that the protection of civilians is one of the core issues on its agenda, reflected both in its thematic and country-specific deliberations and decisions since the inclusion in 1999 of the protection of civilians as an item on the Council’s agenda.

3. In his statement to the Security Council on the state of the protection of civilians in May 2019, a year which also marked the seventieth anniversary of the Geneva Conventions of 12 August 1949, the Secretary-General pointed to a continued and troubling gap: while the normative framework for the protection of civilians has expanded, compliance with it remains inadequate, making it one of the chief challenges with respect to the protection of civilians. To address this gap, the Secretary-General has underlined the importance of developing national policy frameworks on the protection of civilians, enhancing compliance by non-State armed groups and promoting compliance through advocacy and accountability. The Secretary-General has also underlined the importance of a sustained engagement and dialogue among Member States, the United Nations and civil society to improve the protection of civilians.

4. The Security Council has repeatedly strongly condemned the violations of international humanitarian law committed by all parties to armed conflict, as well as violations and abuses of international human rights law, recalling the importance of ensuring compliance with international humanitarian law and international human rights law, ending impunity for violations and abuses and ensuring accountability. It has called for measures at the international and national levels to ensure accountability. The Council’s own steps in this regard include the establishment and use of international investigative and judicial mechanisms and the use of targeted sanctions as a response to violations of international humanitarian law and international human rights law, along with the inclusion of specific humanitarian experts in the expert teams and panels supporting the sanctions committees. The Secretary-General in his report recommends further steps in this regard at the

national, regional and international levels, including with respect to the International Criminal Court.

5. In parallel, the Council has emphasized the importance of preventing conflict and addressing its root causes, including by strengthening the rule of law, good governance and the respect for and promotion of human rights and fundamental freedoms.

6. The Council has also continued to include and prioritize the protection of civilians in the mandates of peace operations and to use it as a yardstick to measure mission performance. This has been accompanied by a growing body of policy and guidance, most recently the revised policy on the protection of civilians in United Nations peacekeeping, and the Council's regular inclusion in relevant peacekeeping mandates of the human rights due diligence policy on United Nations support to non-United Nations security forces. The changing nature of armed conflicts and of peacekeeping has led to the need to continuously adapt to the changing environments by identifying good practices and providing relevant training. It has also underlined the need to continue to increase the proportion of women in peacekeeping contingents and underlined the importance of women's protection advisers and child protection advisers in the United Nations mission mandates.

7. As further steps, the Security Council has established a framework, including a monitoring and reporting mechanism, to address the protection of children in armed conflict and has established monitoring, analysis and reporting arrangements on conflict-related sexual violence.

8. While reaffirming the general overarching principle of the protection of civilians and compliance with international humanitarian law and international human rights law, the Council has also focused on specific challenges, such as the protection of medical missions, the protection of journalists, missing persons, conflict-induced food insecurity and the protection of persons with disabilities.

9. The Council has addressed violations and abuses against civil society as well as cooperation with civil society actors to ensure the protection of civilians. Among civil society actors, human rights defenders continue to face multiple threats in situations of conflict.

10. The importance of ensuring compliance with international humanitarian law and international human rights law is underscored by new and increasingly relevant developments and challenges affecting the protection of civilians in armed conflict, including the increasing urbanization of armed conflicts, the emergence of new technologies, and climate change and environmental consequences of armed conflict. International humanitarian law protects the natural environment, including vital natural resources, damage to which can have implications for the health and survival of populations. Similarly, the consequences of climate change may exacerbate violence and conflict through several known but not controlled risks, such as food and water security, which are related to the vulnerability of the populations involved. New technologies, such as data collection tools, digital early warning systems and crisis mapping, telemedicine, mobile solutions, and advanced recording of war crimes and human rights violations and abuses, can improve the protection of civilians, humanitarian assistance capabilities and accountability measures. At the same time, technological advances can pose challenges to the protection of civilians and ethical and legal considerations of their own, as, for example, in the case of cyberattacks targeting critical infrastructure, including the vulnerable health-care sector during the time of the coronavirus disease (COVID-19) pandemic. The increasingly urban nature of armed conflicts leads to more injury and death among civilians and to more damage to civilian objects, underlining the need for strategies and tactics that take fully into account the heightened vulnerability of civilians in this context.

11. In 2020, the world has faced “a global health crisis unlike any in the 75-year history of the United Nations”, as noted by the Secretary-General, who, on 23 March, issued an appeal for an immediate global ceasefire. The COVID-19 pandemic has affected communities around the world. It has also exacerbated the vulnerability of those least protected in conflict zones, in particular refugees, displaced persons, women, children, older persons and persons with disabilities, with already limited access to health care and placing an additional burden on health systems and facilities ravaged by conflict. It has raised new protection challenges for humanitarian and health workers and peacekeepers and added to the challenges related to humanitarian access to those in need. At the same time, the pandemic has underscored the importance of compliance with international humanitarian law and international human rights law to ensure and support an effective response to the crisis and the protection of the most vulnerable. It has reaffirmed the importance of a joint international response by the international community, including by the Council, in support of the Member States and communities affected.

II. Objectives

12. The open high-level videoconference provides an opportunity to consider the annual report of the Secretary-General on the protection of civilians in armed conflict (S/2020/366). It offers an opportunity for an exchange on the current state of the protection of civilians in armed conflict; on enhancing compliance with international humanitarian law and international human rights law and accountability for violations; and on concrete steps for the implementation of the protection of civilians agenda by Member States, the United Nations system and civil society, including in the context of new challenges and developments, among them the COVID-19 pandemic.

III. Guiding questions

13. The following questions can be considered by Member States in preparation of the discussion:

(a) What are the possibilities for the Security Council to further strengthen the protection of civilians in armed conflict, using the tools at its disposal? How can it ensure a coordinated and comprehensive approach in this regard?

(b) How can the Security Council, regional organizations and Member States strengthen compliance with international humanitarian law and international human rights law by all parties to armed conflict?

(c) What are the benefits of national policy frameworks for the protection of civilians and what have been the lessons learned in their development? How can the Security Council assist in the development and implementation of these frameworks?

(d) How can critical high-level political support for the protection of civilians agenda be ensured? How can awareness-raising and the engagement of local communities themselves play a role in the design and implementation of measures for the protection of civilians?

(e) What steps at the national, regional and international levels are necessary to ensure accountability for violations of international humanitarian law and international human rights law?

(f) What are the challenges to and opportunities for improving the role of peacekeeping missions in the protection of civilians, including with regard to their

mandate, leadership and coordination? How can training, in particular predeployment training, as well as monitoring and reporting mechanisms and disciplinary procedures, be used to help to further strengthen the implementation of the protection mandate of the peace missions?

(g) How is the objective of the protection of civilians, including ensuring compliance with international humanitarian law and international human rights law, influenced by new developments and trends? What are the challenges and opportunities created by these new developments and trends?

(h) What are the key challenges to the protection of civilians posed by the COVID-19 pandemic that should be addressed by the Council and Member States, as well as all relevant stakeholders? What are the risks posed as a result of non-compliance with international humanitarian law and international human rights law in this context? How can the protection needs of women and girls be addressed and how can the full, equal and meaningful participation of women and youth in responding to the pandemic be ensured?

IV. Format

14. The open high-level videoconference will be presided over by the Permanent Representative of Estonia to the United Nations, Sven Jürgenson. The President of the Republic of Estonia, Kersti Kaljulaid, will deliver the statement for Estonia.

15. The speakers listed below will brief the Council.

- Secretary-General of the United Nations
- President of the International Committee of the Red Cross, Peter Maurer
- Nobel Peace Laureate, member of The Elders, Ellen Johnson Sirleaf

16. All States Members of the United Nations that are not members of the Security Council and permanent observers to the United Nations are invited to participate (see annex II for the technical arrangements in this regard). A Chair's summary will be circulated following the meeting.

Annex II to the letter dated 14 May 2020 from the Permanent Representative of Estonia to the United Nations addressed to the Secretary-General

1. The meeting will be held in the format of an open videoconference. The delivery of the statements by the briefers and Council members will be webcast live and archived on United Nations Web TV.
2. States Members of the United Nations that are not members of the Security Council and permanent observers to the United Nations are invited to submit written statements. The written statements should be submitted with a cover letter signed by the Permanent Representative or Chargé d'affaires a.i. and addressed to the President of the Security Council to the email address provided by the Secretariat (dppa-scsb3@un.org) no later than the date of the meeting, namely, 27 May 2020.
3. The written statements will be circulated as part of a compilation document comprising the statements by the briefers, Security Council members, non-members of the Council and permanent observers to the United Nations and issued as a document of the Council. Non-members of the Council and permanent observers should indicate in their cover letter their wish that their statement be circulated.
4. If further improvements are made to these guidelines at any point before the open videoconference, all Member States that are not members of the Security Council and permanent observers to the United Nations will be informed accordingly.
