

PKSOI PAPER

Human Security in U.S. Military Operations: A Primer for DOD

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FOREWORD

The U.S. Army has always worked among people in areas of conflict. In recent times, the United States and the North Atlantic Treaty Organization (NATO) are wrestling with what human security means, how military operations impact it, and what can be done to mitigate the harm. This primer is published to inform those within DOD working in this area, whether commanders, planners or curious soldiers and civilians. If we have learned nothing else in the past 20 years of war and its aftermath, it should be that the human domain is complex. If we fail to get our efforts right in these areas, we may well have tactical successes and strategic failure.

The author has diverse experiences – Ms. Sarah Petrin is a contractor at the Peacekeeping and Stability Operations Institute (PKSOI) where she provides technical support and serves as a subject matter expert on the Protection of Civilians (PoC), Women Peace and Security (WPS), Sexual Exploitation and Abuse (SEA), Human Rights, and Peace Operations Trends Analysis. She has written numerous publications including U.S. Perspectives on the Protection of Civilians for NATO, The U.S. Women Peace and Security Agenda and UN Peacekeeping for the U.S. Institute of Peace, and a paper on Syrian Women in Crisis for the Georgetown University Institute for Women, Peace and Security. Ms. Petrin has experience managing complex operations and humanitarian initiatives in over 20 countries in Africa, Asia, the Caribbean, Europe, and the Middle East.

It is our pleasure to publish this foundational paper, focused on the fundamentals of Human Security. We hope it helps you as you think through these issues.

SCOT STOREY
Colonel, U.S. Army
Director, PKSOI

Executive Summary

The United States is a leader in establishing international norms and building consensus among our allies and partners. This paper explores the genesis of the term “Human Security,” including an historical analysis of how U.S. leadership and legal standards have helped shape the concept alongside the United Nations and NATO understanding of this term. It offers perspective on why Human Security is an important consideration for U.S. military operations today, as it relates to understanding human aspects of the operational environment.

The United Nations bases its approach to Human Security on a speech that U.S. President Roosevelt gave before Congress in 1941 justifying U.S. intervention in World War II. This speech outlined four freedoms of human beings to live in a safe environment free from fear, where they have economic development and are free from want, and where they can exercise their human rights including freedom of speech and freedom of religion.

Today, U.S. allies are considering how the term Human Security applies to military operations. The United Kingdom has established joint doctrine on Human Security, combining its doctrine on Protection of Civilians (PoC) and Women, Peace and Security (WPS). NATO has also established a Human Security Unit at its headquarters and has convened several workshops bringing national representatives together to discuss what Human Security means and its relevance to military operations. This includes discussing whether Human Security should remain an umbrella theme for numerous Crosscutting Topics (CCTs), or whether a new concept of Human Security should be developed within the alliance.

Considering the human dimensions of the operational environment is an important factor in military planning. This paper analyzes trends in armed conflict that have resulted in renewed emphasis on Human Security. While there are fewer formally declared wars between states, other forms of conflict are driving an increase in civilian harm, which

includes but is not limited to civilian casualties, damage to critical infrastructure, displacement, and sexual violence. This includes an increase in irregular warfare across the full spectrum of operations from competition to conflict that seeks to influence the population.¹ The paper further explains the crosscutting topics that help military personnel assess the risk to civilian populations from state and non-state actors in military operations. This includes understanding how perpetrators use civilians as a “center of gravity” to gain advantage, while examining how U.S. legal requirements and policy frameworks address civilian populations in conflict zones. These requirements demonstrate the U.S. commitment to apply a “whole of government” approach to human security that is reflected in our foreign policy objectives.

After describing the original definitions of Human Security within the United Nations, this paper describes the CCTs that currently make up a military perspective on Human Security. The paper also outlines U.S. history, laws, and doctrine that provide contextual analysis for how the term applies to U.S. military operations. It further suggests a U.S. definition of Human Security as **consideration of all the risks and threats that make people vulnerable in the area of operations, including the infrastructure and environment they depend on for life**. In closing, the paper recommends how a Human Security framework can be applied within theater campaign plans and U.S. Joint Operation Planning and Execution System (JOPES) to develop a better understanding of human aspects of the operational environment.

Introduction

What is Human Security?

The U.S. Government does not have a definition of Human Security and the term is not defined in international law. However, the origin of the term is derived from a speech by former U.S. President Franklin D. Roosevelt. In his “Four Freedoms” speech to Congress in 1941, Roosevelt made the case for the U.S. intervention in World War II to stop the advancement of Hitler in Europe.² The freedoms Roosevelt described include:

1. Freedom from fear
2. Freedom from want
3. Freedom of speech
4. Freedom of religion

These freedoms are often described by the United Nations as forming the basis for Human Security, a term that recognizes human beings need a combination of physical security, human rights, and development to be safe from harm.

The term “Human Security” was first used in the United Nations Human Development Report in 1994, which described Human Security as “safety from chronic threats such as hunger, disease and repression, and protection from sudden and hurtful disruptions in the patterns of daily lives, whether in homes, jobs or communities.”³ This is a human-centered approach to security that considers how the population is impacted by changes in their environment.

According to the United Nations, Human Security recognizes the inter-linkages between peace, development, and human rights, and equally considers civil, political, economic, social, and cultural rights.⁴ It is an approach that can be applied to any country, whether in peacetime or in conflict.

However, when considering how the armed forces approach the concept of Human Security, the provision of physical protection is an important factor.

The use of the term “Human Security” as it relates to conflict became prevalent during the 1990s, as war in the former Yugoslavia and the Rwandan genocide produced refugee crises that spilled over national borders, making it difficult for nation-states to contain the impact of these conflicts and for the United Nations agencies to provide a safe environment for populations fleeing violence. The United Nations High Commissioner for Refugees (UNHCR), Sadako Ogata of Japan, called for greater attention to the security of people rather than the security of states. During a ministerial meeting in Norway, she made these remarks on Human Security:

The importance of human security as a concept is clear if you consider that my Office deals...with people who are, by definition, “insecure.” Refugees and internally displaced people are a significant symptom of human insecurity crises. Because homes, personal belongings and family ties are such an important part of everybody’s security, it takes considerable pressure to force people to abandon them and become refugees.⁵

Human Security is fundamentally about how the human dimension of the operational environment, across the spectrum of military operations, affects the population in different ways. Understanding the demographics within a population, such as age, gender, race, religion, nationality, language, political affiliation, social group, ethnicity, and clan enables the military to have a clear picture of social factors within a population, which enables a better understanding of the operational environment. For example, a population-focused conflict analysis may determine that dif-

ferent groups may not have the same quality of life, and that the resultant economic inequalities may exacerbate tensions. These social factors can help military planners identify the risks and vulnerabilities within the population.

The Seven Securities

In 2012, the UN General Assembly passed Resolution 66/290 further explaining the concept of Human Security as “an approach to assist Member States in identifying and addressing widespread and crosscutting challenges to the survival, livelihood and dignity of their people.”⁶ This includes the seven securities laid out in the UN Human Development Report of 1994:⁷

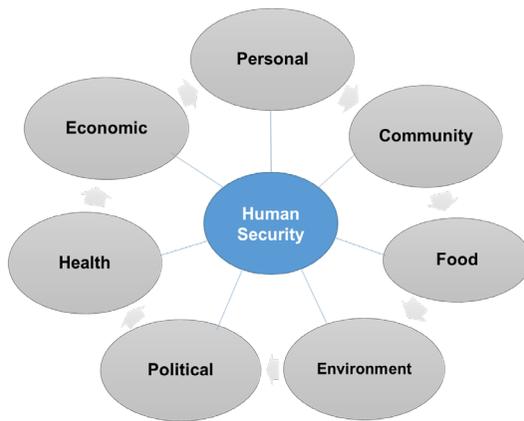


Figure 1. The Seven Securities of Human Security

The United Nations applies the seven dimensions of this Human Security framework to every country, not only conflict-affected states. The UN approach assumes that governments rather than armed actors are the leaders in achieving Human Security. However, a national government may call upon its armed forces to address any number of Human Security challenges. Therefore, assessing the condition of human beings is an important aspect of the operational environment, and a vastly different approach

than analyzing the adversary and other military or security forces.

Definitions of Human Security:

United Nations: An approach to assist Member States in identifying and addressing widespread and crosscutting challenges to the survival, livelihood and dignity of their people (General Assembly Resolution 66/290/2012)

Safety from chronic threats such as hunger, disease and repression, and protection from sudden and hurtful disruptions in the patterns of daily lives, whether in homes, jobs or communities (UN Human Development Report 1994)

NATO: NATO does not define Human Security but recognizes it as an umbrella term for a number of Crosscutting Topics (CCTs). NATO formed a Human Security Unit (HSU) at its headquarters in 2020 that covers policy matters related to the Protection of Civilians (PoC), Women Peace and Security (WPS), Children and Armed Conflict (CAAC), and Human Trafficking

United Kingdom (UK) Ministry of Defence (MOD): An approach to national and international security that gives primacy to human beings and their complex social and economic interactions. It represents a departure from traditional security studies, which focus on the security of the state. The state remains a central provider of security but needs to be complemented with an understanding that human security deprivations interact with national security (UK Joint Service Publication (JSP) 1325, 2019)

United States (**Suggested**): Consideration of **all the risks and threats that make people vulnerable in the area of operations, including the infrastructure and environment they depend on for life.**

Figure 2. Definitions of Human Security according to the United Nations, NATO Human Security Unit, United Kingdom JSP, and suggested U.S. definition provided by PKSOI.

In 1999, the UN established the Trust Fund for Human Security to support projects that implement Human Security initiatives at the national level.⁸ For the most part, these projects are not focused on the provision of physical security and the role of the security sector. Rather, they focus on the ability of governments to achieve the well-being of their citizens.⁹

Human Security in Military Operations

How should we understand the term Human Security as it relates to military operations? Human security in military operations includes the assessment of the risks and vulner-

abilities of the civilian population and understanding these threats can occur across a range of operations. DOD uses its mission analysis and the interagency use their conflict assessment to understand and account for these dynamics. Given the inter-related nature of Human Security with economic development and human rights, the military role in security cannot be understood as separate from the responsibility of national governments. The security of individuals and the security of the state are complementary.

While the Protection of Civilians implies protection from armed actors in the context of armed conflict as laid out in the Geneva Conventions, the concept of Human Security shows that individuals have a wide range of vulnerabilities that can be attacked by numerous sources. A population may need physical protection from violence across the full spectrum of military operations, from pre-conflict security cooperation activities to humanitarian assistance and disaster relief operations, irregular warfare and Great Power Competition, major combat operations and during stabilization, not just in the context of armed conflict.

Human Security is a concept that recognizes the conditions affecting the security of individuals instead of traditional notions of state or national security. Customary notions of security tend to focus on state-centric concepts such as administrative control of territory, infrastructure, and critical assets, as well as political influence. However, in this paper, Human Security focuses on the well-being of individuals within their homes and communities and includes concerns such as access to basic needs and services, the ability to purchase commodities and access financial resources, the ability to earn an income, go to work, go to school, and other daily activities, in a safe environment.

National Security	Human Security
<ul style="list-style-type: none"> • Government • Territorial control • Domestic stability • Administration • Infrastructure • Critical assets • Political influence • Military power • Regional allies • Taxation 	<ul style="list-style-type: none"> • Physical safety • Personal property • Shelter • Work and livelihoods • Schools and education • Access to basic services • Access to humanitarian assistance • Human rights • Family and relationships • Finances and banking

Figure 3. Comparing National Security and Human Security¹⁰

Understanding the different types of threats that states versus individuals face offers perspective about the human dimension of operations. It is also important to acknowledge that state and human security considerations intersect. During the 1999 NATO intervention to protect ethnic Albanians in Kosovo, then Foreign Minister of Canada, put it this way:

The concept of human security establishes a new measure for judging the success or failure of national and international security policies; namely, do these policies improve the protection of civilians from state-sponsored aggression and civil, especially ethnic, conflict? This is not to say that national security, traditionally defined, is any less relevant. On the contrary, security between states remains a necessary condition for the security of people. And yet, the security of a state cannot in itself guarantee the security of its people. The concept of human security not only helps us evaluate the effectiveness of our security policies, it also highlights the importance of preventive action to reduce vulnerability and points the way for remedial action, where prevention fails.

Lloyd Axworthy, Foreign Minister of Canada¹¹

This address highlighted that the NATO intervention mission in Kosovo was to prevent hostilities and provide public safety for the population, rather than to defend a state or government from a national security threat.¹² Establishing a safe environment for the people, and enabling refugee populations to return home, became the focus of the mission's success.¹³ NATO's experience using force to protect civilians in Bosnia-Herzegovina and Kosovo, and its later missions in Afghanistan and Libya, led the alliance to establish a Protection of Civilians' policy, and lessons learned within these missions continues to influence the alliance's perspective on what constitutes Human Security.¹⁴ This will be discussed in greater detail later in the paper.

Recognizing that civilians face different threats to their safety and security from those experienced by their state government and institutions is an important part of understanding the operational environment. These threats may come from armed actors, but they could also come from non-state actors and other sources. For example, human threats may come from the environment in the form of natural disasters. Individual threats can come from civilians themselves, resulting in one-sided violence that can also have a destabilizing impact. Armed individuals, criminals, and gangs may also be loosely affiliated with more organized armed groups. Perhaps most importantly, the nexus of all these threats can result in a complex environment for Human Security that can be difficult to analyze and synthesize when compared to traditional military assessment methodologies that focus on the enemy, targeting, and other kinetic aspects of military operations.

Trends in the Operational Environment

Civilians Under Threat

While military operations tend to focus on achieving national policy related to state security, more consideration is being given to the Protection of Civilians (PoC) under threat of violence. Ethnic cleansing and genocide in the 1990s lead the United Nations to develop a framework for military intervention to protect civilians from mass atrocities. This framework is known as the Responsibility to Protect (R2P).

Trend 1: Focus on threats to the civilian population and preventing atrocities

Responsibility to Protect (R2P)

While the modern “Responsibility to Protect” (R2P) principle first emerged in the 2001 report from the International Commission on Intervention and State Sovereignty (ICISS), the concept has a long history embedded in the *jus ad bellum* (Just War) philosophy.¹⁵ In the 1990s, while wars were raging from Iraq, to the Balkans and Rwanda, the UN tried to hold governments accountable for protecting their citizens from violence. This decade of conflict inspired the ICISS, led by Canada, to outline nation-state Responsibility to Protect (R2P).¹⁶ The report describes three responsibilities of the international community to protect civilians when the state is unwilling or unable to do so:

1. Responsibility to prevent harm before it occurs through early warning
2. Responsibility to react, which is largely seen as making a decision to intervene
3. Responsibility to rebuild after an intervention has occurred

R2P can be understood as a subset of considerations under the broader framework of PoC. R2P addresses the responsibility of states when civilians are faced with certain types of threats including genocide, ethnic cleansing, war crimes, and crimes against humanity. These threats are risks to international peace and security that permit the United Nations to act and to intervene, as necessary, often through diplomacy and economic sanctions. In some cases, the United Nations Security Council (UNSC) may pass a resolution authorizing the use of force according to Chapter 7 of the UN Charter, which concerns “actions with respect to the peace, breaches of the peace, and acts of aggression.”¹⁷ While UN mandates for peacekeeping missions authorize specific types of international military interventions, PoC applies across the full spectrum of military operations.

Note: The R2P framework is a strategic level consideration for how states and governments should frame a political response to an emerging threat. It is not something that can be acted upon by military forces in the absence of a United Nations mandate or other authorization of the use of force.¹⁸

While the R2P framework focuses on responding to perpetrators of violence against civilians, a Human Security approach recognizes that threats to civilians can come from numerous risk factors. Each of the “seven securities” in the Human Security framework discussed above could describe a subset of risks and threats to civilians. For example, civilians may be threatened by environmental risks that result in natural disasters, and health risks that result in infectious disease outbreaks. However, trends in armed conflict are driving the response to civilian threats in military operations. The following section examines those trends, and then describes the CCTs that make up a Human Security approach in military operations.

Nature of Conflict

Legal requirements for the Protection of Civilians (PoC) are articulated in the Law of Armed Conflict (LOAC) and International Humanitarian Law (IHL) emanating from the Geneva Conventions of 1949, which state that civilians and civilian objects are to be protected during international and non-international armed conflict. According to the Geneva Conventions, a civilian is a person who is not a member of the armed forces including persons who are no longer taking part in hostilities that have laid down arms, are wounded, or detained.¹⁹

This section focuses on how trends in armed conflict have resulted in operational concepts of PoC beyond legal definitions within the LOAC, and in addition to international peacekeeping mandates. PoC is a broad concept that applies across the full range of military operations. It is a shared responsibility of civilian government agencies and uniformed personnel.

Within the scope of the Laws of War, there are two primary classifications of conflict:

1. *International armed conflict* – declared war between two or more state parties, according to Article 2(1) of the 1949 Geneva Conventions

This is also commonly known as *interstate conflict*, describing conflict between two states.

2. *Non-international armed conflict* – conflict occurring within the territory of a state, including situations of internal disturbances, according to Common Article 3 of the 1949 Geneva Conventions and Article I of the Additional Protocol II of 1977

This is also commonly referred to as *intrastate conflict*, conflicts between a state and non-state group that include civil wars, insurgencies, and terrorism.

Figure 4. Classification of Armed Conflict according to the Law of War, Geneva Conventions of 1949. Also, see the DOD Law of War Manual, December 2016.

The classification of conflict and what is legally determined to be “war” or other types of conflict, is beyond

the scope of this paper.²⁰ The focus of this paper is on the human experience of armed conflict, regardless of its legal classification. Trends in the human impact of conflict are driving new standards on the Protection of Civilians and the concept of Human Security. These trends are described below.

Since World War II, there has been a dramatic decrease in international armed conflict or interstate conflict between sovereign nation-states. International cooperation through multilateral organizations like the United Nations and regional alliances such as the European Union, African Union, Arab League, and Association of Southeast Asian Nations (ASEAN), has collectively strengthened deterrence and contributed to the containment of conflict. Academics who specialize in conflict analysis agree that the post-World War period has resulted in a long continuum of relative peace.²¹

Trend 2: Involvement of non-state armed actors in armed conflict

Despite the lack of world wars, there has been an increase in non-international conflict or intrastate conflict between states and non-state armed groups including terrorist and violent extremist organizations. This is exhibited by conflicts with non-state groups such as Al Qaeda, the Islamic State in Iraq and Syria (ISIS), the Muslim Brotherhood, Haqqani network, Lord's Resistance Army (LRA) and Boko Haram. Additionally, transnational criminal organizations have affected the stability of countries by exploiting grievances and enabling spoilers with the proliferation of arms, which has resulted in persistent low-level conflict below the threshold of a declared war. Transnational crime is also linked with human trafficking for forced labor, sex trafficking and migrant smuggling operations.

The United States recognizes “irregular warfare” as a struggle among state and non-state actors to influence

populations and affect legitimacy across the spectrum from competition to conflict.²² The DOD Irregular Warfare (IW) annex to the National Defense Strategy further elaborates that IW encompasses counterterrorism (CT), counterinsurgency (COIN), Great Power Competition (GPC), and Countering Violent Extremism (CVE), which are operations below the threshold of war that involve state and non-state actors which seek to coerce and control the population to their strategic advantage.²³

In addition, many non-state actors have religious, social, or political ideologies that transcend national boundaries as evidenced by the recruitment of forces from numerous countries, such as the migration of violent extremism from the Middle East to Africa.²⁴ Other forms of political violence and power competition below the threshold of armed conflict also are on the rise, such as instability in Venezuela and drug-related violence in Mexico and the Philippines demonstrate.²⁵ These changes show a shift in power away from state authorities, toward other actors who have a destabilizing effect on state power.

Furthermore, non-state armed groups have not shown respect for the Geneva Conventions and international rules that govern the Protection of Civilians by state militaries. Groups such as ISIS, al Shabab, and Boko Haram have used fear as a tactic to control the civilian population. This includes forcing females and children to become spies, suicide bombers, and servants to fighters in the group. In some cases, these populations have been kidnapped, held hostage, and used as human shields to deter and evade the use of force by state militaries. This phenomenon has led to dilemmas in the use of force when encountering civilians co-located with or co-opted by non-state groups.

Effects of Armed Conflict

Trend 3: Increase in the duration of wars

According to the International Committee of the Red Cross (ICRC), while there are fewer international armed conflicts between states, longstanding wars are becoming more protracted, (e.g., Afghanistan, Somalia, the Israeli Occupied Territories, and Sudan), lasting over thirty years.²⁶ The resulting impact on civilians is that surviving war is becoming a way of life, rather than a temporary emergency.

Trend 4: Increase in civilian casualties compared to combatants

In addition, contemporary conflict also kills more civilians than combatants. Some academic sources indicate that for every combatant who is killed, nine civilians die as a direct or indirect result of the conflict.²⁷ Precise numbers of civilian deaths because of conflict are difficult to calculate because of the second and third order effects, such as reduced access to food, housing, and health care. These indirect impacts may ultimately be as costly to civilian casualties as direct action but may not be recorded as war casualties. According to the New America Foundation, first, second, and third order effects may be understood as depicted in Figure 5.

- Understanding the 1st, 2nd and 3rd Order Effects of Conflict**
1. First Order
 - a. Death
 - b. Injury
 - c. Forced disappearance
 - d. Conflict related sexual violence
 - e. Destruction of infrastructure
 2. Second Order
 - a. Forced displacement
 - b. Lack of mobility or access to safe transport
 - c. Damage to homes and infrastructure
 - d. Disruption in livelihood
 - e. Food shortages
 - f. Water and Sanitation issues
 - g. Lack of access to medical assistance
 - h. Lack of access to basic services, including education
 3. Third Order
 - a. Weakened governance
 - b. Traumatized population
 - c. Cycles of violence or reprisals
 - d. Social instability and conflict between communities
 - e. Economic disruption
 - f. Scarcity of resources
 - g. Sluggish infrastructure

Figure 5. First, Second and Third Order Effects of Conflict²⁸

Given the compounded impact of the 1st, 2nd and 3rd effects observed in Figure 5, counting the total cost of war on a society is nearly impossible.²⁹ However, several research institutions collect and analyze data on violence against civilians in conflict. They agree that war is becoming less deadly. The Uppsala Conflict Data Program (UCDP) at Uppsala University in Sweden has been tracking data on armed conflicts and organized violence since 1993. The Peace Research Institute Oslo (PRIO) in Norway collaborated with UCDP to analyze the data and released a definitive report on Trends in Armed Conflict from 1946-2018. The PRIO report concludes, “Fewer people are being killed in fewer wars.”³⁰

While the United States government does not officially recognize that a certain number of fatalities constitutes a war, or a certain number of deaths indicates a mass atrocity, academic institutions use specific figures to categorize and track conflict-related deaths. For example, the UCDP tracks twenty-five or more civilian deaths as a conflict and counts deaths of 1,000 people or more as war, irrespective of the

legal classification of the conflict. According to UCDP, in the last decade, the following ten countries have experienced the greatest number of conflict-related fatalities:

Table I. The ten most conflict-affected countries in terms of fatalities, 1989–2019

<i>Country</i>	<i>Total no. of fatalities 1989–2019</i>	<i>Fatalities in state-based conflict</i>	<i>Fatalities in non-state conflict</i>	<i>Fatalities in one-sided violence</i>
Rwanda	515,793	6,752	11	509,030
Syria	361,193	302,583	47,305	11,305
Afghanistan	258,746	243,210	4,830	10,706
Ethiopia	178,779	167,551	7,801	3,427
Iraq	122,560	100,246	3,141	19,173
DR Congo (Zaire)	116,422	28,693	17,269	70,460
Sudan	93,980	51,889	22,108	19,983
Sri Lanka	65,716	61,298	648	3,770
Nigeria	59,434	18,527	24,419	16,488
India	58,690	40,055	6,050	12,585
Other countries	710,997	457,073	119,086	134,838
Total	2,542,310	1,477,877	252,668	811,765

Figure 6. The ten most conflict-affected countries in terms of fatalities, “UCDP Trends in Organized Violence from 1989-2019.”³¹

Regardless of the type of violence, there have been over 2.5 million fatalities due to armed conflict over the past ten years. However, UCDP also noted some positive trends. In 2018, the project accounted for a 23% decline in the number of casualties and a drop in the number of conflicts to six active wars in 2018, down from ten in 2017. This decrease in fatalities is largely related to a reduction of violence in Syria. Yet, in 2018, four wars accounted for 82% of all casualties: Yemen, Syria, Somalia, and Afghanistan. Afghanistan was considered the deadliest war, accounting for 48% of all casualties in 2018.³²

The Armed Conflict Location and Event Data Project (ACLED) is a nonprofit research organization that also works with the U.S. Department of State on tracking fatalities from different types of violence. ACLED data also recognizes spikes in conflict-related deaths in major wars (e.g., 1994 Rwanda genocide, 2014 Syrian civil war), but a reduction in overall fatalities since 2018.³³

In addition to data on conflict-related deaths, nongovernmental organizations monitor civilian casualties

(CIVCAS) in military operations, collecting satellite imagery and tracking the impact of munitions. Humanitarian organizations have called for greater accountability and transparency with DOD reporting concerning the number of civilians killed as a result of U.S. military action.

Trend 5: Increase in civilian displacement due to conflict

While considerable effort goes into reporting civilian casualties, other forms of civilian harm show important trends in how civilians are affected by armed conflict. Displacement is at an all-time high globally, with 26 million refugees and 45 million internally displaced persons (IDPs) as of June 2020.³⁴ According to the United Nations High Commissioner for Refugees (UNHCR), in 2020 the majority of refugees come from five countries: Syria, Venezuela, Afghanistan, South Sudan, and Myanmar.³⁵

Conflict also impacts access to employment, economic growth, and restricts or shuts down access to education and health care. It also results in the destruction of civilian infrastructure including homes, schools, hospitals, roads, electric grids, water resources, markets, and telecommunications networks.

The number of women and girls affected by sexual violence is also an important indicator of civilian harm. While men and boys also experience sexual violence, as evidenced by the *bacha bazi* boys in Afghanistan, male sexual violence is far less reported. Newer studies indicate that male sexual violence tends to be reported as torture and forced recruitment, rather than as conflict-related sexual violence.³⁶

Trend 6: Irregular warfare poses complex risks to the civilian population

These trends are recognized by the U.S. Director of National Intelligence (DNI) Global Trends Report 2020, which states that current conflict levels are showing an increase in battle-related deaths and other human costs of conflict are up sharply.³⁷ Other trends in armed conflict include the urbanization of warfare, use of explosive ordnances in populated areas, growing sophistication of improvised explosive devices (IEDs), weaponization of commercially available drones, and taking civilians hostage to be used as human shields. Numerous forms of irregular warfare, including asymmetric and hybrid tactics aimed at destroying the financial, social, information security and cyber systems are also threats below the threshold of armed conflict.

In summary, although there are fewer wars between states, other forms of armed conflict are having a substantial impact on civilians. This includes significant numbers of conflict-related deaths and other adverse second and third order effects that impact the population. The involvement of non-state actors in armed conflict has led to enhanced awareness of the different type of threats to civilian populations in the operational environment. The concept of Human Security recognizes that these threats can come from perpetrators of violence and other sources of instability within the environment. Efforts to protect civilians from a range of Human Security threats are complementary to the legal protections afforded to civilians within the LOAC.

Human Security CrossCutting Topics (CCTs)

Human beings experience insecurity in different ways depending on a number of factors including their age, gender, nationality, language, ethnicity, race, religion, and social group. As the United Nations developed its concept of Human Security, the UN Security Council established several Crosscutting Topics (CCTs) recognizing the demographic differences that are important considerations for the Protection of Civilians in the operational environment. The term Human Security is an umbrella term for the CCTs recognized by United Nations Security Council Resolutions (UNSCRs), some of which have also been adopted by NATO, and are recognized in U.S. law and military doctrine. These CCTs include the following:

Protection of Civilians	POC
Civilian Casualty Mitigation and Response	CIVCAS
Atrocity Prevention and Mass Atrocity Response Operations	AP and MARO
Children and Armed Conflict	CAAC
Conflict Related Sexual Violence	CRSV
Sexual Exploitation and Abuse	SEA
Women, Peace and Security	WPS
Cultural Property Protection	CPP

Each of these CCTs has its own origin. Many of them originate from the United Nations and have been adopted by regional and national frameworks over time. Some of them have a distinct meaning in U.S. law, military doctrine, and specific operational contexts. The following sections describe the origin and meaning of each CCT.

U.S. Laws and Military Doctrine

What does U.S. law and military doctrine say about Human Security? As previously stated, there is currently no U.S. Government definition of the term Human Security. This paper suggests Human Security be defined as consideration of **all the risks and threats that make people vulnerable in the area of operations, including the infrastructure and environment they depend on for life**. The following section outlines existing U.S. laws and doctrine related to the CCTs that together, compromise the basis of a U.S. concept of Human Security. A description of how these themes are addressed by the UN and NATO follows, offering a comparative perspective on the history of each topic.

Protection of Civilians (PoC)

The U.S. military has a long history of developing doctrine and guidance on the Protection of Civilians. During the U.S. Civil War, President Abraham Lincoln signed General Order (GO) 100, also known as the Lieber Code of 1863, governing the conduct of Union soldiers.³⁸ This GO100 outlined the differences between combatants and civilians and prohibited the rape, maiming, wounding, and killing of civilians. The Lieber Code, and other documents on caring for the wounded in the Battle of Solferino in Italy in 1859, became the premise for the first Geneva Convention of 1864, providing the foundation for the Laws of War.³⁹

In modern regular wars of the Europeans, and their descendants in other portions of the globe, protection of the inoffensive citizen of the hostile county is the rule; privation and disturbance of private relations are the exceptions.

Article 25 of General Order No. 100, The Lieber Code of 1863

Figure 7: Article 25 of General Order No. 100, The Lieber Code of 1863

The Geneva Conventions are the basis of the Law of Armed Conflict (LOAC) and contain provisions on the Protection of Civilians (PoC), relief workers, and civilian objects and infrastructure including medical personnel and facilities. International Humanitarian Law (IHL) and International Human Rights Law (IHRL) also contain provisions that address PoC.⁴⁰ Yet, the contemporary evolution of armed conflict beyond international conflict between states, to forms of non-international armed conflict involving non-state actors, led to a recognition that additional guidance on how to protect civilians from harm during military operations is warranted. For more information on U.S. law and the LOAC, see the DOD Law of War Manual.⁴¹

Since the international community began to expand the definition and concept of civilian protection in the 1990s, the U.S. Army Peacekeeping and Stability Operations Institute (PKSOI) has developed military doctrine and guidance on PoC. In doing so, PKSOI has taken the lead within the joint force on the development of materials that address how trends in armed conflict impact civilians. PKSOI has also incorporated various CCTs within a broader PoC framework. These topics include:

CCTs Originating in International Laws and Treaties

Protection of Civilians (PoC)

Cultural Property Protection (CPP)

CCTs Originating in U.S. Laws and Doctrine

Civilian Casualty Mitigation and Response (CIVCAS)

Atrocity Prevention (AP) and Mass Atrocity Response Operations (MARO)

The two topics above have unique meaning in U.S.

law and military guidance and are not easily comparable with United Nations or NATO guidance, which varies tremendously based on the mandate of a particular mission authorized by the UN Security Council. U.S. action to mitigate and respond to civilian casualties or to prevent atrocities does not depend on the international authorization of the use of force. These and other laws reflect a national commitment to achieving specific U.S. military objectives.

However, while the following CCTs also have specific meaning in U.S. laws and doctrine, their genesis originates with United Nations Security Council Resolutions (UNSCRs). Therefore, how U.S. laws relate to the original UN concept will be further explained below.

CCTs Originating with UN Security Council Resolution (UNSCRs)

Children and Armed Conflict (CAAC)

Conflict-Related Sexual Violence (CRSV)

Sexual Exploitation and Abuse (SEA)

Women, Peace and Security (WPS)

While the United Nations initially developed these Human Security concepts, the U.S. Congress has repeatedly placed new requirements on the DOD and U.S. government agencies to address these challenges. The following sections explore international practice and U.S. legal requirements related to Human Security. Together, these CCTs currently make up a Human Security perspective. Additional topics, such as Human Rights, Human Trafficking, Environmental Security, and Humanitarian Assistance and Disaster Relief operations are relevant to Human Security but are less emphasized here due to other U.S. Government agencies that have appropriate guidance on these topics, including the U.S. Department of State (DoS), U.S. Department of Justice

(DOJ), and U.S. Agency for International Development (USAID). This paper highlights CCTs of shared importance to U.S., UN and NATO military operations. It also recognizes that as threats to Human Security evolve, additional topics will be further developed into military concepts and doctrine.

Civilian Casualty (CIVCAS) Mitigation and Response

The U.S. military has long sought to prevent civilian casualties while conducting military operations, in line with our obligations under the Law of War. Over recent decades, the U.S. further evolved operational-level practices for further mitigating civilian casualties and responding when civilian casualties occur, and in the last decade, we have seen these practices evolve at a significant rate, and be formalized as a matter of U.S. policy.

In 2012, the United States Army published the Army Tactics, Techniques and Procedures (ATTP) 3-37.31 on Civilian Casualty Mitigation with specific guidance on measures to avoid and minimize civilian harm during operations.⁴² The ATTP also provided a checklist on how to report and respond to incidents of harm.

More recently, Presidential Executive Orders have further clarified United States policy and practices regarding civilian casualties. In July 2016, Executive Order (EO) 13732 on U.S. Policy on Pre- and Post-Strike Measures to Address Civilian Casualties in U.S. Operations Involving the Use of Force, outlined a number of policies and practices to reduce civilian casualties and enhance the Protection of Civilians in line with U.S. legal obligations.⁴³ These include enhanced training and exercises; developing and fielding intelligence, surveillance and weapons systems that enable the discriminate use of force; conducting assessments on civilian risks; and investigating incidents by considering relevant and credible information that mitigate the likelihood

of future risks. EO 13732 also required the release of an annual unclassified report on strikes undertaken by the U.S. Government against terrorist targets outside areas of active hostilities and assessments of combatant and non-combatant deaths. In March 2019, EO 13862, revoked the reporting requirements required by EO 13732, while preserving all other portions of EO 13732.

However, significant reporting requirements remain in effect. Prior to the release of EO 13862, Section 1057 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2018 instituted a requirement for DOD to provide annually to Congress and release publicly a report on civilian casualties in connection with U.S. military operations in the preceding year. In addition to requiring release of such information, such reporting requirements serve to formalize evolving U.S. practices to assess civilian casualties resulting from U.S. military operations. In FY19 and FY20, Congress continued to amend Section 1057 to require further information in these annual reports. In addition to this annual requirement, U.S. military commands continue to evolve their practices of periodically releasing further reports of the results of civilian casualty assessments.

To standardize policies, responsibilities and procedures relating to civilian casualties across the Department, DOD is currently in the process of developing a Department-wide policy issuance. This effort began in response to a 2018 Joint Civilian Casualty Review conducted at the direction of then-Secretary of Defense James Mattis and then-Chairman of the Joint Chiefs of Staff General Joseph Dunford, and will fulfill the requirements of Section 936 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019, as amended.⁴⁴ As the U.S. continues to evolve national CIVCAS policy, international humanitarian organizations are calling for greater transparency and accountability relating to civilian casualties, to include scrutinizing U.S. approaches to assessing and investigating civilian casualties and incorporating information from external sources.

Civilian casualties resulting from operations conducted by U.S. allies and partners have also received greater attention in recent years. The 2018 update to the Conventional Arms Transfer Policy (National Security Presidential Memorandum (NSPM)-10) for the first time articulated, “It shall be the policy of the executive branch to (e) facilitate ally and partner efforts, through United States sales and security cooperation efforts, to reduce the risk of national or coalition operations causing civilian harm.”⁴⁵ In response to this language, the DoS and DOD are currently evolving their capabilities and processes for engaging with allies and partners on civilian harm mitigation and response.

Protection of Civilians (PoC)

In 2015, Army Techniques Publication (ATP) 3-07.6, Protection of Civilians replaced Army Tactics, Techniques, and Procedures (ATTP) 3-37.31. The new ATP on PoC included the previous CIVCAS guidance. This framework includes the following three components:

- I. Understanding Civilian Risks
- II. Protecting Civilians During Operations
- III. Shaping a Protective Environment

Within the “Understanding Civilian Risks” component of the U.S. Army PoC framework, numerous risks, vulnerabilities, and threats are factors relating to Human Security. These include political, economic, and social factors that impact civilian life within the PMESII-PT (Political, Military, Economic, Social, Information, Infrastructure – Physical Environment and Time) framework for understanding the operational environment.⁴⁶

PKSOI Contributions to Human Security Concepts and Doctrine

In 2013, PKSOI released a supplemental military reference guide on the Protection of Civilians, now in its second edition, providing further considerations outside the scope of official U.S. doctrine, including UN perspectives. This expanded resource lays out forty-five military tasks to provide the force with options for applying civilian protective measures in operations.⁴⁷

In 2018, Joint Publication (JP) 3-07.3, Peace Operations incorporated both U.S. Army PoC and CIVCAS doctrine. U.S. Army Field Manual (FM) 3-0, Operations is being updated and may include PoC, as well as Women, Peace and Security and Human Aspects of Joint Operations in forthcoming versions of the manual.

Further, PKSOI provided expertise to the NATO team who developed a PoC concept of military operations acceptable to all twenty-nine militaries within the alliance. In 2018, the NATO Military Committee formally adopted the NATO PoC concept and tasked Supreme Headquarters Allied Powers Europe (SHAPE) to provide further operational guidance to the joint force commands. Since then, PKSOI also worked with NATO partners to develop a PoC Operational Handbook for military planners.

However, concepts, such as the Protection of Civilians, are often seen as reflecting UN or NATO peace operations, and not part of the “core business” of U.S. operations. This paper outlines where U.S. law and doctrine also recognize these important topics.

Atrocity Prevention (AP) and Mass Atrocity Response Operations (MARO)

The U.S. military developed planning guidance for operations to prevent the large-scale loss of civilian life. The Harvard University Carr Center for Human Rights Policy launched the Mass Atrocity Response Operations (MARO) project in partnership with PKSOI in 2010. The project defined a mass atrocity as:

A **mass atrocity** is widespread and often systematic acts of violence against civilians or other noncombatants including killing; causing serious bodily or mental harm; or deliberately inflicting conditions of life that cause harm.

A **mass atrocity response operation** is a contingency operation to halt the widespread and systematic use of violence by state or non-state armed groups against non-combatants.

There is no widely accepted number of civilian deaths to determine a mass atrocity. However, within the international community the Responsibility to Protect (R2P) focuses on addressing four scenarios that constitute a mass atrocity:

1. Genocide
2. Ethnic cleansing
3. Crimes against humanity
4. War crimes

The MARO project resulted in two sets of guidance on mass atrocity response operations:

- MAPRO Policy Planning Handbook⁴⁸
- MARO Military Planning Handbook⁴⁹

These tools were developed with a focus on ensuring that the U.S. Government has options for responding when atrocities occur. However, U.S. Government Atrocity Prevention (AP) and early warning tools have changed considerably since 2010. For example, the Obama Administration established the Atrocity Prevention Board (APB) to convene interagency decision makers to review countries at-risk of atrocities. Note, the U.S. Government understands the terms “atrocities” and “mass atrocities” to be interchangeable terms referring to large-scale and deliberate attacks on civilians including genocide, war crimes, and crimes against humanity.⁵⁰

In January 2019, the U.S. Congress passed the Elie Wiesel Genocide and Atrocity Prevention Act into law.⁵¹ It codifies several aspects of the APB review process to include:

- Mandates annual report with a global assessment of countries at-risk of atrocities
- Regular interagency meetings to monitor developments that heighten the risk of atrocities
- Coordination with U.S. allies on efforts to prevent atrocities
- Training for U.S. State Department personnel assigned to countries with risk indicators

In September 2019, the Trump Administration announced the development of an Atrocity Early Warning Task Force (AEWTF) to replace the APB, which is responsible for atrocity monitoring, furthering interagency coordination, and facilitating the development and implementation of policy on atrocity prevention.⁵² The Task Force’s efforts focus on countries at-risk of an atrocity according to early warning indicators. Additionally, the U.S. Holocaust Memorial Museum (USHMM) maintains a watch list that is available to the public.⁵³ The USHMM lists the following top ten countries at-risk for 2019-2020 in Figure 8.

Top 10 Countries At-Risk of Atrocities, 2019-2020

1. Afghanistan
2. Yemen
3. Pakistan
4. South Sudan
5. Democratic Republic of Congo
6. Egypt
7. Sudan
8. Somalia
9. Cameroon
10. Ethiopia

More information about the top thirty countries at-risk is on the U.S. Holocaust Memorial Museum website. The official U.S. Government list is classified

Figure 8 shows the USHMM's listing of the top ten countries at-risk for 2019-2020.

The U.S. State Department also coordinates the International Atrocity Prevention Working Group (IAPWG), a network of representatives from seven allied nations that regularly discuss and exchange information on early warning indicators and coordinate prevention and response. Representatives from the Office of the Secretary of Defense (OSD) and the Joint Staff participate in this forum.

At the United Nations in New York, the Global Center for the Responsibility to Protect (GCR2P) regularly interfaces with missions to track early warning indicators and respond to threats of violence.⁵⁴ The response to atrocities still largely depends on the political will of regional and international powers to act, and the extent to which atrocities are contained within a geographic area. For example, the United States Embassy in Cameroon has issued statements about rising ethnic tensions, violence between Anglophone and Francophone speaking communities, but the Government of Cameroon has failed to stop the violence, and international pressure has not changed this dynamic.⁵⁵

The DOD works in coordination with the State Department on early warning indicators for AP and reviews security cooperation plans to ensure a coherent response. Although AP is not part of a UN or NATO framework for Human Security, it is an important consideration for U.S. military partnerships. However, U.S. decisions to act on early warning indicators remain at the political rather than the operational level.

Comparing United Nations CCTs with U.S. and Allied Perspectives

The United Nations Charter

As the primary forum for international cooperation, the United Nations (UN) offers countries a platform for advancing their foreign policy interests. However, the mission of the UN itself is not to advance any national interest. The Charter of the United Nations, signed in 1945, includes the following goals:

- To save future generations from the scourge of war
- To reaffirm faith in human rights, in the dignity and worth of the human person, and the equal rights of men and women
- To unite our strength to maintain international peace and security

At its inception, U.S. President Franklin D. Roosevelt and First Lady Eleanor Roosevelt supported the founding of this international body soon after the conclusion of World War II. In fact, the UN states that the concept of Human Security came from Roosevelt's 1941 "Four Freedoms" speech to Congress in which he justified U.S. intervention in World War II to stop the advancement of Hitler in Europe.⁵⁶

The United Nations serves a vital purpose to the United States and our partners and allies. The U.S. is a permanent member of the UN Security Council (UNSC), along with the UK, France, China, and Russia (the "P5"). The UK and France often work with the U.S. (sometimes called the "P3"), while China and Russia often work against U.S. interests. The UNSC works to promote international peace and stability, including by taking actions in response to violations of international law or UN security resolutions. In this way, the United Nations is there to remind states of their obligations toward collective peace and security. When na-

tions have catastrophic disasters, UN agencies also respond to humanitarian needs. This is the work of what is known as “the international community.” The effectiveness of the UN depends on the willingness of its members to work together and find common ground; it is, after all, a community of nation-states.

UN Peacekeeping Mandates and the Protection of Civilians

In parallel to the 1990s debate on Human Security, the UNSC also considered options to develop more effective peacekeeping forces to protect civilians in war-torn nations. In 1999, the UN Mission in Sierra Leone (UNAMSIL) was the first mission to include a mandate to protect the civilian population on the ground. Presently, the UN policy on the Protection of Civilians defines PoC as:

Protection of Civilians – without prejudice to the primary responsibility of the host state, integrated and coordinated activities by all civilian and uniformed mission components to prevent, deter or respond to threats of physical violence against civilians within the mission’s capabilities and areas of deployment through the use of all necessary means, up to and including deadly force.⁵⁷

UN mandates may include specific objectives on the PoC in specific missions. However, the UN operational concept for PoC action includes three main pillars:

- Protection through dialogue and engagement
- Provision of physical protection
- Establishment of a protective environment⁵⁸

In UN missions, the use of force is a measure of last resort. This is emphasized in the Rules of Engagement (ROE) of the respective peacekeeping mission, which give Troop Contributing Countries (TCCs) the left and right limits of

what they can do, tactically, to protect the population. However, even when ROE allow for the use of deadly force to prevent imminent violence, TCCs have struggled to provide physical protection to civilian populations under threat. This indecisiveness to use force, combined with the inability to act quickly on operational intelligence, is most often observed when violence is being perpetrated by either host state forces or well-armed non-state actors.

Therefore, the UN policy on PoC was updated in 2019 to emphasize that protection is a “whole of mission” requirement, involving the full range of mission capabilities including civilian, police and military units. The priority objectives for each peacekeeping mission are outlined in the relevant UN Security Council mandates. For more information on how UN missions implement PoC mandates, see the UN’s *Protection of Civilians in United Nations Peacekeeping Handbook*.⁵⁹

The U.S. military approach to PoC is slightly different from the UN and NATO approach. When comparing the components of U.S. PoC doctrine to the UN policy, “protection through dialogue and engagement” is not part of U.S. doctrine. This is because the UN presumes that protective action is taking place in support of a peace agreement or other memorandum of understanding between the parties to end hostilities. The U.S. doctrine places the role of “protection through dialogue and engagement” within establishing a protective environment. U.S. doctrine also reflects a military approach to PoC, recognizing that other parts of the U.S. Government, such as the U.S. Department of State, is the lead agency for political dialogue.

Likewise, the U.S. doctrine on PoC contains a provision that is different from the UN. This component focuses on “understanding civilian risks” in the environment. However, when comparing the frameworks side by side, they both share an emphasis on the provision of physical protection

and shaping a protective environment. See the PoC definitions in Figure 9.

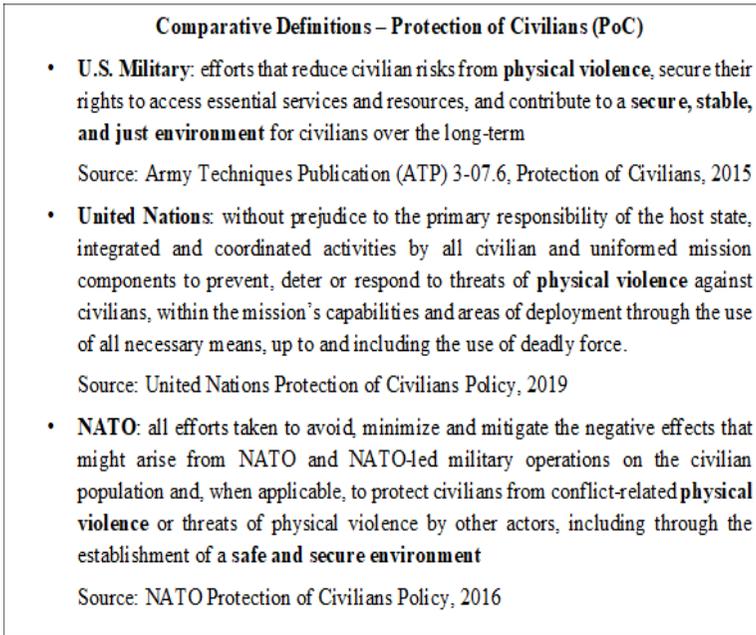


Figure 9. Comparative Definitions of the Protection of Civilians

CrossCutting Topics (CCTs)

In recent decades, the UN Security Council (UNSC) recognized that perpetrators of violence use different tactics to harm subgroups of the population. Therefore, the UNSC passed resolutions to raise awareness to the vulnerabilities of certain groups, including children and those affected by sexual violence. These resolutions have established Cross-Cutting topics (CCTs) with specific mandates, and created special offices charged with monitoring and reporting certain types of violations. For example, the UN has an Office of the Special Representative of the Secretary General for Sexual

Violence in Conflict (OSRSG-SVC) and an Office of the Special Representative of the Secretary General for Children and Armed Conflict (OSRSG-CAAC) that provide annual reports to the Security Council on their particular mandate.

In addition to these special offices, United Nations humanitarian agencies also work to identify populations under the threat of violence. The UN Office for the Coordination of Humanitarian Assistance (OCHA) coordinates clusters, or sectors, of response. The United Nations High Commissioner for Refugees (UNHCR) leads the Global Protection Cluster with a sub-cluster on Child Protection led by the UN Children's Fund (UNICEF), which also focuses on the prevention and response to Gender Based Violence (GBV).⁶⁰

These UN organizations regularly conduct protection assessments to determine the risks, vulnerabilities, and fears of the population through household surveys, population sampling, and focus group discussions that consider the needs of the population by age, gender, and other demographics. These assessments include reports with Sex and Age Disaggregated Data (SADD) that show the risks to each subgroup of the population.

Children and Armed Conflict (CAAC)

Children are particularly vulnerable in armed conflict, facing a range of threats depending on their age and gender. For example, children under five years of age are at higher risk from malnutrition due to their ongoing development. Adolescents are more at risk of being conscripted into armed groups. Girls are at higher risk of sexual violence, forced marriage, and involuntary servitude, and boys are more often recruited into armed groups and gangs, and solicited to engage in criminal activity.

Recognizing these vulnerabilities, in 1999 the UN passed the first resolution on Children and Armed Conflict, UNSCR

1261, condemning six “grave violations” against children in conflict:⁶¹

1. Killing or maiming
2. Sexual violence
3. Forced recruitment
4. Abduction
5. Attacks against schools or hospitals
6. Denial of access to humanitarian assistance

In 2001, UNSCR 1379 mandated the Secretary General to report annually on parties responsible for CAAC violations.⁶² In his 2020 report, the Secretary General listed armed groups that the UN has identified may have conducted CAAC violations in Afghanistan, Columbia, the Central African Republic, the Democratic Republic of the Congo, Iraq, Mali, Myanmar, Somalia, South Sudan, Sudan, Syria, and Yemen.⁶³ The report also lists state actors who have strengthened child protection measures, and noted that non-state actors and terrorist groups are responsible for many of the violations.⁶⁴

In each country where CAAC violations occur, the UN works with national governments to develop action plans to improve child protection. One practical measure for reducing the number of children in armed groups is to conduct age verification assessments for all new recruits, particularly for teenage boys who may want to join the national force of a country affected by conflict. In 2005, the UN instituted a mandatory Monitoring and Reporting Mechanism (MRM) to collect and streamline information on CAAC violations with the adoption of UNSCR 1612.⁶⁵ The United Nations Children’s Fund (UNICEF) manages the MRM and supports Disarmament, Demobilization and Reintegration (DDR) programs for children in conflict. In 2018, UNICEF facilitated the release from conscription of 13,600 child soldiers in 14 countries.⁶⁶

U.S. Child Soldiers Prevention Act (CSPA)

In 2008, the United States passed the Child Soldiers Prevention Act (CSPA). One important aspect of the act is how it defines “a child soldier.” The U.S. is party to the Optional Protocol to the Convention on the Rights of the Child, which “prohibits persons under age 18 from being compulsorily recruited into state or non-state armed forces or directly engaging in hostilities (while permitting voluntary recruitment of persons at least 15 years old).”⁶⁷ Under the CSPA, a child soldier is defined as:

- Persons under the age of 18, who
- Take part in hostilities as a member of government forces, police, or other armed forces; or
- Are compulsorily recruited (or under the age of 15 and voluntarily recruited), including in noncombat roles; or
- Are recruited and used in hostilities by non-state armed actors, including in noncombatant roles⁶⁸

The CSPA requires the Secretary of State to publish as part of the annual Trafficking in Persons (TIP) report a list of countries whose governments recruit or use child soldiers. Countries listed in the report are prohibited from receiving the following types of U.S. assistance:

- Direct Commercial Sales (DCS) of military equipment
- Foreign Military Financing (FMF) for articles and services
- International Military Education and Training (IMET)
- Excess Defense Articles (EDA)
- Peacekeeping Operations (PKO)

However, the CSPA has a waiver clause by which the President of the United States, usually through decisions taken at the National Security Council (NSC), can issue a waiver to designated countries. The State Department has been criticized by civil society and human rights groups for not listing states known to use child soldiers (such as Iraq, Afghanistan, and Myanmar). The U.S. Congress has criticized interagency decisions to issue waivers to countries in clear violation of the law, such as Somalia, where the federal government and non-state actors engage in the recruitment of children.⁶⁹

Allied Perspectives on CAAC

In 2017, the Government of Canada launched the Vancouver Principles on Peacekeeping and the Prevention of the Recruitment and Use of Child Soldiers, offering steps to integrate child protection into peacekeeping missions.⁷⁰ Further guidance on interacting with child soldiers is found in the *Child Soldiers: Handbook for Security Sector Actors*, produced by the Romeo Dallaire Child Soldiers Initiative.⁷¹ This handbook highlights the the importance of recognizing locations where vulnerable children are being recruited, including schools, orphanages, and camps for refugees and internally displaced persons. In addition, it offers the following steps to prevent direct hostile engagement of a child soldier:

1. Conduct information and psychological operations to convince children to disarm
2. Focus on the center of gravity by targeting adult leadership of units and social influencers
3. Create a buffer between adult commanders and children in units
4. Issue directives to capture children instead of killing them

5. Role play the Rules of Engagement for child soldiers prior to deployment

In addition to UN efforts, NATO developed principles for military interaction with children in conflict settings. These include:

1. Monitor the situation
2. Keep distance from children
3. Report on grave violations (killing or maiming, abduction and forced recruitment, rape/sexual abuse, attacks on schools/hospitals/humanitarians)
4. Act to stop, deter or prevent violations

The NATO principle to “keep distance from children” includes refraining from giving children candy or gifts and not taking photos with them, as these acts can unknowingly place a child at-risk of harm. These lessons were developed, in part, due to lessons from the Resolute Support Mission (RSM) in Afghanistan that showed that proximity to military forces placed children at-risk of being targeted. While the age of a child may vary within NATO member states, the UN defines a “child” as a person under the age of 18.⁷²

Conflict-Related Sexual Violence (CRSV)

State and non-state actors perpetuate sexual violence in conflict as a military tactic to gain control over the population. The international criminal tribunals following both the Rwandan genocide and ethnic cleansing in the former Yugoslavia were the first to recognize rape as a war crime and crime against humanity. This recognition was subsequently enshrined in the Rome Statute establishing the International Criminal Court (ICC). Furthermore, these tribunals recog-

nized rape as an act of genocide when the intent is to destroy a group in whole or in part.

However, sexual violence in conflict takes many other forms, and the UN definition of CRSV encompasses:

- Rape
- Sexual slavery
- Forced prostitution
- Forced pregnancy
- Forced abortion
- Enforced sterilization
- Forced marriage

This definition includes “other forms of sexual violence of comparable gravity perpetrated against women, men, boys and girls that is directly or indirectly related to the conflict.”⁷³ For example, some definitions of CRSV include human trafficking. NATO also includes human trafficking within its Human Security portfolio.⁷⁴

The UN has passed several key resolutions regarding conflict-related sexual violence:

- UNSCR 1820 in 2008 adopting benchmarks for measuring progress against CRSV
- UNSCR 1888 in 2009 creating the office of the Special Representative on CRSV
- UNSCR 1960 in 2010 establishing a monitoring and reporting mechanism on CRSV

The UN Office of the Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG-SVC) is mandated to report instances of sexual violence in conflict. These reports are specific to each conflict-affected country and include descriptions of perpetrators, as well as the number of women, girls, men, and boys affected. The UN also employs Women’s Protection Advisors in peacekeeping

missions with a PoC mandate who gather data and compile reports on the prevention and response to sexual violence. The UN requires state military forces listed in these reports to develop specific commitments and action plans with the SRSG to reduce these violations.

In addition to these country reports, the Secretary General produces an annual report on progress related to combatting CRSV. In his 2019 annual report, Secretary General Guterres highlighted violations from 54 armed groups, many of which are non-state actors and terrorist organizations.⁷⁵ The following figure identifies countries in the 2019 report where CRSV is a problem.

Where Conflict-Related Sexual Violence (CRSV) is a Problem			
UN CRSV Report 2019			
<u>MIDDLE EAST/</u>			
<u>NORTH AFRICA</u>	<u>AFRICA</u>	<u>ASIA</u>	<u>Other</u>
Afghanistan	Central African Republic	Myanmar	Bosnia Herzegovina
Iraq	Cote d'Ivoire	Nepal	Colombia
Syria	Democratic Republic of Congo	Sri Lanka	
Yemen	Guinea		
	Mali		
	Nigeria		
	Somalia		
	South Sudan		
	Sudan (Darfur)		

Figure 10: Countries where the UN is concerned about CRSV⁷⁶

Through its annual report on CRSV, the UN SRSG can recognize trends in patterns of sexual violence. This includes the use of sexual violence to displace and expel groups from contested territory, to control access to illicit goods, and as a means of targeting young children for forced recruitment. The UN SRSG therefore established the following strategic priorities:

1. Fighting against impunity by strengthening justice and accountability mechanisms
2. Fostering national ownership and leadership for a survivor-centered response
3. Addressing the root causes of sexual violence including gender inequality and poverty⁷⁷

Distinguishing conflict-related sexual violence (CRSV) from other forms of gender-based violence (GBV) is a challenge for academics, humanitarians, governments, and the military. The distinguishing factor between CRSV and GBV is about who is perpetrating the violence. When parties to the conflict perpetrate sexual violence, it is CRSV. If the intent of the sexual violence is to directly or indirectly affect the conflict, it is CRSV. The United Nations and NATO more commonly use the term CRSV. See the definitions in Figure 11.

While GBV within personal and family relationships is often not seen as conflict related, evidence shows that intimate partner violence (IPV) and other forms of GBV committed by individuals increase during conflict.⁷⁸ Conflict exacerbates existing social and economic inequalities within society, likely leading to an increase in interpersonal violence. Increased unemployment and substance abuse may also further induce violent behavior. National police forces rather than military personnel usually address these public safety challenges. However, in UN peacekeeping missions, police and military forces work in coordination with civilian UN agencies and NGOs on the prevention and response to CRSV. For more information, see the *Handbook for United Nations Field Missions on Preventing and Responding to Conflict Related Sexual Violence*.⁷⁹

Sexual Exploitation and Abuse (SEA)

The UNSC has also passed numerous resolutions on the importance of preventing and responding to Sexual Exploitation and Abuse (SEA). These resolutions include UNSCR 2436 (2018) emphasizing that vetting personnel to ensure compliance with SEA policies is an important aspect of peacekeeping performance and UNSCR 2272 (2016) affirming the zero-tolerance policy and the importance of national investigations to hold perpetrators accountable for confirmed reports of SEA.⁸⁰

Sexual exploitation and abuse (SEA) is a form of serious misconduct. It refers to violations against host nation civilian populations committed by UN military, police, and civilian personnel within the mission. Many humanitarian organizations also have SEA policies in place. Exploitation and abuse are understood as:

Exploitation: Actual or attempted abuse of a person's vulnerability, differential power, or trust for sexual purposes, including profiting monetarily, socially, or politically from the exploitation of another.

Abuse: Actual or threatened physical intrusion of a sexual nature, by force or under unequal or coercive conditions.⁸¹

Comparative Definitions – Gender Related Violence

U.S. Army Definition

Conflict Related Sexual Violence (CRSV) – violent acts of a sexual nature, including rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, mutilation, indecent assault, trafficking, inappropriate medical exams, and strip searches

Source: Army ATP 3-07.6 Protection of Civilians, October 2015

U.S. Government Definition

Gender Based Violence (GBV) – an umbrella term for any harmful threat or act directed at an individual or group based on actual or perceived biological sex, gender identity and/or expression, sexual orientation, and/or lack of adherence to varying socially constructed norms around masculinity and femininity.

Source: Department of State, United States Strategy to Prevent and Respond to Gender-Based Violence Globally, 2016 update

United Nations Definition

Conflict-Related Sexual Violence (CRSV) – refers to rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. That link may be evident in the profile of the perpetrator, who is often affiliated with a State or non-State armed group, which includes terrorist entities; the profile of the victim, who is frequently an actual or perceived member of a political, ethnic or religious minority group or targeted on the basis of actual or perceived sexual orientation or gender identity; the climate of impunity, which is generally associated with State collapse, cross-border consequences such as displacement or trafficking, and/or violations of a ceasefire agreement. The term also encompasses trafficking in persons for the purpose of sexual violence or exploitation, when committed in situations of conflict.

Source: CRSV Report of the United Nations Secretary-General (S/2019/280)

NATO Definition

Conflict Related Sexual and Gender Based Violence (CR-SGBV) – any sexual and/or gender-based violence against an individual or group of individuals, used or commissioned in relation to a crisis or an armed conflict.

Source: NATO Military Guidelines on the Prevention of, and Response to, Conflict-Related Sexual and Gender Based Violence, June 2015

Figure 11. Comparative definitions of Gender Related Violence

Additionally, UN standards prohibit sexual activity with persons under 18; exchange of money, employment, goods, or services for sex or sexual favors; and the use of children or adults to procure sex for others. The UN also discourages sexual relationships with beneficiaries of assistance. A zero-tolerance policy on SEA had been in place since 2003, after an investigation revealed widespread abuse against refugees

in West Africa. However, periodic significant allegations highlight the problem of accountability, as Troop Contributing Countries (TCCs) often fail to investigate and prosecute those responsible.

The UN Office of Internal Oversight Services (OIOS) maintains a Conduct and Discipline Unit (CDU) charged with investigating allegations of abuse, which began tracking data on allegations in 2006. When the UN completes an investigation, it provides a report to the TCC for further action. In response to major SEA allegations within the UN Mission in the Central African Republic (MINUSCA) in 2014, the United Nations instituted numerous reforms for SEA cases management.⁸² These include:

- Immediate repatriation of forces with substantiated reports
- Vetting of all personnel coming into the mission to verify history of misconduct
- Quarterly reports identifying the country of origin for SEA allegations and tracking investigations
- Suspending payments to members of military and police units with substantiated allegations
- Expedited timeframe of 3-months for UN investigations of SEA
- Appointment of a Victims Rights Advocate and establishment of a Victims' Rights Fund
- Enhanced efforts to verify and process paternity claims
- Community complaint mechanism and referral system put in place
- Member States have signed a Voluntary Compact on SEA prevention and accountability
- Mandatory training and e-learning tools on SEA

Since the UN began publishing the status of investigations by country, it is clear which TCCs have repeated violations, and which missions are more susceptible to improper behavior. The missions and TCCs with the highest number of SEA case from 2015-2019 are in Figure 12.

<p>UN Peacekeeping Missions with High Rates of Sexual Exploitation and Abuse (SEA)</p> <ol style="list-style-type: none">1. Democratic Republic of the Congo (MONUSCO)2. Central African Republic (MINUSCA)3. Haiti (MINUSTAH)4. Lebanon (UNMIL)5. South Sudan (UNMISS) <p>Troop Contributing Countries – Highest Number of Reported SEA Incidents</p> <ol style="list-style-type: none">1. Cameroon2. South Africa3. Democratic Republic of the Congo4. The Congo5. Morocco
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Figure 12. UN Peacekeeping Missions with High Rates of SEA according to the UN Conduct and Discipline quarterly reports from 2015-2019.⁸³

U.S. Military Code of Justice and Sexual Exploitation

The United States does not have the same SEA standards as the United Nations. This is due, in part, to the Uniform Code of Military Justice (UCMJ), which governs the behavior of Service Members in the U.S. military. Sexual harassment and assault are violations of the UCMJ. The following are also considered violations:

- Prostitution
- Pimping
- Pandering
- Patronizing a prostitute, even if it is legal in a host nation or domestic state

- Human trafficking and forced servitude through coercion or fraud

A military Judge Advocate General (JAG) or Legal Advisor trained in military law review cases of alleged UCMJ violations. Individual cases may be referred to the chain of command or personnel division. Internal matters and specific violations of the UCMJ are beyond the scope of this paper.

However, if U.S. forces observe Conflict-Related Sexual Violence (CRSV) being committed against local populations by other forces, there are several courses of action to follow:

- Report suspected cases up the chain of command
- Consult Legal Advisor
- Include incidents of sexual violence in situation reports and running estimates
- Work with partners on sexual violence training as part of security cooperation efforts

Note: PKSOI has developed CRSV training scenarios for UN peacekeeping missions, and DOD Joint Staff have additional resources available through the Gender Advisor (GENAD) training course.⁸⁴

Allied Perspectives - SEA and NATO

NATO has also established a policy on Preventing and Responding to SEA. The policy establishes a zero-tolerance policy for SEA within the alliance and defines SEA in the same way as the UN definitions above.⁸⁵ The policy specifies the type of prohibited acts:

Acts that constitute sexual exploitation include, but are not limited to, the exchange of money, goods or other commodities and or services, employment or any exchange of assistance that is due to the local

population in exchange for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. All such transactional sex, including the exploitation of the prostitution of others, is a form of sexual exploitation. Sexual relationships based on inherently unequal power dynamics are a form of sexual exploitation.

Acts that constitute sexual abuse include but are not limited to, any action or behavior of a sexual nature that coerces threatens or forces a person to engage in a sexual activity, or any unlawful sexual activity with a person under the age of 18.⁸⁶

The policy further highlights that all personnel are prohibited from engaging in SEA, and that vetting personnel according to national procedures and regulations is a national responsibility. Note that the policy regarding exploitation and prostitution is also in reference to the NATO policy on Combatting Trafficking in Human Beings established in 2011, and the NATO Guidelines on combatting trafficking in human beings for military forces and civilian personnel deployed in NATO-led operations from 2004.⁸⁷

Women, Peace and Security (WPS)

UN Security Council Resolution 1325 on WPS

The concept of human security is also linked to WPS initiatives, which strengthen conflict prevention and resolution by including the perspectives of women and girls as key influencers in society and recognizing and addressing the disproportionate impact of conflict on women and girls. This includes empowering women as leaders in setting the conditions for conflict prevention and resolution, and the protec-

tion of vulnerable women and girls from sexual and gender-based violence (SGBV). Conducting a gender analysis of a conflict environment is also an important step to determine the views and security needs of local stakeholders. As one civil society leader in South Sudan explains:

When we talk about security as women, we're talking human security. It's not about the guns...It's about our life, food, education and health.

Priscilla Jones⁸⁸

Founder and Chairperson,
South Sudan Women's Peace Network

In its landmark resolution UNSCR 1325 (2000) on WPS, the UN recognized women's participation in decision-making on peace and security was inadequate and needed improvement in several core areas. The resolution has four pillars:

1. Women's political participation
2. Prevention of conflict
3. Protection from violence
4. Access to relief and recovery

Each of these pillars has specific indicators to measure women's contributions. These indicators are part of the UN strategic results framework for WPS which includes increasing the number of women in UN leadership positions, advancing women's participation in conflict mediation and negotiation, reducing the prevalence of violence against women, and ensuring that the needs of women and girls are highlighted during relief and recovery operations.⁸⁹ Since UNSCR 1325 was passed, numerous other Security Council resolutions have reinforced WPS related priorities, including

UNSCR 2538, which calls for greater action to increase the role of women in peacekeeping.⁹⁰

U.S. Women, Peace and Security Act

Countries seek to incorporate these WPS priorities into their respective National Action Plans (NAPs) to provide further detail on initiatives and benchmarks for achieving these core objectives. After developing two U.S. NAPs, Congress passed the Women, Peace and Security Act in 2017, which requires a whole-of-government WPS strategy, as well as department and agency specific implementation plans for four agencies (Departments of Defense, State, and Homeland Security and the U.S. Agency for International Development). In 2019, the President released a National Strategy on WPS that includes four lines of effort:⁹¹

I. Support the preparation and meaningful participation of women in informal and formal decision-making processes related to conflict and crisis

II. Promote the protection of women and girls' human rights, access to aid, and safety from violence, abuse, and exploitation around the world

III. Adjust U.S. international programs to improve outcomes in equality for, and the empowerment of, women

IV. Encourage partner governments to adopt policies, plans and capacity to improve the meaningful participation of women in processes connected to peace and security and decision-making institutions

Following up on the strategy, in June 2020, the DOD released its WPS Strategic Framework and Implementation Plan with the following core objectives:⁹²

1. DOD exemplifies a diverse organization that allows for women's meaningful participation across the development, management, and employment of the Joint Force.
2. Women in partner nations meaningfully participate and serve at all ranks and in all occupations in defense and security sectors.
3. Partner nation defense and security sectors ensure women and girls are safe and secure and that their human rights are protected, especially during conflict and crisis.

As mentioned, many U.S. partner nations have their own National Action Plans (NAPs) on WPS. For a comprehensive list of which countries have implementation plans, see the Our Secure Future initiative and Peace Women website.⁹³

Allied Perspectives on WPS

NATO also has a WPS implementation plan and tracks national indicators of women's participation in defense institutions, across the alliance, in the annual Summary of National Reports to the NATO Committee on Gender Perspectives.⁹⁴ The Nordic Centre for Gender in Military Operations (NCGM) has played an important role educating allied forces on WPS.⁹⁵

Within the alliance, the United Kingdom (UK) has advanced the concept of Human Security by integrating its approach on Women, Peace and Security with the Protection of Civilians. The UK Ministry of Defense (MOD) is establishing a Centre of Excellence on Human Security and has already formed operational units focused on Human Security in conflict zones. This work is based on a UK directive on Human Security in Military Operations, Joint Service

Publication (JSP) 1325, which presents different lines of effort. These include adherence to the law of armed conflict to protect civilians, consideration of perspectives of men and women in the civilian population, and recognition of the needs of vulnerable populations such as children and armed conflict and victims of human trafficking.⁹⁶

North Atlantic Treaty Organization (NATO) Perspectives

The North Atlantic Council (NAC) is the representative body of NATO member states. Within NATO headquarters, the NAC may request the Operational Policy Committee (OPC) to review emerging issues to determine what topics need greater clarification within the alliance. These topics may become policies adopted during NATO summits that require further implementation by other NATO bodies.

Protection of Civilians Policy and Concept

In November 2015, the NAC tasked the OPC with the development of a NATO policy on the Protection of Civilians in advance of the Warsaw Summit. NATO adopted the PoC policy in 2016, which defines protection as:

The Protection of Civilians, where applicable, includes a range of activities up to and including the use of force, as appropriate, to prevent, deter, preempt, and respond to situations in which civilians suffer physical violence or are under threat of physical violence.⁹⁷

The NATO policy also recognizes the importance of CrossCutting topics including Children and Armed Conflict (CAAC), Women, Peace and Security (WPS) and Conflict-Related Sexual Violence (CRSV) and Gender Based Violence (GBV). It further acknowledges that minimizing and mitigating harm to civilians is an important part of its approach. This is particularly important as the NATO policy was developed after non-governmental organizations put pressure on the nations to reduce civilian casualties in International Security Assistance Force (ISAF) operations in Afghanistan.⁹⁸

After the PoC policy was released, an Action Plan was developed that tasked other parts of NATO with developing a military concept and operational guidance. NATO Allied Command Transformation (ACT) Concept Development and Experimentation (CDE) division, charged with developing new concepts, organized a PoC team to produce the new guidance. PKSOI participated in the NATO concept development workshops and supported the development of a joint UN-NATO PoC course and an operational handbook for NATO planners. The NATO framework for PoC is below:

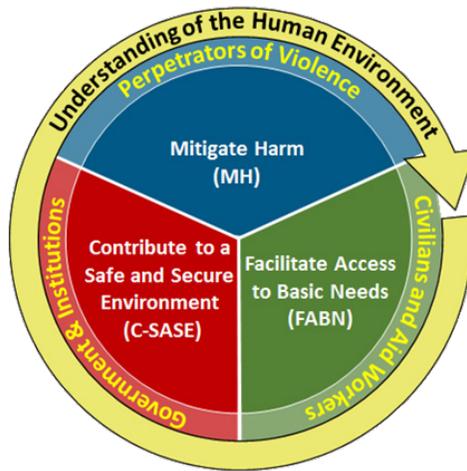


Figure 13: NATO Framework on the Protection of Civilians⁹⁹

The four core components of the NATO approach to PoC are:

1. Understanding of the Human Environment
2. Mitigate Harm
3. Contribute to a Safe and Secure Environment
4. Facilitate Access to Basic Needs

When comparing the NATO approach to the U.S., the one component that stands out is Facilitate Access to Basic Needs. U.S. PoC doctrine states that providing humanitarian assistance is something that the military does in support of

other civilian actors. NATO included this provision recognizing that military action could result in damage to civilian infrastructure that might restrict public access and may require the alliance to be a provider of humanitarian assistance as a last resort.¹⁰⁰

In 2019, NATO headquarters established a Human Security Unit to oversee the future development of all NATO policy related to all the crosscutting themes on the human dimension. This unit is part of the Office of NATO Secretary General's Special Representative for Women, Peace and Security (SRSW WPS).

Cultural Property Protection

Preserving and restoring cultural property is an important means to achieve social cohesion and reconciliation. Failure to protect cultural sites can arouse the hostility of local populations and can result in looting that provides armed actors with a source of income. Destruction of cultural sites can also prolong a conflict and make it more difficult to achieve the desired end-state.

International Laws and Treaties

The Hague Convention of 1954 for the Protection of Cultural Property in the event of Armed Conflict was established after numerous heritage sites came under attack in World War II. It includes protection for immovable and movable cultural heritage, including monuments of architecture, art or history, archaeological sites, works of art, manuscripts, books, and other objects of artistic, historical, or archaeological interest, including scientific collections. Parties to an armed conflict are prohibited from making cultural property the object of an attack unless the property constitutes a military objective and there is no feasible alternative

for obtaining a military advantage, which would be a rare circumstance.

U.S. Adoption of the Hague Convention

The implementation of The Hague Convention and the 1999 Second Protocol¹⁰¹ is monitored by the UN Educational, Scientific and Cultural Organization (UNESCO), which released a comprehensive Military Manual on the Protection of Cultural Property in 2016.¹⁰² Designated sites are marked by a blue shield and national committees work in collaboration with armed forces to maintain awareness of protected sites. The U.S. Committee for the Blue Shield was founded in 2006, and the U.S. ratified the 1954 Hague Convention in 2009.¹⁰³ Thus, UN designated sites are placed on the U.S. no-strike list.

U.S. practice regarding Cultural Heritage Protection (CHP) is also governed by the Howard Buck McKeon National Defense Authorization Act for FY15. In the accompanying annual report to Congress on CHP, DOD stated that Joint Force Commanders are expected to obtain information about cultural property from Joint Doctrine Note 2-16, Identity Activities, and that the sites are also listed in Operations Orders for specific plans.¹⁰⁴ The Defense Intelligence Agency (DIA) also maintains a database of protected sites to support operational activities.¹⁰⁵

A national court or international tribunal for the destruction of cultural property can hold individuals, military commanders, and countries responsible. The International Criminal Court (ICC) convicted Ahmad Al Faqi Al Mahdi for war crimes and sentenced him to nine years of imprisonment in September 2016.¹⁰⁶ Al Mahdi was a member of the Ansar Eddine, a movement associated with Al Qaeda in the Islamic Maghreb, which destroyed religious and historic buildings in Timbuktu, Mali.¹⁰⁷ The UN Claims Commission has also made judgments against countries including Ethiopia for

destroying cultural property in Eritrea, and against Iraq for destroying private art collections in Kuwait.¹⁰⁸

Criminal liability for war crimes extends beyond those who physically commit the act of destroying cultural property. Other forms of intentionally participating in the destruction of property include ordering, aiding and abetting, and failing to take all necessary and reasonable measures to prevent the damage or destruction of protected objects.

UNESCO's guidance includes numerous ways that commanders can enhance CPP by including considerations in Rules of Engagement (ROEs), including CPP in pre-deployment cultural awareness training and military education. Soldier pocket cards can also increase awareness. During times of armed conflict, national forces may obtain registers of protected sites from UNESCO.

UNESCO also works in cooperation with the UN Operational Satellite Applications Programme (UNOSAT) of the United Nations Institute for Training and Research (UNITAR) to develop a detailed map of the cultural terrain in specific areas to facilitate military knowledge of the operational environment. For more information, see the UNESCO Military Manual.¹⁰⁹

The trafficking of protected objects is further protected by the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property in 1970. Article 8 requires state parties to impose penalties or sanctions on any person for the unlawful export of cultural property from their territory or the unlawful import of cultural property stolen from a museum or public monument. This includes state responsibility to take steps to recover property that has been stolen and transferred to another state.

United Nations Action on CPP

Over time, the UN recognition of CPP importance in peacekeeping operations has evolved. In 1999, the UN Secretary General published a bulletin on the Observance of International Law, which highlighted rules for respecting cultural property including prohibitions against attacking such property or exposing sites to destruction or damage. It further prohibited the theft and misappropriation of cultural objects.

In April 2013, the UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was the first peacekeeping mission to receive a Cultural Property Protection mandate from the UN Security Council in UNSCR 2100. The mandate stated that the mission was to “assist the transitional authorities of Mali in protecting from attack the cultural and historic sites in Mali, in collaboration with UNESCO” and authorized the use of “all necessary means” to carry out this objective.¹¹⁰ The council also encouraged the mission to operate in the vicinity of cultural and historical sites.

In 2015, the United Nations Security Council passed Resolution 2199, prohibiting the trade of cultural property coming from Iraq and Syria in the campaign against ISIS.¹¹¹

In 2017, the United Nations Security Council passed Resolution 2347, which focused on the importance of preserving cultural heritage for peace and security.¹¹² UNESCO hailed this resolution as an important marker in recognizing the importance of cultural heritage protection.¹¹³

NATO Action on CPP

In 2015, the NATO Civil-Military Cooperation (CIMIC) Centre of Excellence produced a guide on CPP called *Cultural Property Protection Makes Sense: A Way to Improve Your Mission*.¹¹⁴

NATO is currently working on an update to its CPP policy, given the evolving nature of armed conflict where non-state actors pose a threat to cultural heritage. The update will address new threats to cultural property such as transnational terrorist and criminal networks, urbanization, and cyber warfare. NATO may also provide additional operational guidance to identify best practices in CPP that can be shared among the nations.

CONCLUSION

This paper explains the origins of Human Security concepts within the UN that were influenced by large-scale destruction in the aftermath of World War II, and by ethnic conflicts in the 1990s that led to refugee flows in the Balkans and Great Lakes region of Africa. These conflicts resulted in mass atrocities that caused the international community to reflect on their responsibility to protect vulnerable populations.

In the 2000s and beyond, UNSC mandates to protect civilians from violence led to a focus on vulnerable populations and the types of violence perpetrated against them. This resulted in crosscutting topics with special offices on Children and Armed Conflict and Conflict-Related Sexual Violence. Increased international recognition of the Responsibility to Protect (R2P) framework generated new ideas about how to prevent and respond to violence against civilians in military operations. This recognition, in turn, resulted in new Protection of Civilians (PoC) policies, frameworks and doctrine established by the United States, United Nations, and NATO. These PoC frameworks, together with the UNSCRs that established numerous Crosscutting Topics (CCTs), make up a Human Security approach. While each of the CCTs can be considered a distinct issue, the combination of all these human factors reflect an emerging consensus on the importance of Human Security considerations in the planning and conduct of military operations.

Given the increasing complexity and broad range of operations that U.S. military planners currently face, consideration should be given to integrate Human Security considerations more effectively into the Joint and Service planning processes. While seasoned planning staffs may already be taking some of the critical issues covered in this paper into

account, introducing a systematic and comprehensive framework for analyzing Human Security in the initial stages of the planning process will better inform decision-making and ultimately lead to the development of military plans that have considered all the risk factors in the human environment. Considering these human factors will better position the military for successful operations. This includes determining the personnel requirements for ensuring that these factors are considered throughout all phases of operations.

Human Security comprises numerous factors to consider when analyzing the human dimension. Each human factor discussed in this paper constitutes an important element of developing plans and strategies for preventing and de-escalating conflict. Reducing the security risks to human beings in the operating environment is also an important part of stabilization activities and maintaining the peace. Assessments that analyze the risks and vulnerabilities of civilians, and the capabilities of perpetrators or other hazards that may cause civilian harm, can help military leaders and planners better understand the operating environment. Integrating Human Security considerations into military planning alongside inter-agency partners is not only the right or legal thing to do; it also achieves U.S. national interests by empowering and enabling the human population to contribute to the desired end state.

The Way Forward

In determining the way forward, the question is, does the Human Security approach offer a comprehensive perspective on the full range of threats and vulnerabilities in the human dimension? Although armed conflicts remain focused on the use of force to defeat an enemy, new forms of warfare that do not rely on traditional weapons but rather seek to influence the population will test planning assumptions about

how to protect civilians from harm in the future. If achieving Human Security means what former President Roosevelt envisioned for the post-war period, to be free from fear and free from want, to live in an environment where people are free to exercise their rights, what will Human Security look like in the next post-war period?

To be ready for every potential mission, military leaders need to be aware of the historical precedent and legal premise of U.S. actions to protect civilians. This leadership includes influencing allies and pursuing collective action to deter threats to global peace and security. These threats may only indirectly concern our national security interests, but align with our commitments to prevent atrocities, assist civilians during natural disasters, and thwart future threats to global health and environmental security. This requires understanding how humans are influenced and impacted within the operational environment, and how to address a broad range of threats to their security.

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