

**Summary of OCHA Workshop on Protecting Civilians in Urban Warfare  
Organized as Part of the Global Humanitarian Policy Forum on 13 December 2017**

## **Introduction**

Many of today's armed conflicts are fought in urban areas, affecting an estimated 50 million people in cities and towns worldwide. High population density and the proximity of civilians and civilian objects to military objectives greatly increase the risk of civilian death, injury, and displacement, in addition to damage to critical infrastructure, disruption of essential services, and loss of access to healthcare, education, and livelihoods. Urban warfare is particularly devastating for civilians when it involves the use of explosive weapons with wide-area effects. The use of such weapons also leaves explosive remnants of war, which pose a continuing lethal threat to civilians, and a major obstacle to reconstruction and the return of displaced persons.

This workshop aimed to provide a broad overview of the impact of urban warfare on civilians and identify some practical recommendations to mitigate it. To achieve this, it examined some of the reasons behind urban warfare and its human cost, how the IHL rules governing the conduct of hostilities translate into practice, concrete measures that parties to conflict have taken to spare civilians in urban settings, the challenges of clearing explosive remnants of war, and how armed forces can better train, equip, and adjust their operations for urban settings.

The event principally gathered diplomats, NGOs, and other organizations that cover humanitarian issues. Speakers included experts from the military, as well as humanitarian and other organizations that engage with State armed forces and non-State armed groups to improve the protection of civilians. The workshop was held under the Chatham House rule, and moderated by Alexander Moorehead, Director of the Counterterrorism, Armed Conflict and Human Rights Project at Columbia Law School's Human Rights Institute.

Section I of this Summary sets out the main highlights and key recommendations arising from the expert presentations and the ensuing discussion among workshop participants. Section II provides summaries of the experts' presentations. The workshop agenda can be found in the Annex to this Summary.

## **I. Highlights and key recommendations**

### **A. Adapting tactics and weapons**

- As the cumulative impact of direct and reverberating civilian harm becomes more foreseeable for warring parties, it is critical for military commanders to seek and obtain information on urban services and infrastructure before launching attacks. In planning or launching attacks, they should take into account reverberating effects on essential services.
- There is a high probability that civilians and civilian objects will be hit when explosive weapons such as artillery and rockets are used, both because of their inherent

characteristics (blast and fragmentation), and because of the complexity and interconnected infrastructure of urban environments. As a result, parties to conflict should avoid using explosive weapons with wide-area effects in populated areas (as called for by the UN Secretary-General and a number of Member States and organizations).

- It is critical for military forces to obtain good intelligence and the perspective of a variety of people on the ground, ranging from civilian inhabitants to multidisciplinary humanitarian teams such as water and sanitation or weapon contamination experts.
- The choice of tactics and weapons should adapt to the pace and tempo of operations, the stage of conflict (e.g. passive, resistance, guerrilla, or open offensive), and the enemy's tactics (e.g. how it might be using civilians to its advantage).
- As munitions are designed, their use in cities should be factored into national legal reviews (in line with article 36 of Additional Protocol I to the Geneva Conventions).
- Vetting, second-guessing, and "red teaming" are all important in preparing for battle. Scenario-based training, by developing vignette scenarios for a range of armed actors, is recommended. Computer simulations and virtual reality can also be instrumental.
- If commanders prioritize protection of civilians through policy and practice, there can be a decrease in civilian harm. For instance, the 2011 Indirect Fire Policy adopted by the African Union Mission in Somalia (AMISOM) recognized that indirect fire by any side placed civilians at high risk of death, injury, and property damage. By the end of 2011 the Indirect Fire Policy that limited the use of mortars and other indirect fire weapons was already showing positive results.
- Parties should also take precautions against the effects of attack, such as temporarily evacuating civilians for security reasons while respecting their right to voluntary return.

#### **B. Civilian casualty tracking and feedback into military operations**

- Civilian casualty tracking allows military forces to understand the impact of their operations on civilians and to improve them accordingly. Still today, many ground forces do not track civilian casualties, while many air forces with no ground presence only track them by video, if at all.
- The civilian casualty recording system that the UN Assistance Mission in Afghanistan (UNAMA) put into motion in 2007-8 is considered the "gold standard." The UNAMA system has served as a model in Somalia, Yemen, and Iraq.
- In 2012, AMISOM established a Civilian Casualty Tracking and Response Cell (CCTARC) to track and record casualties resulting from AMISOM operations. In turn, the information recorded allows victims to receive compensation, and helps inform subsequent military planning and decision-making with a view to avoiding and mitigating civilian harm.
- There is growing emphasis on having multidisciplinary teams analyze the long-term effects of war, for example the correlation between shelling and cancer. A multidisciplinary analysis of the impact of urban warfare can inform dialogue with parties to armed conflict on the full range of humanitarian consequences, with a view to influencing policy and practice. This information can be very compelling and feed back into military planning and decision-making.

### **C. Training for warfare in urban settings**

- Military training to fight in cities is lacking. State military forces should have specific urban units designed to fight in urban settings.
- Also absent is an organization dedicated to the study of urban warfare operations where lessons on equipment and techniques can be collected and shared to inform a range of military forces, and promote understanding of the vulnerabilities specific to urban warfare. (NATO has an urbanization project; West Point has an urban warfare project.)
- There should be stronger collaboration between organizations in the field and organizations that study urban warfare, including academic institutions.

### **D. Promoting compliance with IHL**

- It is important to prevent the type of fighting that gives rise to so much humanitarian need, and to seize opportunities to provide IHL training to new actors (e.g. non-State armed group now in control of Raqqa, Syria) so they are prepared if/when there is a new round of fighting. Cultural, religious, and humanitarian values of armed groups can help frame IHL discussions.
- Interviews with non-State armed groups have revealed the following on their use of explosive weapons: a) the fate of civilians is taken into account in their use of these weapons; b) there is a sense of ownership of the rules; c) cultural and religious values serve to guide policies and practices (e.g. in Iraq, Fatwas have incorporated IHL); d) armed groups understand and acknowledge the role and influence of communities; e) it is important for commanders and political leadership to have a sense of accountability.
- The good practices and policies adopted by non-State armed groups and State armed forces should inform each other.
- Humanitarians in the field should address issues relating to the protection of civilians with authorities. In addition to private advocacy, public advocacy is essential, forcing parties to conflict to react, and generating dialogue. Private advocacy can often capitalize on public advocacy efforts.
- To promote IHL compliance, it is critical to engage with all parties, including non-State armed groups (even if they are designated by some as “terrorist”). It is also critical to apply pressure on States that provide support (e.g. military equipment, training, or financial support) to parties to armed conflict to condition such support on respect for IHL.

### **E. Clearance of explosive remnants of war (ERW)**

- States should factor clearance operations into humanitarian and stabilization activities. States should support affected States, the UN, and other relevant actors with adequate financial resources, as well as training, capabilities, information and knowledge management, and technology.
- The use of explosives should be recorded in order to facilitate the task of locating and identifying ERW. The failure rate of explosive weapons should feed back into decisions on their military use.

- Humanitarian organizations should form partnerships to strengthen their knowledge and expertise. Information and good practices should be shared among members of the humanitarian community.

## II. Summary of speakers' presentations

### **A. Setting the scene: Drivers of urban warfare and its human cost in the immediate and long term, highlighting the impact of wide-area explosive weapons in populated areas** (Agnès Coutou, Diplomatic Adviser, Peacekeeping and Protection, International Committee of the Red Cross (ICRC))

Today's images of warfare in towns remind us of scenes of World War II: Cities decimated by airstrikes and artillery; sieges forcing people to eat grass or garbage to survive; damage to critical infrastructure, sometimes even outside city limits, disrupting essential services for civilians in urban areas.

Today, 85% of armed conflicts take place in population centers. Warfare is taking place in cities for a variety of reasons. First, the world is rapidly urbanizing; it is estimated that 70% of the world's population will be living in cities by 2050, while 96% of urban growth is expected in fragile cities by 2030. Further, fragile cities present a concentration of risks, including poverty, youth unemployment, and criminality. As fragility deepens, sporadic violence can erupt and turn into more organized violence and armed conflict. Moreover, the vulnerability that non-State armed groups face in open battlefields has driven fighters to co-mingle with civilians within cities. In turn, sieges, aerial campaigns and artillery-based street fighting characterize the urban warfare we see today.

Conflicts in urban areas are being fought with weapons designed for open battlefields. Aerial bombardment and heavy-artillery shelling exposes civilians to a heightened risk of harm in urban settings, where the impact can be compounded due to the interconnectivity of infrastructure and services. The ICRC has found that there is a high probability that civilians and/or civilian objects will be hit when explosive weapons such as artillery and rockets are used, both because of their inherent characteristics, and the complexity of urban environments. As a result, the ICRC urges parties to avoid using explosive weapons with wide-area impact in densely populated areas (whether permanent or temporary, such as refugee camps or convoys).

The human cost of urban warfare is both direct (civilian death and injury, family separation, forced displacement, destruction, and damage to civilian infrastructure) and indirect (reverberating damage to interconnected essential services, such as electricity, water, and sewage systems, in turn leading to further death, disease, and displacement). Reverberating effects are particularly prominent in protracted armed conflicts where direct and indirect harm compound each other and make it impossible for humanitarian actors to substitute for collapsed social services and economic activity. As such cumulative effects become more foreseeable for warring parties, military commanders have an obligation to seek and obtain information on urban services and infrastructure before launching attacks. In addition to taking all feasible precautions in attack, they should take into account reverberating effects on essential services and offer guidance and training on urban warfare for their forces.

In urban warfare, a humanitarian response should adopt a long-term and multi-disciplinary approach of working alongside local service providers and communities to strengthen their resilience. A multidisciplinary analysis of the impact of urban warfare can also inform dialogue with parties to armed conflict on the full range of humanitarian consequences, with a view to influencing policy and practice.

## **B. Part 1: Practical recommendations to avoid and mitigate civilian harm in the conduct of hostilities**

### **i. Translating IHL into practice in the conduct of hostilities in urban areas, and illustration of AMISOM's indirect fire policy and practice** (Maj. Gen. (Ret.) Simon Karanja, former AMISOM Deputy Force Commander for Operations and Plans)

Civilians today are central to the strategy and tactics used to win wars; military tactics today involve the use of civilians and civilian infrastructure to gain tactical advantages. When military operations in these settings are poorly planned, the risk of harm to civilians increases.

In 2011, operations by the African Union Mission in Somalia (AMISOM) drew attention to their impact on civilians, leading the Mission to develop two initiatives to mitigate civilian harm. First, AMISOM's 2011 Indirect Fire Policy recognized that indirect fire by any side placed civilians at high risk of death, injury, and property damage. This Policy comprises four elements ("avoid, attribute, assist and alleviate") to ensure that indirect fire is avoided (and, if not avoided, then observed), attributed to its origin and recorded, and that immediate assistance is provided to victims. The Mission also comprises a civilian component aiming to alleviate civilian suffering in the longer term. By the end of 2011, the Indirect Fire Policy was already showing positive results.

The second initiative flows from the "assist" and "alleviate" components of the Indirect Fire Policy. In 2012, AMISOM established a Civilian Casualty Tracking and Response Cell (CCTARC) to track and record casualties resulting from AMISOM operations. In turn, the information recorded allows victims to receive compensation, and helps inform subsequent military planning and decision-making with a view to avoiding and mitigating civilian harm. Even in the absence of sophisticated weaponry and technology, all military commanders must have adequate information about their targets and must select their weapons and tactics according to the environment and in compliance with IHL, including the fundamental rules of distinction, proportionality, and precautions.

### **ii. Policies and practice to avoid and minimize civilian harm in the conduct of hostilities in urban areas** (Sahr MuhammedAlly, Director, MENA and South Asia, CIVIC)

Military after-action reviews do not typically consider the impact of operations on civilians. Yet, for the purpose of taking all feasible precautions in attack, it is important to hear from civilians. The NATO-led International Security Assistance Force (ISAF) adopted some good practices when in 2007-8 it created a tracking cell along with training and limitations on the use of indirect fire weapons and airstrikes in residential areas. The UN Assistance Mission in Afghanistan (UNAMA) adopted the highest standard to record civilian casualties and document how guidance and training influenced a decrease in civilian casualties. In 2017,

Afghanistan adopted a national policy on civilian casualty mitigation, which addresses the use of heavy weapons in populated areas.

In the battle of Mosul, Iraqi military operations prioritized the protection of civilians in their concept of operations, were robustly coordinated with humanitarian actors, and had guidance to limit the use of heavy weapons. Elite units were trained to minimize civilian harm in urban warfare, and leaflets were issued to inhabitants. However, the operations faced immense challenges, as inhabitants were prevented from leaving, and evacuation methods were challenged.

In Syria, despite civilian casualty mitigation efforts, the pace of hostilities has been too intense for the invested resources to prove fruitful. The pace and tempo of operations, population density, the impact of operations on civilians, and the tactics of the enemy, all need to factor into the tactics and weapons chosen.

In Yemen, there has been emphasis on improving targeting, however we are seeing large gaps in the implementation of Saudi-led coalition policies. An investigation team has been established, and some of its findings have been made public, but there remain gaps in identifying mistakes and in adapting tactics accordingly.

If commanders prioritize civilian protection, there can be a decrease in civilian harm. They should also adapt to the pace and tempo of operations, use available tools to analyze trends and causes in order to implement change, train forces on the choice and use of weapons and tactics, carry out scenario-based training, and take into account the enemy's tactics.

### **iii. Non-State armed groups' policies and practice to protect civilians when using explosive weapons** (Hichem Khadhraoui, Director of Operations, Geneva Call)

Non-State armed groups are multiplying: We have seen 60% more non-State armed groups in the past six years than in the past six decades. We are also witnessing an increase in control of urban areas by non-State armed groups (e.g. in Libya, Syria, Mali, the Philippines, and Yemen), which gives them access to more weapons supplies. In addition, asymmetric warfare exacerbates the amount of force that is used. In 2016, non-State armed groups were responsible for 55% of civilian casualties as a result of explosive weapons use.

Field-based research through interviews with six non-State armed groups has revealed some key lessons on armed groups' policy and practice on the use of explosive weapons: The fate of civilians is taken into account in their use of these weapons; there is a sense of ownership of the rules; cultural and religious values guide policies and practices (e.g. in Iraq, Fatwas have incorporated IHL); groups understand and acknowledge the role and influence of communities (e.g. if a civilian is killed, immediate compensation is offered, out of fear of losing community support); internal codes of conduct are developed; and it is important for commanders and political leadership to have a sense of accountability (e.g. top leadership go to Geneva to sign deeds of commitment before local authorities). To date, more than 40 non-State armed groups have signed deeds of commitment relating to anti-personnel mines. Geneva Call promotes the good practices of other groups. In addition, non-State armed groups and States can learn from each other.

## **C. Part 2: Challenges of ERW clearance in urban areas and preparing armed forces for urban warfare**

### **i. Explosive remnants of war and other explosive devices: impact on civilians and clearance challenges in urban areas** (Paul Heslop, Chief of Programme Planning and Management Section, UN Mine Action Service (UNMAS))

Explosive remnants of war (ERW) endanger the lives and livelihoods of civilians, impede humanitarian aid and reconstruction, restrict movement and returns of displaced people, and hinder socio-economic recovery. Densely populated areas make it more difficult to clear ERW or improvised explosive devices (IEDs). Moreover, the volume of new ERW is on the rise, including in populated areas, while IEDs (used in offense but also as booby-traps) are becoming more sophisticated and having a greater impact.

Clearing even a small number of ERW can have an impact on tens of thousands of people. For instance, clearing one IED component and six mortar rounds in East Mosul allowed rehabilitation work to begin on a damaged hospital serving 500,000 people.

Obtaining approval from relevant authorities to do clearance work in urban areas is more complicated, and clearance in urban areas costs more. It is often challenging to obtain information from military authorities on which weapons have been used, or cooperation to carry out clearance activities, as there is often a strong desire to classify ERW-related information.

States should factor mine action into humanitarian and stabilization activities; States should support affected States and the UN with adequate financial resources as well as training, capabilities, information and knowledge management, and technology; humanitarians should form partnerships to strengthen knowledge and expertise; information and good practices should be exchanged (the UN Mine Action Service (UNMAS) manages a “Community of Practice”).

### **ii. The need to train, organize, and equip armed forces to operate in cities** (John Spencer, Deputy Director and Strategic Planner for the Department of Military Instruction, Modern War Institute at West Point)

Armed conflict has moved into cities and the future of warfare is in cities. Armed conflict is pulling State military forces into cities against their advantages and giving a marked advantage to enemy forces.

Most military forces are not designed for city fighting. They have been designed for a different type of enemy and setting, and the weapons being used in cities were designed for open battlefields. For instance, training on urban fighting may be limited to a small number of tactics, such as entering and clearing rooms, which do not suffice when the military is tasked with “liberating” a city. Battles in Seoul and Manila have been subject to restrictions in the use of explosive weapons because of the high rate of civilian casualties.

Military forces need to be trained and equipped to fight in cities and specific military units should be set up for urban fighting. Urban warfare institutes are needed to collect and share

lessons learned and gain and promote understanding of the vulnerabilities specific to urban warfare. Tactics need to be tailored to counter those of the enemy.

### **III. Closing remarks**

OCHA is grateful to the expert speakers and moderator for sharing their expertise and dedicating their time to this event, and for all participants' insightful contributions and queries. OCHA hopes that the presentations and discussion have helped to strengthen understanding of the human cost of urban warfare and the range of humanitarian issues that it causes. OCHA further hopes that the content of this workshop can encourage and inform policies and practices to avoid and minimize civilian harm in urban warfare.

## ANNEX: Workshop Agenda

### 13:00- 13:15 Introduction to the workshop

<p><u>Moderator:</u> Alexander Moorehead, Director of Counterterrorism, Armed Conflict and Human Rights Project, Human Rights Institute, Columbia Law School</p>	<p>- Workshop objectives, structure, participants, Chatham House rule</p>
<p>Agnès Coutou, Diplomatic Adviser, Peacekeeping and Protection, International Committee of the Red Cross (ICRC)</p>	<p>- Setting the scene: drivers of urban warfare and its human cost in the immediate and long term, highlighting the impact of wide-area explosive weapons in populated areas</p>

### 13:15- 14:45 Part 1: Practical recommendations to avoid and mitigate civilian harm in the conduct of hostilities

<p>Maj. Gen. (Ret.) Simon Karanja, former AMISOM Deputy Force Commander for Operations and Plans</p>	<p>- Translating IHL into practice in the conduct of hostilities in urban areas, and illustration of AMISOM's indirect fire policy and practice</p>
<p>Sahr MuhammedAlly, Director, MENA and South Asia, CIVIC</p>	<p>- Policies and practice to avoid and minimize civilian harm in the conduct of hostilities in urban areas (based on work in contexts such as Yemen, Syria, Iraq, Afghanistan)</p>
<p>Hichem Khadhraoui, Director of Operations, Geneva Call</p>	<p>- Non-State armed groups' policies and practice to protect civilians when using explosive weapons</p>
<p>Open discussion by all participants on immediate and longer-term steps to enhance protection of civilians in urban warfare (60 minutes)</p>	

### 14:45- 15:50 Part 2: Challenges of ERW clearance in urban areas and preparing armed forces for urban warfare

<p>Paul Heslop, Chief of Programme Planning and Management Section, UN Mine Action Service (UNMAS)</p>	<p>- Explosive remnants of war and other explosive devices: impact on civilians and clearance challenges in urban areas</p>
<p>John Spencer, Deputy Director and Strategic Planner for the Department of Military Instruction, Modern War Institute at West Point</p>	<p>- The need to train, organize, and equip armed forces to operate in cities</p>
<p>Open discussion by all participants on immediate and longer-term steps to enhance protection of civilians in urban warfare (45 minutes)</p>	

### 15:50- 16:00 Conclusion to the workshop