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BROADEN FOCUS TO CAUSES OF CONFLICT, SECRETARY-GENERAL URGES SECURITY COUNCIL, IN DEBATE ON CIVILIAN PROTECTION

In Joint Briefing, Humanitarian Chief, High Commissioner For Human Rights Stress Importance of Accountability, Need to End Impunity

Opening a day-long debate on the protection of civilians in armed conflict today, Secretary-General Ban Ki-moon told the Security Council that it must broaden its focus to both causative and normative factors in order to address a “huge common challenge”, as non-combatants remained targeted around the world.

“While the conduct of hostilities and their immediate consequences must remain a major focus, that alone would mean treating symptoms rather than causes,” he said, calling for greater attention to such root causes as lack of good governance, competition for resources and other factors such as ethnicity and an absence of effective security and the rule of law.

He stressed that ensuring accountability for crimes against civilians and negotiating the delicate problem of dialogue with non-State actors were major concerns, as were climate change, desertification and land disputes. “Addressing all those challenges was the best way of bringing about real protection for civilians,” he said.

John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Navi Pillay, High Commissioner for Human Rights, then briefed Council members on the current state of civilian vulnerability to armed conflict.

Delivering his last statement to the Council as Under-Secretary-General, Mr. Holmes noted that during his tenure, strides had been made in institutionalizing the protection of civilians. “Nevertheless, I fear all too little has changed for the better on the ground in recent years,” he said, pointing out that civilians accounted for most casualties in armed conflict, and that in 2009 alone, there had been thousands of civilian deaths resulting from conflicts in Gaza, Sri Lanka, Democratic Republic of the Congo, Somalia and elsewhere.

Noting that 2010 did not look much better, he said displacement through conflict was getting worse, adding that in 2009, 6.8 million people had been internally displaced, more than at any point since the mid-1990s. An alarming total of 27.1 million people — the highest ever — had been internally displaced globally at the end of that year last year.

Outlining developments in conflict situations ranging from Afghanistan to Somalia to Gaza, he called for action to ensure humanitarian access to civilians, dialogue with armed groups to prevent the recruitment of children, and continuing action to control explosive devices, among other areas of serious concern.

Ms. Pillay said that, in order to make a real difference on the ground, human rights and humanitarian actors must work together to give effect to the United Nations policy framework. Monitoring human rights conditions could help “sound an alarm bell” when situations were at risk of degenerating into violence. In that context, information gathering by the Office of the High Commissioner and United Nations human rights mechanisms could be helpful to the Council, she added.

Surveying conflict situations of particular concern, she cited the targeted killing of civilians, the looting and destruction of property, displacement and sexual violence in Kyrgyzstan.

Following those presentations, speakers acknowledged the progress made in developing the legal and institutional framework for the protection of civilians, but urged that more be done to improve the situation on the ground. Most speakers also thanked Mr. Holmes for his work of the past three-and-a-half years. Among the key elements necessary for better protection of civilians were clear mandates for peacekeeping operations, and the resources to carry them out. Several speakers underlined the need to ensure civilian protection in drawing down peacekeeping missions in Chad and the Democratic Republic of the Congo.

Some speakers also called for prioritizing cooperation among all actors concerned. In that regard, the Acting Head of the European Union’s delegation highlighted the importance of synergies between protection efforts and transitional justice, gender policy and development. Another essential element was fighting impunity, and many speakers welcomed the central role of the International Criminal Court in that regard.

Speakers also welcomed efforts for dialogue involving humanitarian actors with non-State combatants, to ensure compliance with humanitarian law. Colombia’s representative said such contacts should be considered on a case-by-case basis, taking fully into account the decisions of democratically-established authorities.

Switzerland’s representative called for investigations into all alleged violations of international human rights and humanitarian law, whatever the context and whoever the alleged perpetrator, affirming the possibility of calling upon the International Humanitarian Fact-Finding Commission, created by the First Additional Protocol to the Geneva Conventions, in that context.

Afghanistan’s representative said that more than 6,000 Afghans had been killed or injured as a result of conflict in 2009, and even more this year. He blamed the Taliban and other terrorists for most of the violence, but noted that his Government and its international allies bore “enormous responsibility” to safeguard the security of non-combatants. He welcomed steps to better prevent collateral damage, stressing that every civilian casualty undermined the people’s belief in the goodwill of the international community while emboldening the enemy.

Also speaking today were the representatives of Austria, United Kingdom, United States, Lebanon, Russian Federation, Mexico, Gabon, Uganda, Japan, France, Bosnia and Herzegovina, Turkey, Brazil, China, Nigeria, Uruguay, Germany, Italy, Canada, South Africa, Liechtenstein, Argentina, India, Israel, Australia, Bangladesh, Peru, Pakistan, Norway, Venezuela, Syria, United Republic of Tanzania, Sierra Leone, Azerbaijan, Sri Lanka and Armenia.

Lebanon’s representative took the floor a second time to respond to a statement by the delegate of Israel.

The meeting began at 10:13 a.m. and suspended at 1:10 p.m. before resuming at 3:10 p.m. and ending at 6:10 p.m.

Background

The Security Council met today for to hear briefings and hold a general debate on the protection of civilians in armed conflict. Expected to brief members were John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Navi Pillay, High Commissioner for Human Rights.

Opening Remarks

BAN KI-MOON, Secretary-General of the United Nations, said that events in Kyrgyzstan, Gaza, Sudan, Sri Lanka, Somalia, Democratic Republic of the Congo and elsewhere showed that the protection of civilians was still a huge common challenge. Steps by the Council, such as establishing the Informal Expert Group, had been valuable but the body could do more. It was vital to maximize the impact of peacekeeping missions, and the Council must provide them with the political support they needed, he said, adding that troop and police contributors must also be provided with the necessary training.

He said peacekeeping operations in Chad and the Democratic Republic of the Congo, facing termination and drawdown, respectively, warranted particular attention, and clear benchmarks must be set in order to meet civilian-protection goals before the peacekeepers left. Another core challenge was ensuring greater compliance with international law by non-State armed groups, which figured in every armed conflict today. For that to occur, there must be dialogue, with a distinction between humanitarian issues and political ones, and including the crucial matter of humanitarian access. Those hindering access must be held accountable, be they State or non-State actors, he stressed.

More must be done — beyond the significant advances made in national and international court systems — to raise the expectation that violators would have to face the consequences of their actions, he said, noting that the protection of civilians had advanced considerably over the past decade. “While the conduct of hostilities and their immediate consequences must remain a major focus, that alone would mean treating symptoms rather than causes. The Council must address broader challenges to prevent and resolve conflicts, including the lack of good governance, competition for resources and factors such as ethnicity. Climate change, desertification, land disputes, and lack of effective security and rule of law could exacerbate the problem. “Addressing all those challenges is the best way of bringing about real protection for civilians,” he said.

Briefings

JOHN HOLMES, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, said that in the decade since the Council had first focused on the protection of civilians, there had been significant developments in the normative framework. The Council had played an important role in expanding the weight of international jurisprudence on the conduct of hostilities, the regulation of small arms and lights weapons, the displacement of civilians, assistance to conflict-affected populations, accountability for violations of law, and the protection of particularly vulnerable groups. But he wondered whether the positive developments had actually improved the condition of civilians, or whether normative advances had merely widened the gap between international rules and reality on the ground, or if they had created a new one.

The problem of sexual violence in armed conflict needed urgent attention, he said. According to the United Nations Population Fund (UNFPA), 15,275 rapes, mainly by armed men, had been reported in eastern Democratic Republic of the Congo, but only a few of the total number of rapes had been reported. The Council must insist on comprehensive strategies to help end sexual violence in armed conflict, he emphasized, noting that it had not often launched targeted measures against identified perpetrators of grave violations against children. Doing so in the case of the Democratic Republic of the Congo would be an important signal in a region where impunity was so prevalent, he pointed out, noting that other mechanisms, such as the Council’s Informal Expert Group on the Protection of Civilians, had improved the quality of available information.

“Nevertheless, I fear all too little has changed for the better on the ground in recent years,” he said, noting that civilians accounted for most casualties in armed conflict. In 2009 alone, there had been thousands of civilian deaths in Gaza, Sri Lanka, Democratic Republic of the Congo, Somalia and elsewhere; 2010 did not look much better. Displacement through conflict was getting worse, he said, recalling that 2009 had seen 6.8 million people internally displaced, more than at any point since the mid-1990s. Conflict had displaced an alarming total of 27.1 million people around the globe — the highest ever — at the end of 2009.

Equally worrying, new displacements continued by far to outnumber returns or reintegration of internally displaced persons, he said. Durable solutions were woefully missing for millions in protracted displacement situations, increasing despair and reliance on humanitarian aid. In that context, the Kampala Convention adopted by the African Union last October was a significant milestone, he said, stressing that States must apply the Convention to protect and assist the displaced on the ground. In the wider context of peace negotiations in places like Darfur, issues of land and property must be given higher priority, he said, pointing out that the Office of the United Nations High Commissioner for Refugees (UNHCR) had recently reported a worldwide total of 15.2 million refugees in 2009 — the worst year for voluntary repatriations in two decades.

All armed conflicts involved the participation of one or more non-State armed groups, he said. Enhancing civilian protection and reducing human suffering must be achieved by engaging with them over access and aid delivery, and by trying to influence their conduct and improve their compliance with humanitarian and human rights law. The Secretary-General’s Special Representative on Children and Armed Conflict had engaged with armed groups to address their recruitment and use of children, he said, noting her use of action plans to end that practice. “I call once again on the Council and Member States more widely to respect and promote this engagement and not to discourage it through, for example, donor practices, which, however well intentioned, in reality criminalize contacts or unintended provisions of goods in ways which limit humanitarian assistance.”

Constraints on humanitarian access remained a problem, he continued. For example, the World Food Programme (WFP) had been driven out of large parts of south-central Somalia by Al-Shabaab violence and threats. In many parts of Afghanistan and Pakistan, humanitarian actors could not operate due to hostilities and insecurity. Violent attacks on humanitarian personnel and assets were the biggest threat, he said, pointing out that more than 100 humanitarian workers had been killed in 2008 and 2009, and at least 30 so far this year. More than 200 had been kidnapped and injured in the past four years, he added.

He went on to call for the urgent reinvigoration of mechanisms to streamline bureaucratic requirements and enhance access in Darfur, jointly agreed with the Government of Sudan. In Gaza, the Israeli blockade remained in place despite recent steps to ease it. “I urge all affected States to use close cooperation with humanitarian actors to facilitate and expedite humanitarian aid to all those who need it, not to slow it down or block it, and not to try to make artificial distinctions between provisions of goods and services and equally essential protection work designed to prevent abuses and save lives,” he said.

Explosive devices were of particular concern in the protection of civilians since their use was inherently indiscriminate, he said, citing examples of air strikes, artillery attacks and suicide bombings in many conflict areas. Worryingly, the world had become so inured to such horrors that the international community now scarcely noticed the events. More research was needed on the harm caused by explosive weapons, he stressed, adding that there was already enough tragic experience to encourage serious reflection on the military use of such weapons in such circumstances when measured against the enormous human suffering they caused. He urged the Council to begin a dialogue on ways to tackle that emerging issue.

In Chad, where the United Nations would draw down its peacekeepers, he said it was critical that the Government assume fully its responsibility to protect civilians, as outlined in resolution 1923 (2010). The Office for the Coordination of Humanitarian Affairs would wait to see whether the withdrawal of peacekeepers in the eastern part of the country would expose refugees, internally displaced persons and the local population to new security threats. In the meantime, it was working with the Government to help turn its promises into reality, he said. As for the Democratic Republic of the Congo, he said the humanitarian situation in North and South Kivu provinces remained alarming. In Orientale Province, there were an average of 102 civilian murders every month and more than 300 abductions since last December had been attributed to the Lord’s Resistance Army (LRA).

The draw-down of United Nations peacekeeping missions should be made contingent on the attainment of clear protection benchmarks endorsed by the Council, he emphasized. The January 2010 publication of an independent study commissioned by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations outlined in detail the steps needed to translate peacekeeping mandates into effective civilian-protection action on the ground. The Department of Peacekeeping Operations and the Department of Field Support had developed an operational concept, in consultation with troop- and police-contributing countries and other stakeholders, to bring clarity to civilian protection in the context of United Nations peacekeeping. The two Departments had also begun to develop civilian training standards for United Nations peacekeepers, in addition to outlining resource and capability requirements for implementing civilian-protection mandates.

Expressing worries about reports from Somalia that a number of civilians were being killed and injured by both Government forces and armed groups like Al‑Shabaab, he said he was also concerned that the response to those attacks by the African Union Mission in Somalia (AMISOM) had not taken sufficient notice of the basic principles of distinguishing between combatants and civilians, or that of proportionality in the use of force.

He urged the Council to take a robust approach to accountability, emphasizing that national justice systems must remain the first line of defence. But when they proved unable or unwilling to bring perpetrators to justice and provide remedies to victims, the international community must explore alternative means. He hailed the Secretary-General’s Commission of Inquiry launched to examine crimes committed during violence last September in Guinea, and his advisory panel on accountability for violations of humanitarian and human rights law in Sri Lanka. Calls for an inquiry into recent events in southern Kyrgyzstan were also hard to ignore, he added.

“The point is that scrutiny needs to become the norm,” he said. “Actual and would-be violators need to understand they have nowhere to hide. Politics must not always win out where powerful States or vocal States with powerful protection are involved.” The Council had important powers in that regard, he pointed out. “It needs to show it is serious and not selective about this.” He supported the creation of a permanent United Nations mechanism to conduct more or less automatic inquiries into serious allegations more or less automatically, saying that would pre-empt claims of politicization.

In closing, he said positive normative developments contrasted with deteriorating reality on the ground, calling into question the efficacy of the law and the credibility of institutions struggling to uphold it. “I urge the Security Council to work with Member States to craft new solutions in the changing nature of protection of civilian concerns. These new solutions must embrace an expansive vision of protection that extends beyond the immediate concerns of the battlefield. They must look to prevention as well as mitigation,” he emphasized.

NAVI PILLAY, United Nations High Commissioner for Human Rights, welcomed the Council’s initiative to develop a solid framework to protect civilians in most countries, but pointed out that a vast gulf remained between policy and practice. To make a real difference on the ground, human rights and humanitarian actors must work together to give effect to the United Nations policy framework, she said, adding that monitoring human rights conditions could help “sound an alarm bell” when situations were at risk of degenerating into violence. In that context, information gathering by the Office of the High Commissioner and United Nations human rights mechanisms could be helpful to the Council.

Clear peacekeeping mandates with robust and well-resourced human rights components were essential for the effective implementation of protection measures, she continued, emphasizing that accountability for perpetrators was key. More use could be made of commissions of inquiry, and the creation of such mechanisms by several States showed their willingness to seek justice. Such commissions should have the power to access all relevant authorities, persons and information, and have adequate financial and human resources, she stressed, noting that the Council had acted to promote accountability, having explicitly made its support for military operations by national armed forces conditional on their observance of human rights law, humanitarian law and refugee law. “We need to ensure that United Nations and bilateral support to military operations and security-sector reform is tied to promoting respect for human rights,” she said.

Providing an update on situations in which the protection of civilians remained of concern, she said many lives were being lost and homes destroyed, while livelihoods and access to basic services were threatened. In Afghanistan, the intensifying conflict had an intolerable impact on civilians, she said, expressing concern over civilian casualties caused by aerial attacks and ground operations, including search-and-seizure operations carried out by the Afghan security forces and international military forces. Women and girls continued to face widespread abuses, she said, adding that she was particularly concerned about the legal framework, which in many instances institutionalized violence and discrimination against women. Laws intended to protect women’s rights were largely unimplemented.

Pointing to impunity’s corrosive effect on human rights and peace in the Democratic Republic of the Congo, she said few perpetrators of serious violations of human rights and humanitarian law had been brought to justice in that country. Rape and violence against women had increased despite the greater recent attention paid to that issue. In cooperation with the Government, the Office of the High Commissioner for Human Rights (OHCHR) had undertaken an exercise to map out the most serious violations from 1993 to 2003, and the report would be published soon.

Turning to Guinea, she said that, following the recommendations of the International Commission of Inquiry into the September 2009 events in Conakry, an OHCHR start-up presence had been deployed to that country, and it would gradually evolve into a fully-fledged office that could more effectively help the Government address human rights challenges. OHCHR had also dispatched a small team to help the authorities ensure respect for human rights throughout the process leading up to the forthcoming elections.

Regarding Haiti, she said that serious protection concerns in the aftermath of the 12 January earthquake warranted utmost attention. Death and destruction had been compounded by displacement, and women and children remained vulnerable to widespread sexual and gender-based violence and trafficking. Alleviating those conditions remained a priority for the Human Rights Section of the United Nations Stabilization Mission in Haiti (MINUSTAH), acting in concert with the Protection Cluster led by OHCHR and the Office of the United Nations High Commissioner for Refugees (UNHCR). Starting next week, the new Joint Investigative Commission would seek to determine the facts regarding the violent deaths in the Les Cayes prison on 19 January, she said.

She expressed particular concern about the targeted, indiscriminate killing of civilians, looting and destruction of public and private property, displacement, and sexual violence in Kyrgyzstan, where a deadly wave of violence had engulfed that country’s south last June. OHCHR led a human rights sub-cluster within the protection cluster, working worked closely with all humanitarian agencies to address the most critical protection challenges and help strengthen the rule of law, she said, while stressing the need for an independent international inquiry into the violence.

Welcoming Israel’s decision to moderate its blockade of Gaza, she stressed the urgent need to ensure the open flow of imports and exports to and from Gaza. “I urge the Council to take appropriate action to ensure the lifting in full of the blockade,” she said. In the West Bank, meanwhile, settler violence, forced evictions, home demolitions, revocation of residency permits and arbitrary detentions and torture continued with impunity. She urged the Council to support the recommendations of the United Nations Fact-Finding Mission on the Gaza Conflict, noting that, in accordance with Human Rights Council resolutions, a follow-up mechanism was currently monitoring and assessing domestic, legal and other proceedings by the Israeli Government and the Palestinian side.

Recalling the conflict in Sri Lanka, she said there had been unacceptably high civilian losses caused by both sides, noting also that some progress had been made since the end of the conflict in returning and resettling internally displaced persons. Concrete initiatives must now follow to provide justice and redress to victims, while promoting accountability and longer-term reconciliation. She welcomed the Secretary-General’s decision to set up an expert panel to advise him on the issues in Sri Lanka.

As for Darfur, sporadic fighting between armed movements and Government forces continued to cause civilian casualties, destruction of civilian property and large-scale displacement, she said. In Southern Sudan, lawlessness and inter-communal violence, compounded by widespread proliferation of arms and ammunition, continued to put civilians at risk. In 2009 alone, there had been at least 2,500 civilian deaths and more than 350,000 displacements. Given the likelihood of more violence in the lead-up to the 2011 referendum, there continued to be an urgent need for a more proactive protection of civilians, she emphasized.

THOMAS MAYR-HARTING (Austria), associating himself with the statement to be delivered on behalf of the European Union, called for more information on how resolution 1894 (2009 )was being implemented in peacekeeping mandates. He welcomed also the inclusion of human rights components in peacekeeping mandates, adding that the draw-down or withdrawal of missions must be based on protection benchmarks and the commitments of host countries.

Perpetrators of crimes against civilians must be brought to account through inquiries, targeted measures and other mechanisms, he said, adding that protection should also be a consideration when listing individuals or entities for targeted sanctions. All vulnerable people should be of particular concern, and the particular problems of persons with disabilities should be considered, he said, welcoming the fact that certain United Nations actions were models for the European Union.

MARK LYALL GRANT ( United Kingdom) said the protection of vulnerable civilians remained as important as ever, and the task should be prioritized in many peacekeeping missions. In the case of Chad, the Government’s commitment to protect civilians must be honoured. In the case of Gaza, he stressed that humanitarian access must be granted, and promises to allow needed materials into Gaza kept.

He also expressed deep concern at rising domestic displacement in places such as Burma. Protecting civilians wherever they were was a priority, and the effort should be at the forefront of the Council’s work. In the case of Afghanistan, he stressed the importance of differentiating between the targeting of civilians by the Taliban, from the unfortunate fact that civilians were harmed despite the best efforts of international forces.

SUSAN RICE ( United States) said that, eight months after the adoption of resolution 1894 (2009), the Council had far more work to do in saving civilians in conflict zones. Women continued to be raped, internally displaced persons still longed for home, and ordinary people remained caught in the crossfire. They were all innocent and should be sheltered by the rule of law, she said, adding that their suffering was particularly tragic. There was a need to move from ambitious ideas to successful action by peacekeeping missions, she said, stressing the need to enhance legal capacity in support of accountability.

Deeply disturbed by increasing attacks on humanitarian workers, she said they obstructed the delivery of aid and the movement of international humanitarian actors. In Pakistan and Sudan, workers were attacked, kidnapped and killed for political gain, while humanitarian agencies and local staff members could be particularly vulnerable to attack. There must be concerted efforts to identify attackers, she said, emphasizing that the resources of United Nations country teams were invaluable in that regard.

She went on to encourage United Nations humanitarian agencies to strengthen programmes to end conflict-related sexual violence, urging the Council to support their programmes and financing in full. Peacekeeping played a vital role in providing support to States, which must be matched by resources, guidance, training and leadership. Member States must, in turn, back peacekeeping missions with political support and efforts to build capacity.

Citing serious challenges on the ground, such as those in Darfur, she said she supported full and proper backing of peacekeeping mandates, including that of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), so that peacekeepers could protect themselves as well as endangered civilians. She also expressed concern over the draw-down of peacekeepers in Chad by year’s end, stressing that the Chadian Government must work to protect its own internally displaced persons, as well as refugees from Darfur and the Central African Republic within its borders.

IBRAHIM ASSAF ( Lebanon) said that tolerating impunity for the armed targeting of civilians, collective punishment and forced evictions was contrary to the Geneva Conventions and only encouraged the perpetrators’ heinous practices. Lebanon supported the creation of standing mechanisms for the timely establishment of independent fact-finding commissions in the immediate aftermath of hostilities. That would improve the Council’s ability to assess realities on the ground fairly and to take appropriate action against perpetrators.

The use of cluster munitions was a means of indiscriminate attack against civilians, he said, noting that the Lebanese armed forces were working with the international community to clear vast areas of the 4 million cluster bombs that Israel had dropped in the last 48 hours of its 2006 war on his country. Hundreds of civilians were still losing limbs to unexploded munitions, and entire olive groves and tobacco fields remained off-limits to farmers who relied on them for their livelihoods. He reiterated the call in resolution 1894 (2009) for international support in clearing the explosives, and on Israel to provide Lebanon the rest of the maps needed to clear fields and villages.

He went on to reiterate the demand that Israel pay due compensation for the Lebanese children and farmers harmed by cluster munitions, as well as for fisherman and others affected by the oil spill caused by Israeli bombing of the Jiyeh power plant in 2006. Israeli should also lift its blockade of Gaza immediately and without conditions, he said, adding that unless the siege was lifted and Gazans allowed sustained development, their basic human rights would remain under threat.

VITALY CHURKIN (Russian Federation) called for better focus and fewer political considerations when taking up the sad reality of high civilian casualties. The relevant provisions of the Geneva Conventions must be taken as definitive in that area, he said, calling for better data collection. The protection of civilians was a priority task for all parties to a conflict as well as for peacekeepers.

Emphasizing the crucial importance of training for peacekeepers, he said the specificities of each conflict should be taken into account, adding that it was as important to curb or prevent conflicts as to demobilize ex-combatants. The creation of new Security Council mechanisms would not be useful, he said, stressing that the equal, across-the-board application of international human rights and humanitarian law would be more helpful in protecting civilians.

CLAUDE HELLER ( Mexico) said the nature of modern warfare must be considered in the effort to protect civilians. The Council was proceeding in the right direction with its focus on peacekeeping mandates, as per resolution 1894 (2009). International human rights law and strictures on illicit trafficking in small arms must be enforced, he said, expressing support for the establishment of the Commission of Inquiry into civilian deaths in Sri Lanka. There was now a large body of accepted international law which must be respected, he said. The fight against impunity had been strengthened by the creation of the International Criminal Court and ad hoc international tribunals, but it was important that States renew their commitments to fighting impunity. Political interests must not hinder accountability in that area, he stressed. “Let us not fall into an endless theoretical debate.”

ALFRED MOUNGARA MOUSSOTSI ( Gabon) said that despite the strengthening of the legal regime, the number of civilians killed in armed conflict remained high. The daily lives of women and the elderly in the Democratic Republic of the Congo had “plunged into horror”, and 848 children had been recruited by armed groups in 2009, according to the United Nations Mission in that country. In Somalia, 110,000 people had been displaced during the first quarter of 2010, and in Afghanistan, more than 2,150 communities had been directly affected by armed conflict, and 42 people by landmines and other remnants of war. It was necessary to strengthen the mandates of peacekeeping operations, he said.

Concerned that the protection of civilians was primarily the domain of national States, and that the Council could not intervene without the compliance of States relevant to conflict, he hailed recent Council efforts to include the protection of civilians in new peacekeeping mandates through comprehensive and integrated approaches adapted to realities on the ground. Their success depended on being equipped with the necessary financial and technical resources. There should be a special focus on strengthening cooperation between the United Nations and regional organizations, he said, pointing out that the strengthening peacekeeping operations would not bear full fruit unless the Council continued to devote attention to criminal liability for war crimes, crimes against humanity and genocide. While underscoring the need to continue raising awareness of the issue with non-State actors acting outside the law, he also stressed the need to end impunity.

RUHAKANA RUGUNDA (UGANDA) said combating impunity and ensuring accountability for human rights violations was a fundamental prerequisite of civilian protection, and it was important for parties to armed conflict therefore to emphasize the dignity of civilians by acknowledging losses resulting from lawful combat operations. In that regard, there was a need to provide meaningful compensation to affected individuals and communities, such as financial assistance and funding for humanitarian aid programmes.

He encouraged Member States to embrace the concept of making amends, not because there was any legal obligation to do so, but merely in the interest of mitigating suffering. There was also a need for a more comprehensive international legal framework for the promotion and strengthening of measures to prevent, mitigate and eliminate the root causes of internal displacement. To that end, the African Union had made significant progress by adopting the Convention for the Protection and Assistance of Internally Displaced Persons in Africa, at its Kampala Summit of 23 October 2009.

There was also a need for greater recognition of the requirements of persons with disabilities, as a vulnerable group arising out of the indiscriminate use of landmines and other explosive remnants of war, he said, calling on all subregional and regional organizations, as well as civil society groups and Member States, to support such victims. In conclusion, he observed that, while national authorities bore the primary responsibility for protecting civilians, regional organizations and, ultimately, the international community also had an important role to play.

YUKIO TAKASU ( Japan) called for strict compliance with all international humanitarian, human rights, and refugee law, saying it lay at the heart of any action to protect civilians in armed conflict. That meant that Government authorities in conflict-affected countries must act in accordance with international norms and humanitarian law, while respecting Security Council resolutions on the matter.

Noting that the world could simply not allow Government troops or police to disregard the protection of civilians, or even to become a threat to civilians, he said the rule of law must be established through security-sector reform just as judicial reform was needed to end impunity. A zero-tolerance policy had little value unless it was enforced throughout the security establishment without regard to rank or position, he said.

Another serious challenge was how to address the violence directed at civilians by non-State armed groups, he said, calling for effective ways to cope with the guerrilla tactics of non-State armed groups and suggesting that peacekeeping missions could provide logistical support for Government forces fighting them on request. However, such support should only be provided when clear and strict conditions were met.

He said there were three necessary steps for the effective implementation of civilian-protection mandates for peacekeepers: identifying the strategies, targets and means to protect local populations, humanitarian aid workers, refugees and internally displaced persons; ensuring adequate resources and capacity to effect implementation; and sharing strategies and guidance on implementing civilian protection at the policy, operational and tactical levels.

GÉRARD ARAUD ( France) said it was crucial to make civilian protection a priority for peacekeeping missions, although the host State bore primary responsibility. In the Democratic Republic of the Congo, it was out of the question for the United Nations Mission to leave as long as the national armed forces were not competent to perform the protection task, he said, noting that in Chad, the continuity of civilian protection had been written into agreements that must be carried out.

He said all armed groups must respect international human rights and humanitarian law. “Unfortunately, the humanitarian space is no longer a sanctuary,” he said, emphasizing that the Council must be better informed on humanitarian access, and that those who placed obstacles in its way must face the consequences. Referring to the situations in Darfur, Guinea, Sri Lanka, Kyrgyzstan and other countries, he urged a more effective pursuit of the fight against impunity.

MIRSADA ČOLAKOVIĆ (Bosnia and Herzegovina) referred to the recent fifteenth anniversary of the Srebrenica massacre, recalling that United Nations forces had failed to protect civilians in a safe area. The genocide had been declared Europe’s worst atrocity since the Second World War and had become a symbol of the international community’s impotence to intervene and protect a civilian population. Paying tribute to the 8,000 men and boys killed at Srebrenica, she said the mistakes made in Bosnia and Herzegovina and in Rwanda should serve as constant reminders of the need to give top priority to the civilian protection, so as to ensure that Srebrenica would never be repeated.

She urged member States to work on full implementation of relevant Council resolutions on the protection of civilians, and requested all parties to armed conflict to comply fully with their obligations under humanitarian law. Impunity must be combated and the Council must act forcefully and frequently to prevent it, she said, also urging the Secretariat to develop a strategic framework to maximize the protection impact of peacekeeping missions. She expressed grave concern over the premature withdrawal of the United Nations Mission in the Central African Republic and Chad (MINURCAT), calling for a United Nations presence to be maintained until responsibility for protecting civilians had effectively been transferred to the Chadian authorities.

FAZLI ÇORMAN (Turkey) said recent tragic developments in Gaza reminded the world community of the importance of full compliance with international law and the importance of ensuring safe access to civilian populations, particularly vulnerable groups. However, even when parties complied fully with applicable law, many civilians still became victims, he said, calling for amends to be made to those harmed in view of their inherent human dignity. The international community must step in to protect civilians where States failed to do so, he stressed.

He said stronger interaction between the Council, troop and police contributors, representatives of the Secretary-General, missions and other actors would contribute to further coherence in the protection agenda. He called for further consideration before generally encouraging dialogue with non-State armed groups, stressing that all members of the international community must hold to their protection commitments in the face of terrorist acts. In addition, he emphasized that the Responsibility to Protect should not be mixed with the protection of civilians.

MARIA LUIZA RIBEIRO VIOTTI ( Brazil) stressed the importance of continuing engagement between the Department of Peacekeeping Operations and troop and police contributors in preparing training modules for civilian protection. It was also crucial for the Secretariat to prepare strategic frameworks for mission-wide protection strategies, as requested by the Special Committee on Peacekeeping.

She said the Council should prioritize training, guidance, oversight mechanisms, intelligence, dissemination of information on international humanitarian law and the use of non-lethal armaments and techniques. The development of norms on the use of force in specific situations, such as crowd control, should also be developed. She stressed that civilian components of peacekeeping operations played a central role in preventative efforts, and missions must work with all other actors, particularly those in the areas of development and human rights, to create a protective environment.

WANG MIN (China) said that while the Council had accorded much attention to the protection of civilians in recent years, civilians in many regions still found themselves in harm’s way, and China was deeply concerned that they were subjected to threats and violations. Expressing support for the Council’s efforts to strengthen civilian protection, he said it must start from the source and address the problem holistically. The Council was duty-bound to protect civilians and must invest more energy in that regard. It must include civilian protection in dispute resolution and settlement. At the same time, the sovereignty of States must be respected, he said, emphasizing that the protection of civilians was primarily the responsibility of Governments. He called on countries to refrain from forcible intervention, and stressed that dialogue between the United Nations and non-State armed groups should only be carried out with the consent of the Governments concerned.

Progress must be made step-by-step, he said, recalling that the Council had adopted several resolutions and issued many presidential statements on civilian protection. The task now should be to push for effective implementation. In designing civilian protection mandates, the situation on the ground must be taken into consideration, he said, underlining the importance of not resorting to generalizations. Civilian protection mandates should not be authorized for all peacekeeping mandates, as most ongoing conflicts occurred in economically backward areas. The United Nations must provide financial resources to change that.

Council President U. JOY OGWU (Nigeria), speaking in her national capacity, said resolution 1894 (2009) laid out important principles for civilian-protection mandates. The 2009 joint study by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations on that subject highlighted that the lack of clarity of civilian protection mandates inhibited resources and training to meet civilian-protection requirements. That must be addressed, she said, emphasizing the need for close monitoring of civilian-protection mandates in the field. The Council should always be fully briefed in advance of peacekeeping deliberations, she said, expressing hope in that regard that the Secretariat would draw lessons from troop- and police-contributing countries.

The Council must also act swiftly and with purpose to help civilians caught in the crossfire in places lacking civilian-protection mandates, she said, reiterating the call for all parties to conflict to respect the laws of armed conflict. She stressed the importance for civilians of creating neutral zones and unimpeded humanitarian corridors where civilians could find assistance. In a few weeks, the Convention on Cluster Munitions would enter into force, she said, adding that it would be an important tool for ending the use of such munitions, which had caused unacceptable harm to civilians.

JOSE LUIS CANCELA ( Uruguay) said the protection of civilians was both an ethical and legal imperative, and stressed that all humanitarian responses, including national capacity-building, must be sustainable and guarantee humanitarian access. It was critical to preserve, strengthen and respect the standards of humanitarian law within the framework of impartiality and independence. The possibility of holding dialogue with non-State actors should be considered, not to legitimize such groups, but to ensure that they respected humanitarian and human rights law.

He reiterated the need to pay more attention to the reintegration of victims of crimes against civilians, as well as to the prevention of impunity on the part of perpetrators. Making peacekeeping operations more effective in protecting civilians must be coordinated with the responsibility of States to fulfil their responsibilities in that area. There had been tangible progress in civilian protection through peacekeeping missions, which brought greater legitimacy and less resistance to United Nations peace operations. Training and a tighter correspondence between mandates and resources were crucial in that respect, he said, inviting all parties to focus on areas of agreement in the creation of a strategic framework, so that further advances could be made.

PETER WITTIG (Germany), associating himself with the European Union, welcomed recent progress in the protection of civilians, including the Council’s recent work, the joint study by the Office for the Coordination of Humanitarian Affairs and the Peacekeeping Department, and the recommendations of the Special Committee on Peacekeeping Operations. Challenges remained at the mission level, where Force Commanders and other leaders were responsible for carrying out important tasks and deserved full international support for that purpose. Ensuring that States were in compliance with international law was a critical element, he said, pledging that his country would continue its efforts to work with the Council and all other bodies in making further progress on protecting civilians.

CESARE MARIA RAGAGLINI (Italy), associating himself with the European Union, said accountability was one of the main concerns in the field of civilian protection, and the Council must be ready to take action against those who continuously undermined its credibility. Another major concern was finding a more comprehensive approach to the situation of internally displaced persons.

Among positive developments, he said he looked forward to assisting the Secretary-General’s newly appointed Special Representative on Sexual Violence in Armed Conflict and welcomed the increase in the number of briefings on civilian protection. Italy strongly supported the work of the Informal Expert Group on the Protection of Civilians, and encouraged the trend of increasing General Assembly efforts in that area. Prevention should be a pillar of any protection strategy, and encompass the principles of the Responsibility to Protect, he said.

ZAHIR TANIN ( Afghanistan) said his country’s June peace jirga had brought together all segments of Afghan society in search of stability and an end to conflict. All Afghans desired peace and that was the Government’s ultimate goal. Meanwhile, civilians continued to pay a staggering price, more than 6,000 Afghans having been killed or injured in 2009. Even more were being killed this year, he said, noting that more than half had died in attacks by suicide bombers, improvised explosive devices, mines and other unexploded remnants of war. In previous years, the Taliban, Al-Qaida and their terrorist allies had been responsible for an increasing and overwhelming majority of civilian casualties.

Afghanistan’s international friends were also targeted for their efforts to build a stable, prosperous country, he continued, noting that the number of attacks on humanitarian aid personnel and those working in education and health care continued to rise. He said he fully supported United Nations efforts to improve security conditions for the Organization’s staff, but the terrorists were not the only ones to blame. “We also bear enormous responsibility to safeguard the security of non-combatants,” he said.

Welcoming the steps by the former commander of the International Security Assistance Force (ISAF), to change the rule of law engagements so as to better protect civilian lives, he said he said he expected the new commander to continue that emphasis. But more must be done to prevent collateral damage and friendly fire, such as yesterday’s incident in which five Afghan servicemen had been killed, he said, emphasizing that every civilian casualty undermined the people’s belief in the goodwill of the international community and emboldened the enemy. President Hamid Karzai continued to raise that issue with international partners, including President Barack Obama of the United States, he said, adding that the Afghan Government was working to build an efficient army and police force, dedicated to protecting Afghan civilians and maintaining security and the rule of law.

JOHN MCNEE (Canada) highlighted three key areas where positive changes could be made: Security Council consistency; enhanced protection through more effective peace operations; and accountability. The Council would benefit from better defined trigger mechanisms that could help the Council determine when and how to engage when civilians were at risk. Secondly, greater complementarity should continue to be encouraged, while reducing overlap and competition between those engaged in peacemaking, peacekeeping, peacebuilding and humanitarian response. Thirdly, in many conflicts it was frequently the absence of accountability that allowed violations to thrive, he noted.

Protection work, therefore, was first and foremost a sustained and multi-faceted effort to develop an environment conducive to the rule of law, he said. Whatever the nature of the threat to civilians, compliance with international law by all parties concerned provided the strongest basis for ensuring their safety. Strong, independent, transparent and dependable judicial and policing institutions were fundamental to that purpose, he said, adding that civilian protection also entailed ensuring the safety and security of those who put their lives on the line every day to reach those in need. Canada saw the protection of civilians in armed conflict as essential to the maintenance of freedom, democracy, human rights and the rule of law, he added.

BASO SANGQU ( South Africa) said his country attached high importance to protecting civilians in armed conflict, and had acceded to the 1949 Geneva Conventions and its two Additional Protocols, which were critical as they sought to protect various victims of armed conflict. While civilian protection was the primary responsibility of States, protection during armed conflict had become more complex, warranting a more holistic consideration of the issue. Protection measures could only be viable if critical civilian needs were adequately addressed, he said, stressing that the specific needs of women and children were important. South Africa supported implementation of Council resolutions 1325 (2000), on women, peace and security, and 1612 (2005), on children and armed conflict. It also viewed Margot Wallström’s appointment as Special Representative on Sexual Violence in Conflict as a positive development.

In deploying peacekeepers, the United Nations must ensure that all parties to conflict fulfilled their obligations in relation to non-combatants, as per the Geneva Conventions, he said, condemning deliberate attacks on civilians and loss of life due to indiscriminate or disproportionate use of force, which was a gross violation of international humanitarian law. The Council should continue to call upon all parties to uphold their obligations under international humanitarian law and human rights law, and to report on steps to ensure the protection of civilians during conflict. The question of humanitarian access required greater attention to ensure that those in need received aid, and that providers could work in a secure environment. He strongly urged the lifting of the blockade on Gaza, in accordance with the principles of neutrality, impartiality and independence, adding that civilian protection would be better addressed in partnership with regional mechanisms.

CHRISTIAN WENAWESER ( Liechtenstein) agreed that there continued to be a gap between the normative framework on civilian protection and realities on the ground, saying that progress could only occur when Council members put their protection commitments before other interests. There was a need for timely and unhindered humanitarian access, he said, welcoming Israel’s partial lifting of the Gaza blockade in that context.

Regarding peacekeeping, he said mission-wide protection strategies must synergize all available components and resources, including the country team and host nation. To that end, he welcomed the establishment of the Expert Group and the adoption of resolution 1894 (2009). Noting the continuing erosion in the observance of international humanitarian law, he called for a redoubling of efforts to uphold the authority of those core standards, with the International Criminal Court at its centre.

JORGE ARGÜELLO (Argentina) said the Council must continue its engagement with civilian protection, fostering respect for humanitarian law and fighting impunity. Recalling his country’s statements during the sixtieth anniversary of the Geneva Conventions, he stressed that parties to armed conflict, including non-State armed groups, were subject to the basic obligation of international humanitarian law.

It was critical for peacekeeping operations to include clear civilian-protection tasks in their mandates, he said. Access to humanitarian assistance must also be assured, and persons escaping from combat areas must be allowed to transit safely to areas where they could be safe from hostilities. Argentina attached great importance to holding perpetrators of war crimes and crimes against humanity accountable, both at the national and the international level.

HARDEEP SINGH PURI (India) said he supported intergovernmental discussions to develop the normative and operational framework for the protection of civilians, but cautioned against the tendency to pay lip service to, or even bypass, the consultative process built into the multilateral decision-making structure. Such attempts would fail, undermining the trust and credibility that were integral to the efficient functioning of the Peacekeeping and Field Support departments, he warned. The situation on the ground in areas of United Nations operations was not entirely satisfactory, he said, noting that civilians continued to suffer. He said the operational reasons for the Organization’s inability fully to translate the Council’s intent into protecting civilians on the ground had been listed clearly and precisely by the independent study commissioned by the Peacekeeping Department, noting that most of the blame lay with the Council.

The report stated succinctly that the confusion over the Council’s intent was evident in the lack of policy, guidance, planning and preparedness, he continued. There were more than 8,000 Indian peacekeepers on the ground, yet they found it difficult to connect with the Council’s New York debates, due to an emphasis on normative aspects rather than implementation, he said, adding that 80 per cent of peacekeeping resources were devoted to operations that were more than five years old and were being called upon to transition into peacebuilding without having overcome the challenges of peacekeeping. In that context, the normative debate associated with civilian protection risked becoming a debate on the strategy to fight yesterday’s battles, he warned, noting that national authorities were saying that the Office for the Rule of Law was now as important as the military component in protecting civilians. Security-sector reform must be driven by national requirements, not donors’ priorities, he emphasized.

ADY SCHONMANN (Israel), stressing the importance of civilian protection, said her country worked closely with the United Nations, at Headquarters and on the ground, to ensure humanitarian access to civilians in need during armed conflict. The dilemmas inherent in asymmetrical warfare warranted the Council’s candid and serious consideration, taking into account that there were no easy answers. Such warfare had unfortunately become characteristic of the challenges facing Israel in its fight against terrorism in Gaza, she said, adding that it was also featured in many other situations around the world. The blatant disregard for human life on the part of terrorists was extended to their own populations. In Gaza, Palestinian terrorists launched rockets and mortars from densely populated areas, while turning the civilian homes from which they operated into battlefields.

Expressing her country’s continuing support for the work of humanitarian agencies providing essential services on the ground, she said Israel’s efforts to facilitate humanitarian assistance to Gaza — among them the recent expanded opening of crossing points and the lifting of restrictions on goods and products — indicated its genuine efforts to alleviate the hardship of the civilian population subjected to the control and manipulation of a hostile terrorist entity. But terrorists often abused access privileges, she said. In seeking to balance between competing security and humanitarian considerations, the protection of civilians resurfaced throughout the extensive jurisprudence of Israel’s Supreme Court on that matter.

PEDRO SERRANO, Acting Head of Delegation for the European Union, said that, as a cross-cutting issue, a civilian-protection strategy must be comprehensive and encompass the range of activities from ensuring the safety of populations to preventing deliberate acts of violence, to securing humanitarian access and ensuring full respect for international human rights and humanitarian law by all parties. Welcoming recent improvements in the strategic framework, he highlighted the importance of developing synergies with transitional justice, gender policy and development, as well as ensuring the cooperation of all relevant actors in that regard.

Implementation of protection mandates by United Nations peacekeeping forces was key to protecting civilians, he said, welcoming the important steps taken since the adoption of resolution 1894 (2009) and expressing hope that they would contribute significantly to the development of a culture of protection. The European Union continued to pledges its readiness to cooperate with the United Nations in further developing concepts, guidelines and training programmes in relationship to the protection of civilians. That cooperation could be extended to other international actors engaged in crisis management, such as the North Atlantic Treaty Organization (NATO), the African Union, the Organisation for Security and Co-operation in Europe (OSCE), the Council of Europe, the International Committee of the Red Cross and civil society groups.

THOMAS GÜRBER (Switzerland) said Council resolution 1894 (2009) should be implemented without reservation, as should others meant to strengthen the protection of women and children in armed conflict, which should receive systematic attention. The Council should also bear in mind the recommendations of the relevant Group of Experts and the Special Committee on Peacekeeping Operations, he said, underlining the importance of the Council’s appeals to conflict parties to respect the provisions of international humanitarian law, human rights and refugee law.

Maintaining that efforts to secure compliance with international law from non-State actors were critical, he welcomed the initiative by Geneva Call to co-organize a debate on the subject at the International Peace Institute in New York on 20 July. Combating impunity was also crucial, he said, calling for investigations into all alleged violations, whatever the context and whoever the alleged perpetrator. In that context, he raised the possibility of calling upon the International Humanitarian Fact-Finding Commission, created by the First Additional Protocol to the Geneva Conventions.

GARY QUINLAN ( Australia) said today’s presentations were a reminder of the dire plight of civilians in armed conflict. Statistics on internally displaced persons and sexual violence against women and girls showed that the international community must do more to protect civilians. During the Council’s last debate on the subject, the wide gap in understanding of civilian protection had become evident, he recalled, adding that the development of the draft operational concept in 2009 was a significant step towards closing that gap, though more remained to be done.

Australia had partnered with Uruguay in January in hosting a workshop to discuss the recommendations of the joint independent study by the Office for the Coordination of Humanitarian Affairs and the Peacekeeping Department, he said. It had also worked with the African Union to draft civilian-protection guidelines for peacekeepers. However, the deteriorating situation on the ground meant significant work was still needed.

Regarding draw-downs in recent peacekeeping operations, he said the Council and host Governments had an important role to play. The Council must clearly articulate the expectations of peacekeepers on the ground, who were asking unambiguously for that guidance. Measurable benchmarks would go a long way towards ensuring mandates, he said, adding that he was encouraged by the development of mission-wide strategies. However, they would be of limited value without the Council’s direction, he warned. They needed guidance, training and resources to ensure that peacekeeping lived up to expectations

MOHAMMED SARWAR MAHMOOD ( Bangladesh) stressed the need to combat impunity, safeguard access for humanitarian aid and protect the safety of humanitarian aid workers. While resolution 1894 (2009) and the inclusion of protection activities in peacekeeping mandates had been important steps forward, but there was still a gap between words about protection mandates and their actual implementation, he said, stressing the importance of the principle of the Responsibility to Protect, as endorsed in the 2005 World Summit Outcome, in preventing harm to civilians in armed conflict. The vulnerable situation of civilians in post-conflict societies needed special attention, he said.

To sustain peace, civilians needed more effective rehabilitation and reintegration into their communities, and the perpetrators must bear the resultant cost, he said. The presence of uniformed female personnel could play a pivotal role in protecting civilians, he said, noting the efforts of the all-women Bangladesh police contingent in the United Nations Stabilization Mission in Haiti. Prevention lay at the heart of civilian protection, he said, emphasizing the need to enhance the Organization’s preventive capacity. He stressed the importance of effective coordination among United Nations offices and agencies, while also expressing grave concern over violations of international law, urging the international community to take effective steps to ensure compliance with the Geneva Conventions.

GONZALO GUTIÉRREZ REINEL (Peru) noted the important progress made in the protection of civilians, but said it was crucial to make greater progress on the ground, partly through closer work between the Council and the Office for the Coordination of Humanitarian Affairs, and partly by focusing on the responsibility of States to protect their own populations, with international assistance.

More effective enforcement of international humanitarian law was also needed, particularly laws against sexual violence and other serious crimes, he said. Impunity in those areas must be stopped, with the Rome Statute playing a central role. Peru called on all States that were not yet party to the Geneva Conventions to accede as soon as possible, noting that the timely rebuilding of post-conflict countries would lead to concrete steps in preventing additional conflict and abuse of civilians.

ABDULLAH HUSSAIN HAROON (Pakistan), noting that his country was a large troop contributor, took issue with several statements in the briefing by Mr. Holmes, including its insufficient consideration of the right to self-determination and the recent attack on the Gaza aid flotilla. In addition, the Under-Secretary-General’s attention to Pakistan required more explanation, he said, pointing out that his country had the difficult task of eliminating international terrorism from its territory.

He explained that the people of the Swat valley had been asked to leave before the start of military action, adding that most of them had returned quickly and less than “a few hundred thousand” remained in Office for the Coordination of Humanitarian Affairs camps. The country had succeeded in keeping civilians out of harm’s way, and the national courts pursued any violations of humanitarian law in an activist manner, and at the highest levels. Pakistan would continue to protect its civilians while trying to make the world a safer place, he pledged.

SVEIN MICHELSEN (Norway) said the continuing increase in violations of international humanitarian law was of grave concern. In too many conflicts, there was an erosion of the protection to which civilians were entitled, a widening of the definition of “legitimate targets”, too liberal an interpretation of the rule of proportionality, and deliberate attacks against civilians, including the use of sexual violence. Recent conflicts, such as those in Gaza and Sri Lanka, were characterized by unacceptably high numbers of civilian victim and the widespread destruction of their infrastructure. There was an urgent need to have greater respect for international law, and an open and frank dialogue on how the law should be implemented to provide adequate protection to civilians in armed conflict, he said. Norway, France and the International Committee of the Red Cross had started a process to facilitate that discussion, on the basis of field experiences from recent conflicts.

He expressed supported for the Secretary-General’s proposals to include the recruitment and use of child soldiers in the mandates of all sanctions committees, and to improve the flow of information between the working group on children and armed conflict and the sanctions committees. Top priority must be given to ending the vicious cycle of impunity, he said, stressing the need to continue to enhance the active participation of women in conflict resolution, peace processes and peacebuilding. The practical inventory launched by United Nations Action and the Peacekeeping Department was an important step on the road to improving capacity to protect civilians, he said, pledging that his country would continue and strengthen its practical and normative support for the Peacekeeping and Field Support departments and for United Nations field missions in that regard.

JORGE VALERO (Venezuela), emphasizing the primary responsibility of protecting civilians during armed conflict, said human right violation should be condemned in all circumstances. The principles of consent of the parties concerned, impartiality, and non-use of force except in self-defence should guide peacekeeping operations, he said, while the strategy to protect people should be based on systematically attacking the causes of conflict, such as discrimination, poverty, injustice and the lack of channels for the peaceful settlement of disputes.

According to the Fourth Geneva Convention, the responsibility of peacekeeping operations was limited to specific occasions to protect civilians when there was a real threat of loss of life, he said. In light of recent experiences, however, international interventions in such cases were worrisome. There had been discrepancies in the timing and manner of military interventions, he said, noting that in some cases, States had been accused of violating human rights. What had been ignored were the destabilizing processes set underway by world Powers that caused coups d’état, territorial disintegration and socio–economic crises. Some Powers employed rhetoric based on the premise of humanitarian support and human rights, while undermining the true nature of things, he said, citing Iraq as a good example.

He went on to state that many countries in the global South had concerns about the Responsibility to Protect, adding that Venezuela understood such worries because international solidarity was indispensable. But intervention to dominate was another matter altogether. The concept of Responsibility to Protect must be rejected since it covered up violations of sovereignty in the name of neocolonial interests, he said, emphasizing the importance of supporting the people of Gaza. He asked why there was an effort to keep Palestine from becoming a sovereign State, and stressed that it was incumbent upon the United Nations to implement the Charter for the benefit of the people, not in the interests of the powerful.

BASHAR JA’AFARI ( Syria) said the debate came at a time of unprecedented violations of the rights of civilians in the face of Israeli practices against Palestinians in the occupied territories. Despite the development of international humanitarian law and institutions, violations and double standards with regard to developments on the ground had increased, he said, wondering whether the prisoners in Israeli jails were not considered civilians, and whether the people in the Golan who faced the dangers of mines were not civilians. Were the Gazans killed in Israeli attacks on schools not civilians? he demanded, noting that the Council had not reacted to Israel’s crimes against those civilians.

CLAUDIA BLUM ( Colombia) said the creation of more solid conditions for the protection of civilians against the violence of armed groups was a priority in her country, which remained dedicated to ensuring the rule of law throughout its national territory, through the implementation of the Democratic Security Policy. That policy, in turn, was accompanied by a comprehensive policy on human rights and humanitarian law, including measures to prevent abuse and ensure appropriate penalties for violations, including those involving members of the Public Force. The process of demobilizing members of illegal armed groups had been an essential component of that effort, she said.

She described assistance to people displaced by violence and reaffirmed her country’s commitment to the Cartagena Plan of Action against anti-personnel mines. Recognizing the State’s primary responsibility for the protection of its own population, she said the international community had a role to play in supporting the strengthening of national protection efforts when needed. Recommendations on possible contacts by humanitarian actors with illegal armed groups must take each national context into account on a case-by-case basis, also taking fully into account the decisions of democratically-established authorities, she said.

JUSTIN SERUHERE (United Republic of Tanzania) supported Uganda’s statement in the sprit of the East African Community and of the Pact on Stability, Security and Development in the Great Lakes Region, both of which documents were keen on protecting civilians in armed conflict. The United Republic of Tanzania was profoundly committed to protecting civilians during armed conflict, which was a fundamental human right and critical to the legitimacy and credibility of any United Nations peacekeeping mission. All actors and stakeholders, especially in conflict situations, should be required to work with the United Nations to protect civilians, he said, pointing out that the Organization and the international community could not help countries realize the Millennium Development Goals when armed conflict and terrorism struck at will.

The United Nations was the lead agent for civilian protection and change, he said, adding that the Council must provide the catharsis on a continuous basis, with commitment and impartiality. Donor nations and the international community must not shy away from their responsibility to support the quest for global peace, security and prosperity by protecting civilians. They should bring non-State actors as well as regional and subregional organizations on board in that process. Peacekeeping mandates must be reassessed to include mandatory provisions on civilian protection, and spell out benchmarks to measure its fulfilment. The Secretariat’s planning of missions should, from inception, involve troop-contributing countries and other actors.

OSMAN KEH-KAMARA ( Sierra Leone) stressed the link between the protection of civilians and transitional justice, citing the situation in his own country immediately after the hostage crisis involving United Nations troops in eastern Sierra Leone. The initial mandate of the United Nations Mission in Sierra Leone (UNAMSIL) had been changed to include, among other functions, assistance to monitor respect for international humanitarian law, emergency relief and repatriation of internally displaced persons and refugees. The security and geopolitical situation during that period had been a very serious challenge to civilian protection, he recalled.

The new United Nations mandate, which included security in and around disarmament and demobilization sites, facilitated the free flow of goods and humanitarian aid, he said. While succinctly discussing the protection of civilians under imminent threat of danger, it did not specify how that would be done, he noted. It must be very clear, so as to leave no ambiguity, he emphasized.

He said international humanitarian law demanded that all belligerent groups respect the distinction between combatants and non-combatants, attack only military targets, and use only the degree of violence proportionate to their military requirements, while taking due care to protect civilians and civilian infrastructure. Regrettably, the practices of belligerents in war lagged well behind the legal requirements and the global culture of civilian protection. The end-State objective of a peacekeeping operation should include a protection mandate to help create the enabling environment to ensure that the host nation exercised absolute control over the protection of its citizens, he stressed.

AGSHIN MEHDIYEV ( Azerbaijan), associating himself with the European Union, said that the heightened vulnerability of civilians during conflict brought urgency into efforts to protect them. Particular consideration must be given to protection when populations were displaced or under foreign occupation, where a more consistent approach was required to end illegal policies. The right to return, in particular, should be applied with more systematic regularity, he said.

He said the responsibility of occupying Powers for violations of international humanitarian and human rights law extended not only to their own actions, but also to those of the subordinate separatist regimes they created illegally in the occupied territories. Impunity in all those areas must be stopped to ensure sustainable peace, truth, reconciliation, the rights and interests of victims, and the well-being of society at large, he said.

PALITHA KOHONA ( Sri Lanka) said that although a substantial normative framework had been developed for the protection of civilians, the politicization and selectivity characterizing the debate on implementation had affected its credibility, thereby calling into question the sincerity of the concerns expressed for the plight of civilians affected by armed conflict. The issue could not be addressed on humanitarian terms alone, and nor could the normative framework be applied in a merely theoretical manner.

He said that his country’s experience in dealing with terrorists that used the civilian population as shields behind which to launch attacks showed the complexity of the challenges involved. Many of the rules of war were based on the presumption that parties to a conflict are conventional armies, but terrorists totally disregarded those laws and principles. The causes of armed conflict must also be addressed, including the proliferation of small arms and light weapons, he said, adding that there was also a need to recognize the legitimate role of the military in civilian protection, though it was not an exclusive one.

The principle of unimpeded access for humanitarian personnel must be respected, but it could not disregard the State’s primary responsibility to ensure their safety and security, he said. In Sri Lanka’s experience, the military, often at huge cost, had had to bring civilians out of harm’s way, he said, adding that military and humanitarian personnel must therefore seek to work in partnership. Similarly, civilian displacement must not be politicized or turned into a theoretical problem, he said, calling for the development of a means for holding non-State actors accountable and recognizing the problems of asymmetrical conflicts.

GAREN NAZARIAN ( Armenia) said the Council must send a clear message to all parties to armed conflict, reminding them of their obligations and condemning violations of international humanitarian and human rights law. Despite the existence of global legal instruments and normative mechanisms, innocent civilians and global humanitarian personnel continued to suffer in conflict situations. To address the situation, it was necessary to abandon selective approaches to violations of international humanitarian law, she said.

There must be strict adherence to human rights standards, she emphasized, adding that peaceful resolution required strong political will and painful compromises from both sides. The time had come to replace the unchanged rhetoric of hollow allegations with constructive steps aimed at making the environment more conducive for peaceful settlement. The Council should help to strengthen the rule of law and uphold international law by supporting criminal justice mechanisms, she said, noting that the need to prosecute those responsible for crimes remained urgent. She strongly condemned deliberate attacks against and killings of civilians through the indiscriminate or disproportionate use of force.

The representative of Lebanon took the floor a second time to respond to Israel’s statement concerning Council resolution 1701 (2006), saying that the text defined the role of the United Nations Interim Force in Lebanon (UNIFIL). Israel was the party failing to abide by its obligations under that resolution, and its violations were documented in all Council reports on implementation of resolution 1701 (2006), including the latest one, which the Council would discuss during its 14 July debate.

Mr. HOLMES, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, thanked all participants in today’s debate and said he hoped he had truly delivered his last statement to the Council and that developments would not force him to come back. He assured Council members that the Office for the Coordination of Humanitarian Affairs would continue to work with the Peacekeeping Department on the effectiveness of mandates and the fulfilment of assurances in the Democratic Republic of the Congo and Chad that their respective Governments would assume their responsibility for civilian protection.

In response to delegates’ statements, he said civilians must be protected whether they were targeted or not, and reaffirmed that engagement with armed groups was often necessary. The consent of States was preferable, but States had an obligation to facilitate such humanitarian efforts, he said, adding that he respectfully disagreed with a statement that counter-terrorism could not be considered armed conflict. However, he recognized that asymmetrical warfare created great challenges, though such challenges did not allow disregard for international law. Non-State actors must be held equally accountable for their actions, he said, agreeing, however, that realities on the ground must be taken into account. Principles must be the starting point, he added.