

Security Council Open Debate on Rule of Law  
Tuesday, 29<sup>th</sup> June 2010, Security Council Chamber (GA-TSC-01)

*Statement by Ambassador Rice, Permanent Representative of the United States to the United Nations*

Let me begin by thanking the Secretary-General, Under-Secretary-General Holmes and High Commissioner Pillay for their briefings and their tremendous work on behalf of endangered civilians around the world. Let me also thank Mr. Holmes for his service to the United Nations. He has been an outspoken and dedicated leader. He has shown a rare and resolute determination to end the suffering of civilians under threat of war or famine.

The Under-Secretary-General has my Government's abiding respect and my warm personal thanks. Eight months after the Council adopted resolution 1894 (2009), we still have far more work to do together to save the lives of civilians in conflict zones. The victims in situations are different: children forced to take up guns, **women and girls tormented by rape and sexual abuse**, refugees and internally displaced persons longing for a home and shelter, ordinary people caught in crossfire. But they all are innocent, and they should all be sheltered by the rule of law and the rules of war. Their suffering is particularly tragic because it is so often preventable. Their voices call out to our common conscience and remind us of the urgent need to act.

Let me highlight briefly three critical areas today: first, providing the safety that humanitarian efforts need to function; secondly, moving from the ambition to protect civilians to successful actions by peacekeeping missions; and thirdly, enhancing the legal capacity to support accountability.

The United States is deeply disturbed by the increasing frequency of attacks on humanitarian workers. Such assaults violate basic principles of law and decency. Such violence not only obstructs the delivery of life-saving humanitarian assistance, but also can create an atmosphere that restricts the movement, even the presence, of international humanitarian actors. As we have recently seen in Pakistan and the Sudan, workers have been attacked, kidnapped or killed, often in cynical attempts to extend the suffering of civilians for political gain. Humanitarian agencies' local staff members can be especially vulnerable to attacks.

That is a deplorable phenomenon, but not a new one. The Council has expressed its intentions, in the words of resolution 1894 (2009), to "take appropriate steps in response to deliberate attacks against humanitarian personnel" (para. 16(c)). We have also acted, for instance, by designating al-Shabaab last April, under resolution 1907 (2009). We must make a concerted effort to identify those responsible for all attacks on humanitarian workers so that humanitarian agencies can go about their work, protecting the innocent. Here, the resources of United Nations country teams often prove invaluable, and the United States strongly supports the protection mandates of UNICEF, the Office of the United Nations High Commissioner for Refugees and the Office of the High Commissioner for Human Rights, as well as the International Committee of the Red Cross. Together, they help promote civilians' basic rights, meet their physical needs, respect their dignity, and work to ensure their safety.

We respect the principles of neutrality, impartiality and independence under which those and other humanitarian groups, including nongovernmental organizations, operate in the field. We encourage humanitarian organizations to strengthen programmes to end conflict-related sexual violence, and we urge our fellow Council members to fully support, in terms of both finances and policy, the efforts of such organizations to protect civilians and to implement the commitments that we unanimously agreed to in resolution 1888 (2009).

My second point is that peacekeeping missions play a vital role in providing support to States in which civilians are at risk. However, the Council's mandates directing peacekeeping missions to protect must be matched by resources, guidance, training and leadership.

We welcome innovative approaches by all involved to identify the threats and vulnerabilities of civilian space in the area of a mission. We applaud efforts by the Department of Peacekeeping Operations, supported by the Special Committee on Peacekeeping Operations, to develop a strategic framework for mission-wide protection strategies. As Member States, we must all support those efforts and back up peacekeeping missions with political support and capacity-building efforts. We must also pay close heed to the challenges faced by peacekeepers in the field, whether civilian, police or military personnel.

Serious challenges remain on the ground, such as those today in Darfur. That is something we must bear in mind as we approach the renewal of the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) at the end of this month. The United States supports full and proper backing to peacekeeping mandates, including that of UNAMID, so that deployed peacekeepers can protect themselves and endangered civilians, as identified in each specific mandate. Host countries with peacekeeping missions must shoulder the primary responsibility for the safety and security of their populations, as well as for supporting those missions as they implement their mandates.

My Government fully backs the work of United Nations peacekeeping missions, working in concert with United Nations country teams and host Governments, to strengthen police and judicial mechanisms so that respect for the rule of law can counter those who seek to profit from lawlessness. We undertake significant efforts to promote the rule of law around the world, and we urge others to do the same.

Peacekeeping missions, when properly trained, well equipped and deployed with robust mandates, are critical to our overall efforts to protect civilians. But today we face the question of how to ensure that civilians are protected where strategic consent for United Nations peacekeeping evaporates and those forces are ultimately withdrawn. Such a situation is now playing out in Chad, with the continued drawdown of the United Nations Mission in the Central African Republic and Chad (MINURCAT). By the end of the year there will be no United Nations peacekeepers in Chad, and the United States is extremely concerned about that situation.

The Government of Chad should protect its own population and refugees within its territory. The international community recognizes that the Government of Chad is accountable for the welfare not only of its own citizens, nearly 170,000 of whom are internally displaced, but also for the more than 270,000 Darfuri and 74,000 Central African refugees within Chad's borders.

Finally, let me turn to the question of accountability. Governments bear the primary responsibility for protecting civilians. But other parties to armed conflict must also comply with their obligations under international humanitarian law — and all too often they do not. Those legal obligations should have legal consequences. It is incumbent upon the international community to end impunity by helping Governments create, maintain and operate credible and effective national courts where possible, or by supporting international and other mechanisms where necessary. The International Criminal Court can also be useful in the fight against genocide, war crimes and crimes against humanity.

Ongoing dialogue on this important subject is worthwhile. But this Council will be judged by its actions and their impact on civilian lives. I hope that we will take concrete action to directly challenge those who violate their obligations to protect civilians in armed conflict, that we will continue to craft peacekeeping mandates that back missions with the necessary training capability and leadership of deployed peacekeepers, and that we — both as a Council and in our national capacities — will help Governments emerging from conflict to rebuild their infrastructure and institutions to protect and provide for their civilians.

In that regard we urge continuation of the Secretariat's important work to develop a strategic framework for the protection of civilians in peacekeeping operations supported by mission-wide planning and senior leadership training. We also urge the Secretariat to complete the assessment of resources and capabilities required for those tasks as soon as possible.

We look forward to the next report of the Secretary-General on this crucially important topic. United Nations action has saved untold lives and eased unimaginable suffering, but in all too many places innocents still bear the brunt of war and conflict. We cannot yet afford to sleep easily.