

Security Council Open Debate on the Protection of Civilians in Armed Conflict
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Statement by Valerie Amos, Under-Secretary General for Humanitarian Affairs

The Secretary-General's report (S/2012/376) provides a compelling reminder of the situation that confronts civilians affected by conflict and violence, and of the pressing need to strengthen efforts to protect them. Since the submission of the report, a number of the situations to which it refers have deteriorated.

In Syria, in recent weeks we have seen an alarming intensification in the violence. The ongoing use of artillery and tanks by Syrian security forces in populated areas is of the utmost concern, as are reports of summary executions of civilians, torture and other forms of ill-treatment by Syrian security forces and militia, including against children. Schools have been raided, used as military bases and detention centres. Hospitals and health facilities have been targeted. Anti-Government groups are also reportedly responsible for violations, including torture, summary executions and abductions.

Residents in the most affected areas are often unable to access water, food or medical care. It is imperative that civilians who wish to leave areas of fighting be allowed to do so safely. All relevant parties need to allow safe, timely and unimpeded access by humanitarian organizations to all areas affected by violence to enable the provision of assistance to people in need.

The plight of civilians in other situations also warrants our continued attention. In the Democratic Republic of the Congo, intensified military operations in North Kivu between the Congolese armed forces and the March 23 Movement (M-23) have displaced over 220,000 people since early April. Meanwhile, the redeployment of some Congolese forces to fight the M-23 has left a security vacuum elsewhere that is being exploited by the Forces démocratiques de libération du Rwanda and other armed groups in an effort to take control of mines and towns. The result is that tens of thousands of civilians have been displaced.

Continued fighting between the Sudanese Armed Forces (or SAF) and the Sudan People's Liberation Movement-North (or SPLM-N), including aerial bombardment of civilian areas by the SAF, has resulted in a sharp increase in the number of refugees fleeing to South Sudan. Those remaining in Blue Nile and Southern Kordofan urgently need assistance, yet the Sudanese Government continues to refuse humanitarian access to areas under SPLM-N control. We are in ongoing discussions on this.

In Yemen, a Government offensive to regain control of cities in the Abyan governorate has resulted in civilian deaths and injuries. Road closures and the presence of mines and unexploded ordnance have made it difficult for civilians to obtain treatment and to leave areas of fighting.

Fighting in northern Mali has forced 174,000 people to flee the country. An additional 170,000 are internally displaced. Insecurity in the north has severely restricted humanitarian access and forced a number of humanitarian organizations to cease operations. This is troubling given reports of arbitrary detentions, extrajudicial executions, sexual violence, including rape, and other violations of international humanitarian and human rights law by the parties to the conflict.

In Afghanistan, the number of internally displaced people has continued to grow, with more than 87,000 Afghans displaced in the first four months of this year. As of April, there were an estimated 408,000 internally displaced persons in the country. On a more positive note, there was a 21 per cent reduction in overall casualty figures in Afghanistan during the first four months of 2012, compared to the same period last year. However, the deaths on 6 June of 40 civilians and the wounding of 67 others in indiscriminate attacks by anti-Government elements and an airstrike by pro-Government forces underline the precarious position in which civilians find themselves. They also underline the need for all parties to take the necessary steps to spare civilians from the effects of hostilities. I welcome NATO's decision this month to cease aerial attacks on residential areas.

Lastly, I am concerned by renewed violence this month in the west of Côte d'Ivoire and between Israel and militant groups in the occupied Palestinian territory.

The Secretary-General's report provides important recommendations for addressing the five core challenges to enhance the protection of civilians. I would like to focus on four issues identified in the report.

First is the need for a comprehensive and robust arms trade treaty. The poorly regulated trade in arms and corresponding widespread availability and misuse of weapons fuel and facilitate many of the violations that we see in armed conflict. Next month's United Nations Conference on the Arms Trade Treaty will provide an opportunity to address the humanitarian impact of the poorly regulated trade in arms.

Secondly, action is needed to address the use in populated areas of explosive weapons with wide-area effect, the humanitarian impact of which is clear in parts of Syria. More than 21,000 civilians were killed or injured by explosive weapons in 2011. Some 87 per cent of these deaths and injuries occurred in populated areas, including markets, schools, places of worship and homes.

I urge the Council to be more proactive and systematic in calling on all parties, in Syria and elsewhere, to refrain from using explosive weapons in populated areas. The Council might also consider more robust actions, such as the imposition of targeted measures against the leadership of parties that use explosive weapons in violation of applicable international law.

The third issue I would stress is the need for more systematic recording of civilian casualties. Such recording, combined with regular reporting, can confirm the causes of harm to civilians and the actions needed to end such harm, including by the Council. It also allows parties to conflict to better understand the impact of their actions, enabling them to undertake prompt corrective action to ensure their compliance with the law.

I am encouraged by the commitment of the African Union Mission in Somalia to establish a civilian casualty tracking analysis and response cell, as well as its adoption of the policy on indirect fire.

The final issue is accountability. In most, if not all, of the situations mentioned, serious violations of international humanitarian law and human rights law are being committed. The perpetrators of such acts must be held accountable, either domestically or internationally. The Security Council and Member States have a responsibility to ensure that this happens.

The workshop on accountability, convened in November 2011 jointly by the Permanent Mission of Portugal and the Office for the Coordination of Humanitarian Affairs, discussed ways in which the Council could more actively support and strengthen accountability at both the national and the international levels. I would urge the Council to engage in further dialogue with a view to taking forward the recommendations emerging from the workshop.

As the Secretary-General has reminded us, the solution to many of the problems we see in contemporary conflicts is strengthened compliance by parties to conflict with the letter and spirit of international humanitarian law and human rights law. Ensuring such compliance begins, of course, with the parties to conflict. But the responsibility is not theirs alone. It is a responsibility that is incumbent upon us all — the United Nations, its Member States and the Security Council. We can and must do more to fulfill that responsibility and ensure that the law has meaning for those it is intended to protect.