

Protection of Civilians in Armed Conflict

10th May 2011, Security Council Chamber (GA-TSC-01)

Statement by Mr. Errázuriz, Permanent Representative of Chile to the United Nations

I congratulate your country, Sir, on having assumed this month's presidency of the Security Council and for your timely initiative to convene today's open debate on the protection of civilians in armed conflict. Unfortunately, that issue has been very much in the news and requires the attention of the United Nations.

My delegation wishes to express its appreciation for the briefings given today by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, the Under-Secretary-General for Peacekeeping Operations and the Assistant Secretary-General for Human Rights and Head of the New York Office of the United Nations High Commissioner for Human Rights. Chile associates itself with the statement delivered by the representative of Switzerland on behalf of the Human Security Network, of which Chile is a member.

In recent years, the United Nations has made significant progress in the protection of civilians in armed conflict. The Council has adopted a number of important resolutions, including resolution 1325 (2000) on the protection of women in armed conflict, the significance of which marked a milestone in efforts to address that issue. My country has developed its own national plan in that regard. The Council also adopted resolution 1960 (2011) establishing monitoring, analysis and reporting arrangements on conflict-related sexual violence.

The Secretary-General has expressed particular concern regarding the protection of civilians and, within the Department of Political Affairs, has consolidated a conflict-prevention system that includes, among other measures, a mediation unit and provisions for collaboration between the Offices of the Special Adviser on the Prevention of Genocide and of the Special Adviser on the Responsibility to Protect. Those initiatives have better positioned the Organization, the Council and the Secretary-General to identify potential conflicts and, if necessary, take appropriate measures to potentially prevent them.

However, States themselves hold the primary responsibility for protecting their populations. They must create early warning and conflict detection mechanisms and adopt corresponding preventive measures. As that has not always been possible, however, the Council has had to take the measures necessary to adequately protect civilians in conflict situations. The adoption of resolutions 1970 (2011) and 1973 (2011) on Libya responds to that need. The measures contemplated in those resolutions are adequate for the protection of civilians, and their implementation must also be so. When States cannot protect their civilians, the international community, through the United Nations, cannot remain indifferent to the fate of those whose rights are being seriously, systematically and repeatedly violated.

Chile categorically recognizes the important work carried out by peacekeeping forces in the protection of civilians. My country appreciates the measures adopted by the Department of Peacekeeping Operations to endow these forces with instruments, resources and codes of conduct suitable for effective action in this area. Today, almost all peacekeeping operations carry out tasks involving the protection of civilians, and eight of them have a specific mandate to provide physical protection.

At the same time, peacekeeping operations today are multidimensional, with important components having to do with the protection of civilians such as human rights monitoring, humanitarian assistance, capacity-building, restoration of infrastructure and services, and security sector reform, among others. Chile believes that a comprehensive approach is the most effective way to address and respond to threats to the safety of civilian populations in situations of armed conflict. We welcome not only the normative measures adopted but also those practices on the ground aimed at preventing and mitigating the effects of violence on civilians in armed conflict.

It is important to enhance interaction between the host Government, the Security Council, troop-contributing countries and the Secretariat in order to reduce the gap between the decision-making process and the concrete implementation of those decisions on the ground. It is therefore also of great importance to overcome the major obstacles affecting peacekeeping operations, such as access to resources, teams and capacity-building, prior to deployment.

Respect for and implementation of international law and international humanitarian law are inextricably linked to combating impunity. Putting an end to impunity must be seen as part of a comprehensive approach in the search for a sustainable peace, justice, truth and national reconciliation. Concerted efforts are required to cooperate with national judicial mechanisms in order to develop their capacities and ensure that perpetrators are brought to justice and tried in accordance with international standards.

Restoring the rule of law, security sector reform and the mechanisms for transitional justice are key areas in which national systems must be strengthened and receive support through effective international cooperation. The International Criminal Court, as well as other tribunals and mixed courts, play an important complementary role. Chile supports all those measures aimed at combating impunity, whether at the national or international levels.

Civilians affected by violence in armed conflict have a right to reparations and compensation. In this regard, we must not neglect the value of symbolic reparations as a way of healing the wounds of societies in post-conflict countries.

The situation of the civilian population in countries in crisis is of concern to us. Their physical and emotional well-being must be respected and the relevant channels for dialogue must be kept open, allowing for a political solution to be found, while ensuring respect for fundamental freedoms and human rights.