

Security Council Open Debate on Protection of Civilians in Armed Conflict
Monday, 22nd November 2010, Security Council Chamber (GA-TSC-01)

Statement by H.E. Mr. Maged A. Abdelaziz, Permanent Representative of the Arab Republic of Egypt to the United Nations

I have the pleasure to address the Security Council on behalf of the Non- Aligned Movement, and to start by expressing the Movement's appreciation to you, Sir, for having organized this debate. I also wish to thank Baroness Valerie Amos, Under-Secretary-General for Humanitarian Affairs, Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, Ms. Navanethem Pillay, High Commissioner for Human Rights, and Mr. Yves Daccord, Director- General of the International Committee of the Red Cross, for their briefings today.

Despite all the efforts exerted by the United Nations, including the Security Council, civilians around the world are still suffering in massive numbers. The measures adopted so far have proved to fall short of addressing the wider implications of attacks against civilians, their impact on international peace and security and their humanitarian impacts. The Secretary General's report (S/2010/579) prepared on this topic and submitted pursuant to resolution 1894 (2009) also highlights ongoing and emerging concerns regarding the state of the protection of civilians, such as the proliferation and fragmentation of non-State armed groups, the displacement of civilians within and across borders, the continued violence and hardship that women and children face during conflict and the continued existence of a culture of impunity.

In that regard, the Non-Aligned Movement believes that due priority should continue to be given to promoting knowledge of, respect for and observance of States' obligations assumed under the United Nations Charter and international, international human rights and international humanitarian law, in particular the four Geneva Conventions of 1949 and their 1977 Protocols. We call upon all parties to armed conflicts to redouble their efforts to comply with their legal obligations by, inter alia, prohibiting the targeting of civilian populations, civilian property and certain special property during armed conflict, and by obliging parties to any conflict to ensure general protection against threats to civilian installations, hospitals, relief materials, means of transportation and the distribution of such relief materials arising from military operations.

The Movement reiterates its condemnation of the increasing attacks on the safety and security of humanitarian personnel, and urges the Governments of United Nations Member States to ensure respect for the protection of the personnel of humanitarian organizations, in conformity with the relevant provisions of international law. In the meantime, we reaffirm that humanitarian agencies and their personnel should respect international humanitarian law and the laws of the countries where they operate, the guiding principles of humanitarian assistance set forth in General Assembly resolution 46/182 and its annex and the principle of non-interference in the cultural, religious and other values of the population in the countries where they operate.

Furthermore, in the peacekeeping context, the Non-Aligned Movement stresses that the protection of civilians under imminent threat of physical violence is the primary responsibility of each host country of any peacekeeping operation. It further stresses that relevant peacekeeping missions with such a mandate should conduct their tasks without prejudice to the primary responsibility of the host Government to protect civilians. The successful conduct of tasks relating to the protection of civilians, wherever a United Nations mandate exists, requires a holistic approach that encompasses the provision of timely and adequate resources, logistical support and the required training, as well as clearly defined and achievable mandates. The principle of consent of the host State as a founding principle of peacekeeping must be fully respected. That requires open political discussions between senior mission leadership and national authorities, as well as follow-up on how to implement all mandated tasks, including the protection of civilians.

Moreover, the Movement raises doubts regarding a number of the recommendations of the November 2009 independent study, entitled Protecting Civilians in the Context of United Nations Peacekeeping Operations, jointly commissioned by the Office for the Coordination of Humanitarian Affairs and the Department for Peacekeeping Operations. The Movement underlines that any suggestions or recommendations in that area must be addressed in a comprehensive and holistic approach, taking into account the need to provide all necessary capabilities and resources for the implementation of protection mandates given by the Security Council to United Nations peacekeeping operations in a timely and efficient manner. That must also be done while refraining from using the concept of the protection of civilians as a pretext for military intervention in

armed conflicts by the United Nations, especially considering the limited resources that are currently available to peacekeeping operations to fulfil their original mandates and the existing legal challenges in identifying who the civilians that peacekeepers would protect are and how to differentiate between them and insurgents in some areas of operations.

In that context, the role of peacekeeping missions as protection actors needs more clarification, including from the conceptual and operational aspects. Further in-depth political discussion on how to enable peacekeepers to better fulfil their protection tasks is needed, bearing in mind that peacekeepers cannot protect everyone everywhere. The Non-Aligned Movement condemns Israel's continued violations against Palestinian civilians in the occupied Palestinian territory in breach of international, international humanitarian and international human rights law, as well as United Nations resolutions. The Movement stresses the need to provide protection for Palestinian civilians in the West Bank, the Gaza Strip and Jerusalem against grave human rights violations by Israel, including the use of excessive and indiscriminate force, which has killed or injured thousands of Palestinian civilians, including children, and has caused vast destruction of property, infrastructure and agricultural land.

Also in that context, the Secretary-General's report expands, in an unjustified manner, the definition and scope of the term armed conflict to include in that definition situations that are not considered armed conflicts according to the United Nations Charter and international law. In the meantime, the report ignores some other situations that are internationally recognized as clear violations of international and international humanitarian law, such as the tragic incident of the humanitarian flotilla attacked on the high seas despite its humanitarian nature. Let me conclude by reiterating the importance of the role of the Security Council, with regard both to more effective involvement in the protection of civilians in conflict situations and to focusing on the importance of accountability and the need to investigate violations of international humanitarian law and putting an end to impunity. The Non-Aligned Movement believes that the Council should alter its practice and attach priority to providing protection to civilian populations in imminent danger in conflict situations at an early stage, and separate those actions from Council discussions on the controversial political dimensions of the conflict. In that way, as many lives of affected civilians trapped between combatants in conflict areas as possible could be saved.