

Protection of Civilians in Armed Conflict

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Statement by Mr. Serrano, Permanent Representative of The European Union to the United Nations

The candidate countries Croatia, the former Yugoslav Republic of Macedonia, Iceland and Montenegro; the countries of the Stabilization and Association Process and potential candidates Albania and Bosnia and Herzegovina; as well as Ukraine, the Republic of Moldova and Georgia align themselves with this declaration.

Let me start by thanking Under-Secretary General Amos, Under-Secretary General Le Roy and Assistant Secretary-General Šimonović for their briefings and important contributions to this very timely debate.

In recent months, the challenges regarding the protection of civilians have been high on the agenda of the Security Council. The European Union (EU) welcomes the increased attention paid by the Security Council to this important issue.

The European Union commends the work conducted within the United Nations in recent years to foster and strengthen a common understanding of protection of civilians in armed conflicts. The joint efforts in the United Nations have, in addition to increasing the understanding of the concept of the protection of civilians, also resulted in the establishment of a platform for action. The landmark resolution 1894 (2009) provides a solid basis, and recent developments in this regard include the presidential statement and updated aide-memoire of November last year (S/PRST/2010/25), the adoption of resolution 1960 (2010) on sexual violence in conflict, and the development of a stronger framework for the protection of civilians by peacekeepers. The European Union strongly welcomes these developments. Indeed, what is important is to make full and coherent use of this platform in order to make a difference on the ground. The informal expert group on protection of civilians has an important role to play in this regard.

Despite all efforts, civilians continue to be victims of disproportionate attacks, deliberate targeting and the indiscriminate use of weapons. Explosive weapons used in populated areas have a high humanitarian impact on civilians and civilian infrastructure. It is estimated that, in contemporary armed conflicts, 90 per cent of the casualties are civilians and only 10 per cent are active combatants. Contemporary armed conflicts leave behind thousands of victims needing, among other things, appropriate medical care and psychological assistance, in many cases for their entire lives.

We need to pay more attention to the situation of victims. The European Union calls on all parties to conflicts, including non-State actors, to fully comply with their international legal obligations to protect civilians and to prevent human rights violations and violations of international humanitarian law. Compliance with and respect for international humanitarian law need to be reinforced, as they also contribute to securing and sustaining humanitarian space and to guaranteeing safe and unhindered access for humanitarian operations and humanitarian workers to populations in need. We are particularly concerned in this regard by the situation in Darfur, where nothing has changed. The Government bombing of civilians is continuing and militia continue to surround internally displaced persons camps.

Further, it is vital to address the question of impunity in the context of the protection of civilians. There must be strong mechanisms of accountability in case of violations, which also provide an essential preventive element. Activities in this regard should seek to support the establishment of an environment in which all persons, institutions and entities are accountable to laws that are consistent with international law, including human rights norms and standards, and international humanitarian law. There must be no impunity for perpetrators of the most serious international crimes: war crimes, crimes against humanity and genocide. The EU supports accountability mechanisms at the international and national levels. The EU also supports the recommendation of the Secretary-General in his 2010 report on the protection of civilians in armed conflict (S/2010/579) to establish commissions of inquiry.

With regard to the protection of civilians in the context of peacekeeping operations, I would like to welcome the development of designated protection of civilians strategies by most peacekeeping missions having a protection of civilians mandate. I would like to underline the importance of all peacekeeping missions with a protection of civilians mandate developing comprehensive protection strategies, including the necessary

benchmarks and indicators, without delay. The European Union welcomes the framework for drafting comprehensive protection of civilians strategies in United Nations peacekeeping operations, jointly issued by the Department of Peacekeeping Operations and the Department of Field Support, as a useful tool in this regard. The European Union looks forward to the finalization and dissemination of the training modules for protection of civilians to troop- and police-contributing countries. Peacekeeping operations must be provided with the necessary resources and capabilities to carry out their protection tasks effectively, and force commanders must ensure that these are implemented vigorously. In addition, we welcome the important progress made in the Special Committee on Peacekeeping Operations this year on the protection of civilians.

With regard to current developments in Libya, the European Union has welcomed the adoption of resolutions 1970 (2011) and 1973 (2011), which offer a clear legal basis for the international community to provide protection to the civilian population. We are determined to act collectively and resolutely with all international partners — particularly the United Nations, the League of Arab States, the African Union, NATO, and other regional stakeholders — to implement the adopted resolutions on Libya. The broad-based attendance at the second meeting of the Contact Group on Libya last Thursday in Rome was emblematic of the variety of actors that remain resolute in their commitment to stopping the violent and illegitimate repression of the Libyan people.

The European Union condemns the widespread and systematic violations of human rights, violence and brutal repression perpetrated by the regime against the Libyan people. The European Union calls on all parties to the conflict to respect international humanitarian law and to allow humanitarian organizations full unhindered and safe access to the affected population. The European Union welcomes the referral of the situation to the International Criminal Court (ICC), and calls on all States to fully cooperate with the ICC in compliance with resolution 1970 (2011). We express our appreciation for the swift manner in which the ICC has acted in the situation referred to the Court.

The European Union is taking its share of responsibility through its continuous involvement in the political process and its efforts to provide humanitarian assistance. The European Union stands ready, if requested by the Office for the Coordination of Humanitarian Affairs, to conduct a military operation, in the framework of the Common Foreign and Security Policy, in order to support humanitarian assistance in the region.

The European Union is also deeply concerned about attacks by security forces on peaceful demonstrators elsewhere in the Middle East region, which constitute flagrant violations of human rights law. The European Union is adopting targeted measures to dissuade the Syrian authorities from such practices.

Allow me to reflect on developments in Côte d'Ivoire. The European Union welcomed the adoption and implementation of resolution 1975 (2011), which authorized the United Nations Operation in Côte d'Ivoire to use all necessary means to protect civilians, including preventing the use of heavy weapons, which targeted and harmed the civilian population during the crisis. The effective implementation of resolution 1975 (2011) in Côte d'Ivoire marks an important juncture in highlighting the role of the United Nations with regard to the protection of civilians in armed conflict. The EU also welcomes the establishment by the Human Rights Council of a commission of inquiry to investigate violations on the ground and calls on all sides, in compliance with resolution 1975 (2011), to fully cooperate with the commission.

In conclusion, the adoption by the Security Council of recent resolutions on Libya and Côte d'Ivoire has shown the capacity of the United Nations to act effectively and decisively to protect civilians. The EU very much welcomes that fact and encourages the Security Council to be consistent with decisions taken and to act decisively in order to make a real difference on the ground, as civilians are at grave risk in armed conflicts.