

Open Debate on the Protection of Civilians During Armed Conflict
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Statement by H.E. Mr. Emmanuel Isoze-Ngondet, Permanent Representative of Gabon to the United Nations

The protection of civilians in armed conflict is a subject of great concern. I take the opportunity of this debate to reaffirm Gabon's commitment to work in this area. The report of the Secretary-General (S/2010/579) and the briefings by Ms. Valerie Amos, Ms. Navanethem Pillay, Mr. Alain Le Roy and Mr. Yves Daccord — and I welcome their clarity — show unambiguously that the situation remains alarming. Of course, I share their views.

In spite of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and resolutions 1894 (2009), 1888 (2009) and 1674 (2006), warring forces continue to attack civilians. Whatever the continent or the country, armed conflicts are invariably accompanied by massive violations of human rights, barbaric acts, particularly against women and children, and death and displacement among populations. This situation is unacceptable in human terms.

The Council's debates on this subject are of great importance to Gabon, as they allow us to evaluate progress made in our efforts to strengthen the regime for the protection of civilians. My delegation would like to highlight three points: the progress made; the shortcomings that have been noted on the ground and prospects.

The progress made relates mainly to the mandates of peacekeeping operations. During previous meetings on the agenda item under consideration, the Council has acknowledged the need to include a strong civilian protection dimension in the mandates of peacekeeping operations. In the light of the scale of the task in the host countries, the United Nations Mission in the Central African Republic and Chad (MINURCAT) and, above all, the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) symbolize the challenges faced by the United Nations in this area.

With respect to MONUC, solutions were attempted in the framework of resolution 1856 (2008), but they were unable to put an end to the abuse against civilian populations. The reconfiguration of MONUC and its transformation into the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) made it possible to take into account in MONUSCO's mandate the commitments set out in resolution 1894 (2009).

Pursuant to resolution 1925 (2010), the mandate of MONUSCO now attaches primary importance to the protection of civilians. In that framework, United Nations police, which are one of the components of MONUSCO, have now become involved in training Congolese police officers. It is also in that framework that the Armed Forces of the Democratic Republic of the Congo and MONUSCO forces have organized joint patrols to ensure the protection of civilians in the province of Haut-Uele, in the eastern part of the country.

The adoption of resolution 1923 (2010), which extended MINURCAT's mandate until 31 December, also addressed the demand for the protection of civilians. Concerned by the effects of violence in Darfur on the humanitarian situation and security in eastern Chad and in north-eastern Central African Republic, the Council wanted to ensure that MINURCAT would continue to grant particular attention to the protection of civilians, including refugees, displaced persons and humanitarian workers.

Clearly, in Chad, MINURCAT's mandate made it possible to help strengthen assistance to the *Détachement Intégré de Sécurité* (DIS), whose mission is specifically to protect civilians and humanitarian workers. Nevertheless, MINURCAT's drawdown will be complete by the end of this year. In order to enable the DIS to continue to play its role effectively, it seems essential that it should benefit from all of the operational camps left behind by MINURCAT. Gabon urges the Council to include that element in the framework of its support to the DIS continuity plan.

This progress is tenuous and should in no way mask the shortcomings highlighted by reality on the ground. The massacres carried out against civilian populations, particularly women and children, between 30 July and 3 August in Walikale, not far from a MONUSCO base, are terrible and intolerable. Beyond Walikale, women

continue to be subjected to rape in the most humiliating conditions. Moreover, following the examples of the Lord's Resistance Army and the Forces démocratiques de libération du Rwanda, warring forces regularly attack villages, and even refugee camps, killing civilians and recruiting children with impunity.

Given these continued abuses, the protection of civilians in armed conflicts remains an enormous task that is difficult to carry out. Although it is true that through its Operation Shop Window MONUSCO was able to restore calm in the east of the country after the events of Walikale, there is reason to question its ability fully to carry out its mission to protection civilians. The area it must cover, although limited to the region of the Kivus, is too vast. It is larger than Afghanistan, and the difficulties related to infrastructure seem insurmountable. The African Union-United Nations Hybrid Operation in Darfur and MINURCAT in the Central African Republic, to cite just two examples, are also facing the same challenges. The problem, therefore, is twofold: first, the ability of peacekeeping operations to adapt to their environment and, secondly, ensuring that the resources made available to them match the missions they are given. Gabon invites the Council to continue its reflection on those two issues.

The fight against impunity is another area where there are clear shortcomings and where Governments should work harder to avoid giving legitimacy to the crimes that are committed. It is true that, in some places, timid initiatives have been taken and, in many countries weakened by crisis, the rule of law is still in its early stages. However, it is crucial to ensure that the perpetrators of abuses against civilians are held accountable for their crimes before national jurisdictions and, in the case of the failure of national jurisdictions, the creation of ad hoc and mixed tribunals is essential.

We should recall that the primary responsibility for the protection of civilians belongs to States. Therefore, it seems to us essential to strengthen their capabilities in order to enable them to better respond to that obligation. We must help them to reform their security and defence sectors; we must help them to establish the rule of law and re-establish their administrative structures; and we must help them to undertake large-scale programmes against poverty and corruption. We are convinced that the protection of civilians can only be effective if States have reliable institutions, a stable republican army and police force and adequate financial resources.

In conclusion, my delegation hopes that the United Nations will establish mechanisms for evaluation, which could help improve States' performance in the protection of civilians in armed conflicts. The presidential statement that we will adopt and which was drawn up by your delegation reflects our commitment to work along these lines.