

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

Statement by H.E. Mr. Kazuo Kodama, Deputy Permanent Representative of Japan to the United Nations

I thank the Under-Secretary-General for Humanitarian Affairs, Ms. Amos, the Under-Secretary-General for Peacekeeping Operations, Mr. Le Roy, the United Nations High Commissioner for Human Rights, Ms. Pillay, and the International Committee of the Red Cross Director-General, Mr. Daccord, for their very pertinent briefings. It is clear that civilians in great numbers become victims when conflicts erupt. It is therefore imperative for us all to achieve concrete improvements on the ground with the help of today's debate.

To that end, we support the proposal by the Secretary-General to promote three approaches aimed at overcoming the five challenges raised in his previous report (S/2009/277). The first of the three approaches, the comprehensive approach, can be achieved when the actors involved are proactive and engage in greater cooperation with each other. First, it is the responsibility of the Government and the army of a country in which a conflict occurs to protect its own people. To that end, the rule of law should be established by promoting security sector reform and strengthening the judicial system and law enforcement.

Secondly, with the enhancement of the response capacity of United Nations peacekeeping operations, we are pleased to see that the United Nations missions in Côte d'Ivoire, the eastern Democratic Republic of Congo and the Sudan have developed strategies for the protection of civilians and that training modules will be completed shortly for all peacekeeping personnel. Still more comprehensive strategies are required to fill the gap between existing capacities and the standards to which we aspire.

Thirdly, the control of weapons, should be strengthened, especially through the promotion of regional cooperation and the creation of a legal framework. As for small arms, last June the fourth Biennial Meeting of States on Small Arms considered the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which should be implemented without delay to prevent and eradicate the illegal trade in small arms. Also, the first Meeting of States Parties to the Convention on Cluster Munitions was held in Laos in early November, and the Vientiane Declaration and Vientiane Action Plan were adopted there. Japan would like to see the international community engage in the cooperation necessary to make that treaty universal and fulfill its provisions.

Fourthly, the protection of women and children is a priority. Japan appreciates the active discussions at the ministerial open debate on women and peace and security last month (S/PV.6411) and supports the utilization by the United Nations and Member States of a set of indicators in implementing resolution 1325 (2000). Japan is also concerned over the intentional use of sexual violence by armed groups, and therefore it supports the active efforts being made in that area by the Secretary-General's Special Representative on Sexual Violence in Armed Conflict. We expect UN Women also to play a significant role in coordinating the work being done in this field, and we reaffirm the need to strengthen targeted sanctions against persistent perpetrators of violence against children, in accordance with the resolution 1882 (2009).

Turning to the consistent approach, Japan welcomes the recent development of the operational concept by the Department of Peacekeeping Operations and the Department of Field Support aimed at promoting consistency. Cooperation between the military and civilians should be strengthened to further ensure humanitarian access. It is also a priority to protect humanitarian aid workers in order to prevent them from becoming the target of attacks. In that regard, the establishment of a nationwide network of interagency protection working groups, under the lead of the United Nations Mission in the Sudan (UNMIS), is a good example.

Secondly, in light of the need to share best practices and lessons from the past, we must definitely learn from the tragic and heinous accident of mass rapes that were committed in the eastern part of the Democratic Republic of the Congo earlier this year, which provided us with many lessons, including that the early warning system needs to be strengthened, communication between local people and peacekeeping missions needs to be developed, troop-contributing countries need to receive training, and there needs to be close and smooth communication between the Council and the Department of Peacekeeping Operations. An example of the kind

of success we need in that area was the establishment in Timor-Leste of a hotline between the United Nations Mission and civilians and local authorities. The updated aide mémoire should also be utilized proactively to this end. The experience of drawing down and then withdrawing the United Nations Mission in the Central African Republic and Chad (MINURCAT) should be shared, with a view to utilizing benchmarks for the protection of civilians.

Thirdly, the Council should obtain the most accurate and objective information and then make use of it on the ground in a timely manner, so that the establishment or renewal of a mandate related to the protection of civilians can be considered. For that reason, we should start to communicate with troop- and police-contributing countries at an early stage in United Nations involvement. The Council should utilize informal mechanisms, such as interactive dialogue, and the discussions in the Security Council should better reflect those taking place in informal expert groups.

Last but not least, Mr. President, I stress the importance of the accountable approach, which stresses maintaining accountability and fighting against impunity. To those ends, the affected country should build its own capacity to establish the rule of law as a means of strengthening the protection of civilians. And cooperation between the affected country and the United Nations should be pursued in order to spread the rule of law to many more countries. I might mention, in that connection, that in July this year the first conviction was handed down by the Extraordinary Chambers in the Courts of Cambodia, to which Japan has given its support. Further efforts should be made to strengthen the rule of law at both the international and the national levels, based on a careful analysis of the situation in each country. In addition, the Council should engage in efforts to strengthen accountability and enhance cooperation with United Nations organizations, including the Human Rights Council and the Office of the United Nations High Commissioner for Human Rights. We should be aware that measures are being taken, such as the establishment of the committee of investigation at the Human Rights Council. As mentioned in the latest report of the Secretary-General (S/2010/579), strengthened monitoring on the ground, through the involvement of many United Nations and other actors, will contribute to promoting and enhancing the protection of civilians.

In closing, I would like to emphasize the relevance of the human security approach, which can serve as a conceptual basis for protecting and empowering those in a society who are its most vulnerable members. Empowerment of vulnerable people, such as children, internally displaced persons and refugees through education and training at the individual and community levels, is also an essential means of preventing conflicts from recurring once they have been resolved. For that reason Japan has been steadfast in providing support for such efforts, for example, through the United Nations Trust Fund for Human Security.