

Security Council Open Debate on Protection of Civilians in Armed Conflict, August 19th, 2013, Security Council Chamber

Statement by Mr. Kazragienė Permanent Mission of Lithuania to the United Nations.

I thank Argentina for holding this important debate, and the briefers for their valuable input.

Lithuania aligns itself with the statement made by the observer of the European Union.

As today we are commemorating the tenth anniversary of the deadly attack against the United Nations Mission in Iraq, let me stress the importance of and our shared responsibility for ensuring the safety and security of all those — United Nations personnel, humanitarian aid and medical workers — who serve in order to safeguard peace and security.

I would like to focus on two issues, namely, compliance with and strengthening accountability for violations of international humanitarian, human rights and refugee law.

As a State party to all international humanitarian law instruments, including the Geneva Conventions, its Additional Protocols and treaties limiting or prohibiting the use of certain types of weapons, Lithuania strongly believes that international humanitarian law is an indispensable tool in protecting all persons affected by armed conflict. The Lithuanian national commission on the implementation of international humanitarian law, established in 2001, coordinates the promotion and dissemination of international humanitarian law to the military, the police and the general public. As part of their effort to protect civilians, the Lithuanian armed forces focus both on limiting military actions in operational areas and on improving the situation of civilians by providing medical care and undertaking demining activities and gender-related training for local populations. Lithuania regularly supports projects related to the destruction of small arms, antipersonnel mines, cluster munitions and unexploded ordnance.

Lithuania believes that the Arms Trade Treaty will help to reduce human suffering by ensuring a more responsible arms trade. We were glad to be part of successful efforts advocating for strong norms aimed at preventing arms transfers that could be used to commit or facilitate violations of international humanitarian law, in particular attacks directed against civilians, gender-based violence and violence against women and children.

Lithuania strongly believes that accountability is not only about bringing justice when compliance with international humanitarian, human rights and refugee law has not been observed, but also about sending a message of deterrence to all potential perpetrators that such lapses in compliance will not be tolerated.

Credible information on violations of international humanitarian, human rights and refugee law should be both a prerequisite and a trigger for efforts to ensure accountability. Lithuania attaches great importance to the timely recourse to and firm reliance on fact-finding mechanisms. Given the independent and permanent nature of the International Humanitarian Fact-Finding Commission, we call on all States to consider accepting its oversight and making use of its good offices, including in cases of non-international armed conflicts.

The primary obligation to ensure accountability and compliance lies undoubtedly with national jurisdictions. Therefore, in the long-term, investment in strengthening their capacities to investigate and prosecute individual perpetrators is the key. International justice and reconciliation mechanisms were designed to support and complement such national efforts in bridging the immediate gaps. The Security Council would also benefit from streamlined practices in its response to alleged violations of international humanitarian, human rights and refugee law. Lithuania strongly believes that the

Council's powers to refer situations to the International Criminal Court provide a unique opportunity to make accountability applicable all around.

The role and essential rights of victims must not be overlooked when considering accountability. Lithuania welcomes the trends in modern international criminal justice that empower victims and bring retributive and restorative justice closer together. Again, we see the Rome Statute as an example of how the traditional approach of retributive justice might be supplemented by two distinct forms of victim redress, namely, reparations ordered by the Court and support provided to victims independently by the Trust Fund.

Lithuania welcomes the work of the informal expert's group on the protection of civilians as an important forum for keeping the Council informed of protection developments on the ground, and encourages the continuation of that practice and exploring ways to make greater use of the Group.

Civilians still represent the vast majority of victims in armed conflicts. Given the changing nature of the concerns related to the protection, the Security Council has to play a role in finding adequate solutions. There will always be some disagreement within the international community on how to respond to a given situation, but when tens of thousands of civilian lives are threatened, the world expects the Security Council to unite and act.