

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

Statement by Mr. Van Oosterom Permanent Mission of Netherlands to the United Nations.

Allow me to express my Government's appreciation to the Argentine presidency for putting the protection of civilians in armed conflict on the agenda for this open debate. Those caught up in conflicts need our attention. They need the attention of our Governments, and they need the attention of the United Nations.

I align myself with the statement made by the observer of the European Union and thank His Excellency the Secretary-General and the representatives of the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights and International Committee of the Red Cross for their valuable briefings.

Yesterday I spent some time on Roosevelt Island, across the water from the United Nations Building. In Roosevelt Park, which is visible from the delegates' lounge down the hall, I saw the famous "four freedoms" speech of President Roosevelt's memorial. President Roosevelt at the time looked forward to a world based on four crucial freedoms, including the freedom of speech, of worship and freedom from want. Importantly for today, the fourth freedom was freedom from fear, anywhere in the world. That vision should inspire our deliberations today. The essence of the protection of civilians in armed conflicts is that it should lead to freedom from fear for the civilians involved. My Government sees three key elements in realizing that ambition, namely, prevention, protection and prosecution.

Let me begin with prevention. For my Government, the international rule of law is the basis for international relations. As my Minister recently said, the promotion of the international legal order is enshrined in the Dutch Constitution. Therefore, Article 33 of the Charter of the United Nations, on the peaceful settlement of disputes, is paramount for us. Next week, we will celebrate the one hundredth anniversary of the Peace Palace in The Hague, the legal capital of the world. We will then commemorate the significant ways in which the International Court of Justice contributes to international peace and stability through the peaceful settlement of conflicts.

In our view, the implementation of international human rights instruments, both legal and other, must be strengthened. We welcome the New Deal for Engagement in Fragile States.

To make prevention truly effective, national judicial institutions should be strong enough to have a preventive effect. More States must support the international mechanisms and institutions that offer protection to civilians. With the knowledge that their acts will not go unpunished, hopefully those capable of the worst crimes will be deterred from committing atrocities.

If prevention fails, we must put the protection of civilians in armed conflict into practice. That is the duty of all parties involved, primarily the State and the warring factions, but also of the peacekeeping forces. Peacekeeping operations should focus more on the situation of civilians in armed conflicts, and Security Council resolutions that establish mandates for peacekeeping operations should reflect that moral imperative.

We must increase our efforts to implement resolution 1325 (2000), in order to protect vulnerable women in armed conflict. In building peace, we must take women seriously. We must include their views and interests in political agreements and peacekeeping operations. We welcome the progress that the Department of Peacekeeping Operations has made in that regard, and encourage further cooperation with UN-Women. All such actions should help to protect women and contribute to combating sexual and gender-based violence in areas of conflict.

The Netherlands continues to champion the global principle of the responsibility to protect, and we call on all Member States to support that worthy cause. We welcome the report of the Secretary-General on the subject for 2013 (S/2013/399).

If prevention and protection fail, accountability and prosecution should come into play. Information-gathering during conflicts is therefore an essential element of prevention, since it creates a basis for prosecution. Statistics and data on lives lost, women raped, children killed and schools burned make for horrible reading, but they also create a basis for accountability and for bringing perpetrators to justice, either at the national or international level. For that reason, the Netherlands is co-funding a centre for civilians in armed conflict, aimed at developing guidelines for peacekeepers in the field on preventing harm to civilians and setting up civilian-harm tracking mechanisms in Mali.

I would also like to reiterate the concern voiced by the observer of the European Union about the situation in Syria. Those responsible for the crimes committed in that country should be held accountable and brought before a court. We renew our call on the Syrian authorities to allow full and unfettered access to the High Commissioner for Human Rights. The Netherlands is honoured to host the Syria Justice and Accountability Centre in The Hague. That important institution is funded by more than 40 States and organizations. It takes a non-partisan approach, reaches out to many Syrian individuals, communities and organizations and works closely with many international actors. Such data-gathering creates a basis for accountability and is therefore crucial long-term work for the protection of civilians. Finally, in specific cases, the International Criminal Court can bring justice to civilians harmed by armed conflict.

To sum up, the protection of civilians is closely related to prevention and prosecution. Let us work closely together in applying those three aspects in a comprehensive approach. Together we can achieve freedom from fear for civilians in areas of conflict, and let our common endeavours be inspired by the view across the East River of the Roosevelt Four Freedoms Park.