

Protection of Civilians in Armed Conflict

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Statement by Mr. Cabral, Permanent Representative of Portugal to the United Nations

I join previous speakers in thanking our briefers today, and you, Sir, for convening this timely debate.

In the last few months, civilians have been under attack in several parts of the world. Civilians continue to represent the majority of the victims of conflict. They are not only affected by conflicts, but very frequently are deliberately targeted by the different parties. Women are too often subjected to sexual violence used as a tactic of war. Children are too often killed or maimed or used in armed conflict. Widespread violations of human rights and international humanitarian law in times of war contribute to fuelling instability, violence and conflict.

Portugal condemns all attacks directed against civilians in Libya; in Côte d'Ivoire; in the Democratic Republic of the Congo, where the Lord's Resistance Army regularly carries out attacks against villages; in Afghanistan or Iraq, where weapons and explosive devices cause so much civilian suffering; or in Syria, where intense violence has resulted in over 500 people killed and thousands of others injured.

Learning from past situations such as Rwanda or Srebrenica, it is clear that the Security Council must pay persistent attention to the plight of civilians in crisis and that it must act promptly when indiscriminate attacks against the civilian population take place. When civilians are under threat, the United Nations, and the Security Council in particular, must respond.

We should recognize that the overall attention of the Security Council to issues related to the protection of civilians has been increasing. The Council has the necessary normative framework and tools at hand to guide its action in this area in an effective and accountable manner. A number of peacekeeping missions have been established with strong protection mandates. Specific training courses have been deployed by the Department of Peacekeeping Operations to enhance the understanding of the concept of the protection of civilians. Local strategies and improved engagement with the communities have been devised, and all these tools have had a significant impact on enhancing the protection of civilian populations.

In his report to the Council last November (S/2010/579), the Secretary-General referred to the need to identify new and innovative ways to address specific situations that are not on the agenda. We fully agree. When the protection of civilians has been at stake, we have found creative ways to bring the issue to the attention of this body and to take action. Resolutions 1970 (2011) and 1973 (2011) are perhaps the most striking examples of swift action by the Council to respond to a situation that was not formally on its agenda but where civilians were targeted. But more can be done — and more consistently — to convey effective political signals using existing tools at the disposal of the Council, such as press statements, presidential statements, resolutions, briefings and consultations.

Indeed, we need to be realistic. The prevention of conflict is always the most effective way to protect civilians. That explains why reliable early-warning information on threats to civilians is crucial. Preventive measures are core elements of resolution 1894 (2009) and important pillars of the responsibility to protect. In this regard, we would like to underline the value of practical but very effective preventive measures that are now in place in a number of peacekeeping missions to ensure timely action, for instance telephone hotlines. But other measures can be devised, including to support the efforts of civilian populations to protect themselves, through education and training programmes, while engaging State authorities, who retain the primary responsibility for protection.

Another aspect that is crucial — and that was rightly examined in the Secretary-General's report — is the need to enhance accountability for violations of humanitarian and human rights law. Countering impunity, either by the action of international institutions such as the International Criminal Court or by the actions of national institutions, has a deterrent effect at the national, regional and international level, and is a fundamental tool to prevent further violations. In this respect, Portugal would like to underline once again the important role of the International Criminal Court in fighting impunity for the most serious crimes and encourages all efforts to promote the universalization of the Rome Statute.

We would also highlight the crucial role that the Human Rights Council is playing in the fight against impunity. Two international commissions of inquiry, on Côte d'Ivoire and on Libya, have recently been dispatched to investigate human rights violations, to establish the facts and circumstances of those violations and, where possible, to identify those responsible so as to make recommendations, in particular on accountability measures. Another factfinding mission will soon be sent to Syria for the same purposes. The Council will certainly benefit from the work of those missions, which hopefully will contribute not only to enhancing accountability but also to promoting peaceful solutions to existing crises.

In conclusion, I wish to underline that a Council that is better informed is also better prepared to take effective action; hence the need for real-time information regarding threats to civilians. With sufficient credible and early information the Council will be more able to use preventive diplomacy to influence parties to conflict to comply with international law and to make specific commitments regarding civilian populations. It is now up to us to seek such information and to ensure that the Security Council acts consistently and with resolve to send a political signal in demanding immediate compliance with international humanitarian law to protect all civilians — women, men and children — who are directly targeted or are accidental victims of conflict.