

Security Council Open Debate on the Protection of Civilians in Armed Conflict
25 June 2012, Security Council Chamber

Statement by Mr. Moraes Cabral, Representative of Portugal

Thank you, Mr. President, for convening this important open debate. Let me also thank the Secretary-General, Under-Secretary-General Valerie Amos, Assistant Secretary-General Ivan Šimonović and Mr. Spoerri for their important contributions to the discussion of an issue of particular relevance to the work of the Council. I also wish to welcome warmly the presence of the Minister for Foreign Affairs of Guatemala, which underlines the commitment of his country to human rights and to the protection of civilians.

The report of the Secretary-General that is before us (S/2012/376) is an important document, drawing our attention again to old and new concerns affecting the situation of civilians in armed conflict, which call for serious consideration and decisive action. We share those concerns and support the recommendations of the Secretary-General.

Portugal naturally shares the views that will be expressed later on by the observer of the European Union on this subject, but allow me to underline some aspects that we consider particularly relevant.

Let me state the obvious. Attacks against civilians, wherever they take place, are unacceptable and should be vigorously condemned. Parties to conflict should abide fully by international humanitarian law and human rights law. Even if such compliance would not, in itself, reduce the violence and the suffering inherent to conflict, it would surely allow for fewer civilian casualties, less exposure of civilians to violations and less displacement of populations.

Civilians still constitute the majority of victims in conflict. Too frequently, they are deliberately targeted and used as instruments of war. Women and children are particularly victimized, be it through the sexual violence imposed on them, their recruitment to serve as combatants or their simple murder. Care providers and humanitarian aid workers and their facilities have also increasingly been targeted in a deliberate move to increase the vulnerability of the civilian victims of war. The threat posed by mines and other explosive devices in densely populated areas has also increased, with the aim of causing indiscriminate casualties and the flight of whole populations.

In fact, if we look at the different scenarios of present day conflict, be it in Syria, Afghanistan, Somalia, the Democratic Republic of the Congo, Côte d'Ivoire, the Sudan, Gaza or the areas affected by the Lord's Resistance Army, the plight and suffering of civilians has worsened, not improved. This confronts the Security Council with an increased responsibility. How can we meet that responsibility more effectively and translate our political will into increased protection of civilians, especially women and children as the most vulnerable, in the context of armed conflict? Allow me to underline three areas.

First, we believe that United Nations peacekeeping operations continue to play a crucial role in that context. Sadly, peacekeepers continue to lose their lives in order to protect civilians, as recently happened in Côte d'Ivoire. I wish to pay a humble tribute to all of them and to their courage and sense of duty.

Along with entrusting peacekeeping missions with strong protection mandates, improving the engagement of the missions with local communities and humanitarian agents can also have a positive impact in enhancing the protection of civilians. It would undoubtedly reinforce a much-needed early-warning capacity in different conflict scenarios.

But let us not dwell on illusions. Strong protection mandates, which are needed, must be accompanied with the necessary means for missions to fulfil such mandates. There is indeed a worrying trend to enhance mission mandates without sufficient consideration being given to what that entails or to the specific conditions in which peacekeepers must operate. The primary responsibility in that matter lies with the Council.

Also, for peacekeepers to engage usefully with the population, they must of course be acquainted with local conditions, be they political, social, or cultural. But more importantly, they must be able to speak the language of the country, which is too often not the case.

A second fundamental area would be to improve and ensure the access of humanitarian assistance providers to the

civilian population. I fully recognize that this is easier said than done, and I pay tribute to all that the Office for the Coordination of Humanitarian Affairs and Government and non-government agencies are trying to do in that field, amidst all types of difficulties and often confronted with deliberate opposition to their efforts.

But it is plain that, in many dire situations, denial of or constraints to humanitarian assistance are yet another instrument of war aimed at increasing the pressure on the civilian population. As such, they should be vigorously opposed, and the Security Council should act forcefully when such situations arise. Denying or impeding humanitarian access are violations of human rights and humanitarian law and should be treated as such.

A third dimension by which we could decisively increase our capacity to protect civilians is accountability. Bringing perpetrators of crimes against civilians to trial must become the norm and not the exception. Recent verdicts of the Special Court for Sierra Leone and the International Criminal Court are not only important landmarks in terms of international justice, but also demonstrate that it can be done.

Let me also take up the suggestion of Valerie Amos for more systematic recording of civilian casualties and the conditions in which they occur. That would also contribute toward strengthening accountability.

The United Nations and the Security Council, in particular, must show strong resolve in countering impunity and set the example for national judicial institutions. I believe that would have a positive effect in terms of deterrence. But it is also obvious to me that impunity and a lack of reparation for victims also hampers reconciliation efforts and, ultimately, threatens peacebuilding in post-conflict situations.

The Security Council should therefore fully utilize all the instruments at its disposal, directly or through other bodies such as the Human Rights Council, to strengthen accountability.

Let me conclude by reiterating the need for the Council to act in a consistent, determined and prompt way in increasing the protection of civilians in conflict situations, using all the available tools and in accordance with the Charter of the United Nations to fulfil that aim.

It is not only our credibility that is at stake. It is also the need to answer to the plight of millions of innocent, suffering, victims whose pleading eyes we see daily on our televisions.