

Security Council Open Debate on Protection of Civilians in Armed Conflict, 12th February, 2014, Security Council Chamber

Statement by Mr. Adoum, Permanent Mission of Chad to the United Nations

Allow me to join previous speakers in thanking you, Madam President, for organizing this debate on what is not just a relevant theme, but one that has many legal and especially ethical implications, and is therefore of interest to us all, so that we may find urgent and appropriate solutions to the problems facing the civilian victims of the various armed conflicts in the world today.

Allow me also to commend the statements made by Ms. Pillay, Mr. Ladsous, Ms. Amos and Mr. Daccord on this issue.

As has just been pointed out by other speakers, civilian populations are the main victims in armed conflict today, despite the tireless efforts of the international community to protect them by strengthening and promoting international humanitarian law, human rights and the rules, procedures and mechanisms defined at the United Nations.

International humanitarian law stipulates a whole array of rules regarding the protection of civilians, including the Fourth Geneva Convention of 1949. Under those rules, the parties to a conflict are prohibited from withholding water and food supplies from civilians, from attacking facilities liable to release hazardous substances, and from massive and indiscriminate bombing of cities or any urban centres. Besides those general provisions, women are entitled to special treatment to protect their specific vulnerability. They are therefore protected from rape, sexual slavery and all discriminatory or degrading practices linked to their gender, such as forced prostitution, forced artificial insimination and so forth. However, we regret to note that in conflicts under way throughout the world those obligations are rarely observed. In fact, they are routinely violated.

Given the challenges related to the protection of civilians in armed conflict, we should recall and welcome the fact that the United Nations in general and the Security Council in particular have made tireless efforts to put an end to humanitarian tragedy. Thus, in its resolution 1265 (1999), the Security Council deems that certain situations characterized by grave violations of humanitarian law and human rights, particularly attacks targeting civilians, could constitute a threat to international peace and security. In resolution 1894 (2009), on the protection of civilians, the Council also reiterated its determination, obligation and responsibility to protect civilians, as well as the need to bring those responsible for the most serious crimes to justice, including by referring such cases to international justice mechanisms.

Many other relevant resolutions were also adopted on the protection of civilian populations, including resolution 1612 (2005), on children and armed conflict, which established a monitoring and reporting mechanism for parties to conflict; as well as resolution 1820 (2008), on sexual violence in armed conflict, adopted 19 June 2008, which provides for the possibility of targeted sanctions being imposed on those responsible for such crimes and gives the Secretary-General and peacekeeping operations a mandate to address the various aspects of these questions.

The report of the Secretary-General (S/2013/689), of 22 November 2013, on the protection of civilians, and the recommendations it contains are invaluable contributions to efforts to strengthen the tools and mechanisms for the protection of civilian populations in armed conflict.

The task of protecting civilians in armed conflict is not an easy one, and difficulties on several levels make it a difficult mission to carry out. However, whatever the obstacles, the primary responsibility of ensuring the protection of civilians in an armed conflict lies with the warring parties, in particular the State, which should under no circumstances shirk its duty to protect the population from heinous crimes such as genocide, war crimes, ethnic cleansing and crimes against humanity.

Those duties require that the domestic legal framework be brought in line with the country's international commitments. The State must crack down on violations of the instruments and conventions that it has ratified. Such a crackdown could be carried out by specialized military or regular tribunals. Domestic or international tribunals' efforts in that regard could very well dissuade those who, absent such consequences, would commit the most serious crimes against civilians. In that respect, the role of the International Criminal Court in the fight against impunity is a vital instrument, and one that must be strengthened and promoted.

The United Nations and regional and subregional organizations should reinforce their cooperation on questions having to do with the protection of civilians and establish a mechanism to evaluate the effectiveness of their joint efforts on the ground to shield civilians from the atrocities to which, unfortunately, they continue to be subjected.