

**Security Council Open Debate on Protection of Civilians in Armed Conflict, 12<sup>th</sup> February, 2014, Security Council Chamber**

*Statement by Mr. Khan, Permanent Mission of Pakistan to the United Nations*

Let me congratulate you, Madam President, on your assumption of the Council presidency for this month and for scheduling several open meetings, such as today's on the protection of civilians in armed conflict.

Since the adoption of resolution 1265 (1999), nearly 15 years ago, the protection of civilians under the imminent threat of violence has become an integral part of United Nations peacekeeping mandates and a core function for more than 95 per cent of the current peacekeeping deployments. Today's briefings addressed protection issues from the peacekeeping, human rights and humanitarian angles, thereby giving us a broader picture of both challenges and opportunities.

By now, the protection of civilians within the context of peacekeeping is a widely recognized norm. We need to continue to work on the implementation of mandates and to refine them by focusing on the consolidation and strengthening of the relevant frameworks and mechanisms, compliance with international humanitarian and human rights law by all sides, humanitarian access and accountability.

Civilians continue to bear the brunt of wars and conflicts. What is euphemistically called "collateral damage" results in civilian deaths, injury and displacement. Women and children become the primary victims of violence and brutalization during conflicts.

We have done relatively better in situations where the United Nations and the Security Council have invested political and diplomatic capital and have deployed peacekeeping resources. Pakistan fully supports the protection of civilians in armed conflict and, as part of many United Nations peacekeeping missions, we have contributed to the efforts to achieve that objective. Today, peacekeepers are tasked with protection-of-civilians mandates in increasingly complex and volatile situations. They are also mandated to do much more work without the provision of adequate resources.

That reality on the ground has two direct negative consequences: unmet expectations and heightened concerns about the safety and security of United Nations personnel. Both are evident in the recent experiences in South Sudan and the Central African Republic. Recent briefings in the Committee of 34, as well as the statements made today, affirm that there are limits to which peacekeeping missions can fulfil their protection mandates within their respective areas of operation, configurations and available resources. We should incorporate lessons learned into the planning and assessment stages that lead to the authorization of the relevant mandates and resources by the Council. A capability-driven approach, if pursued earnestly, enhances the effectiveness of protection mandates. Credible and feasible rapid-reaction capacities are important, as are, increasingly, new technologies that augment the situational awareness and operational capability of missions. It goes without saying that the mission leadership is crucial throughout the entire process. As indicated by other speakers, consultations with troop-contributing countries are essential in the formulation of changes in mandates and in all phases of peacekeeping operations.

Despite the varying views regarding robust peacekeeping, the consensus remains strong around the basic principles of peacekeeping. While peacekeepers cannot be passive bystanders, they should not be perceived as partisan. That is why the neutrality and universal character of United Nations peacekeeping activities are so important. Our experience has shown that a proactive stance in implementing protection mandates — such as through effective and frequent patrolling, disarmament and demobilization — serves as a credible deterrent and, in many situations, obviates the need for the use of force.

Lastly, although peacekeeping missions are there to assist, the primary responsibility for the protection of civilians remains with the host country. Peacekeeping missions cannot become an arm

of a country's national defence force. It is therefore important to continue to build national capacities in the rule of law and to bolster security institutions, even as peacekeepers are deployed in a country.

A clear distinction must also be made, as Under-Secretary-General Ladsous advised us today, between the protection of civilians and the responsibility to protect. The conflation of the two concepts creates legal confusion. International consensus and legal opinion support the view that for the protection-of-civilians agenda, international humanitarian law covers only situations of armed conflict. That consensus must be respected. The mandate and discussion on that item in the Council are also limited to situations of armed conflict, especially those on the agenda of the Council. That distinction must be maintained to avoid the frequent drift into reporting about situations that do not come under the purview of armed conflicts as recognized by international law.

In his latest report (S/2013/689) on the protection of civilians, the Secretary-General draw attention to the use of armed drones in Pakistan, Afghanistan and the occupied Palestinian territory. In that context, he raises concerns regarding compliance with international humanitarian and human rights law, in particular the rules of distinction, proportionality and precaution. The Secretary-General also underlines the related aspects of the investigation of drone attacks, transparency, accountability and the ability of victims to seek redress. The Secretary-General also raises concerns about the impact of armed drones on individuals, children, families and communities in areas of Pakistan. Those concerns include the interruption in the education of children, the undermining of religious and cultural practices and the fear of being caught in secondary strikes.

Drone strikes have violated Pakistan's sovereignty, killed hundreds of civilians — men, women and children — and radicalized more people. The use of drones has therefore been counterproductive. In the past month or so, there has been a pause in drone strikes. That has given some respite to civilians in the areas affected. What we have called for and continue to call for is a cessation in the use of armed drones.

We support the presidential statement on the protection of civilians adopted today (S/PRST/2014/3) and, finally, we pay tribute to peacekeepers and humanitarian actors in the field who, under very difficult circumstances, are trying to protect civilians.