

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

Statement by Mr. Logar, Permanent Mission of Slovenia to the United Nations

I have the honour to speak on behalf of the States members of the Human Security Network, namely, Austria, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Panama, Switzerland, Thailand and my own country, Slovenia, and on behalf of the Republic of South Africa as an observer.

The Network is a cross-regional group of States created in the context of the Anti-Personnel Mine Ban Convention and promoting human security as a people-centered, comprehensive and prevention-oriented approach for achieving peace, development and human rights. The protection of civilians in armed conflicts is a core matter for the Network.

I would like to start this statement by expressing our gratitude to the Lithuanian presidency for organizing this debate and for the concept note (S/2014/74, annex), and by thanking the briefers for their contributions to this debate, which is the first one since the Secretary-General's most recent report on the protection on civilians in armed conflicts (S/2013/689), of November 2013.

As the Secretary-General's report indicates, despite the efforts undertaken and the existing legal framework, the current state of the protection of civilians leaves little room for optimism. We remain concerned about ongoing conflicts around the world, especially in the Syrian Arab Republic, the Central African Republic and South Sudan. Civilian populations continue to account for the majority of casualties in armed conflicts, and that is why it is imperative to continue to discuss, on a regular basis, mechanisms or ways to better ensure the security and dignity of civilians affected by armed conflicts.

In that respect, the Network welcomes the initiative recently launched by the Secretary-General, entitled "Rights up front", which contains important actions to strengthen the role and response of the United Nations in this field. We hope that the multiplier effect of the change in institutional culture alluded to by the Secretary-General becomes a reality.

This debate provides an opportunity to look into the core challenges to enhancing the protection of civilians. The first challenge is compliance by all the parties to a conflict, including non-State armed groups, with international humanitarian and human rights law. The law and rules must be respected in order to guarantee the protection of civilians. Full, timely and unimpeded access for humanitarian assistance continues to be a sine qua non requirement for the relief and protection of affected populations. States must comply with their obligation to allow and facilitate access for humanitarian relief and the freedom of movement of humanitarian personnel.

The Network reiterates its call on all parties to an armed conflict to refrain from using explosive weapons with a wide impact area in populated areas. It stresses the importance of establishing mechanisms to track civilian casualties so as to understand the impact of military operations on civilian populations and adjust such action. An important step was taken in April 2013 with the adoption of the Arms Trade Treaty and that agreement's prohibition of transfers of arms or items covered by it if the transferring State knows, at the time of authorization, that the arms or items will be used to commit serious crimes. We remain especially concerned about the use of explosive weapons, in particular improvised explosive devices, and stress the need to enhance compliance with international humanitarian law.

The second task is to enhance the role of peacekeeping and other missions. The Network shares the view expressed in the Secretary-General's report that mandating peacekeeping missions to protect civilians under imminent threat of physical violence is one of the most significant actions taken by the Security Council.

In that regard, we underline the importance of providing missions not only with clear and achievable mandates but also with sufficient resources and capabilities to fulfil those mandates. The Network views political dialogue, physical protection and the establishment of a protective environment as concrete and specific steps for the effective implementation of mission mandates.

The third challenge is accountability. States have the obligation to comply with international humanitarian and human rights law and to investigate and prosecute any serious crime committed within its borders. In that regard, we condemn sexual and gender-based violence, including the use of sexual violence as a military tactic. Impunity is not an option. It encourages perpetrators to continue their atrocious acts. The fight against impunity should be a common effort, in which the affected State delivers and ensures the conditions to bring about justice and the international community provides technical assistance and resources to such States. The Network stresses the importance of commissions of inquiry and fact-finding missions, which can substantiate alleged violations, thus opening the way to a possible referral to the International Criminal Court or cooperation with the Court or similar mechanisms.

We mentioned that there is little room for optimism. However, we would like to take this opportunity to publicly acknowledge the efforts and commitment of United Nations peacekeepers. The concrete actions, such as those taken by peacekeeping missions with protection-of-civilians mandates, are encouraging. Therefore, as we have said, it is important that such missions have the necessary resources and capacities to protect the lives of civilians in armed conflicts effectively and in a timely manner.

We consider it to be of the utmost importance that the Council remain seized of the question on the protection of civilian in armed conflict and discuss the topic biannually.