

Security Council Open Debate on the Protection of Civilians in conflict

November 9th 2011, Security Council Chamber

Statement by H.E. Mr. Ali, Representative of Bangladesh

I congratulate your country, Sir, on its assumption of the presidency of the Security Council for the month of November. I especially thank the President of Portugal for presiding over this important meeting this morning. I also express the appreciation of my delegation to Secretary-General Ban Ki-moon, High Commissioner for Human Rights Navanethem Pillay, Assistant Secretary-General for Humanitarian Affairs Catherine Bragg and Director for International Law and Cooperation at the International Committee of the Red Cross Philip Spoerri for their excellent presentations on this topic.

The protection of civilians is a basic principle of humanitarian law. The 1949 Geneva Conventions and their 1977 additional Protocols contain specific rules to protect civilians. In situations that are not covered by those treaties, in particular internal disturbances, civilians are protected by the fundamental principles of humanitarian law and human rights law.

Peacekeeping operations are one of the most important tools available to the United Nations to protect civilians in armed conflict. Resolution 1894 (2009), resolutions relating to children and armed conflict and to women and peace and security, the mandating of peacekeeping missions to protect civilians, the creation of the informal expert group on the protection of civilians and the adoption of aides memoire on the protection of civilians have been important steps forward. However, more needs to be done in the implementation of peacekeeping mandates and to fill protection gaps.

Of the current seven United Nations peacekeeping operations with a protection mandate — in Côte d'Ivoire, the Democratic Republic of the Congo, Haiti, Lebanon, Liberia, South Sudan and Darfur — five have developed comprehensive strategies on the protection of civilians. Those five are the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Mission in South Sudan, the United Nations Operation in Côte d'Ivoire and the United Nations Interim Force in Lebanon.

However, in spite of those positive developments, challenges in the field continue. Last year, UNAMID and MONUSCO continued to experience difficulties in implementing their protection mandates. It remains to be seen whether the new policy documents developed in New York have a tangible impact on how peacekeeping operations are conducted at the field level. In that regard, the establishment of the new United Nations Mission in South Sudan, which includes a protection-of-civilians mandate, will be an important test case for United Nations peacekeeping. We feel that adequate capacity will be the most important element for the effective protection of civilians.

We have observed two noticeable initiatives by the Council since it held its last debate on this topic in May (see S/PV.6531). First, resolution 1998 (2011), adopted in July, expanded the listing criteria in the Secretary-General's reports on children and armed conflict to include parties to conflict who attack or threaten schools and hospitals. Secondly, during its

annual debate on women and peace and security last month (see S/PV.6642), the Council adopted a presidential statement (S/PRST/2011/20) on women's participation in conflict prevention, management and resolution, in which it reiterated its condemnation of all violations of applicable international law committed against women and girls in situations of armed conflict. As I commend those developments, may I add that the presence of uniformed female personnel may also play a pivotal role in a State's ability to protect its citizens. I take this opportunity to refer to the efforts of the all female formed police unit from Bangladesh working in the peacekeeping Mission in Haiti.

My delegation would like to highlight a few issues to ensure the protection of civilians in armed conflict. The first relates to prevention and the building of a culture of peace. Prevention is at the heart of protection. The preventive capacity of the Organization must be enhanced. At the same time, Member States need to take steps to inculcate the values of peace, tolerance and harmony that contribute to long-term prevention.

Secondly, the effectiveness of United Nations peacekeeping operations should be enhanced. Given that Bangladesh is one of the largest troop-contributing countries, my delegation feels that the main challenge to the implementation of protection mandates is the lack of adequate resources.

Thirdly, we also believe that there needs to be a closer dialogue between the Council and troop contributing countries, as they can provide valuable information about the situation on the ground.

Fourthly, compliance with international legal obligations by parties to conflicts must be enhanced and accountability mechanisms should be strengthened.

Fifthly, international efforts, including those involving the use of force, should be a last resort, respecting the relevant provisions of the Charter of the United Nations, since the country concerned has primary responsibility for protecting its civilian citizens.

Finally, my delegation urges all parties to conflicts to comply strictly with international humanitarian, human rights and refugee law in order to ensure protection of the lives and property of civilians and their unimpeded access to humanitarian aid. We call on parties to conflicts to strengthen the protection of civilians through heightened awareness at all levels, particularly through the training, orders and instructions given to armed forces.