

Protection of Civilians in Armed Conflict

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Statement by Mr. Langeland, Permanent Representative of Norway to the United Nations

Over the past years, we have seen encouraging progress in efforts to enhance protection measures in armed conflict. Despite progress, the situation for civilians remains grim. That has been amply proven true as we have witnessed the unprecedented series of crises in the Middle East, North Africa and sub-Saharan Africa in the past months. Norway would like to emphasize six points that are critical to the debate on the protection of civilians.

First, the key to the protection of civilians is that all States and parties bear the primary duty to protect civilians. The protection of civilians is a broad agenda firmly anchored in the responsibility of States to protect their own citizens and the complementary responsibilities by the international community to assist countries to fulfil their obligations.

Secondly, the Security Council has a responsibility to authorize international protection when States fail and betray their obligations to the extreme of widespread and indiscriminate killing of their own people. We welcome the Council's decisiveness in taking necessary measures under Chapter VII to protect civilians in both Libya and Côte d'Ivoire. Norway has clearly supported resolutions 1970 (2011), 1973 (2011) and 1975 (2011) and contributes to the implementation of two of those resolutions. But we want to emphasize that those are measures of last resort and were authorized after a series of other preventive measures, that is, condemning acts of violence, imposing targeted sanctions and promoting accountability through international commissions of inquiry and referral to the International Criminal Court.

Recent actions taken by the Security Council, in particular resolutions 1973 (2011) and 1975 (2011), have raised concerns regarding intentions, impartiality and possible ramifications for the broader agenda of the protection of civilians. For us, it is essential that such mandates are implemented strictly to protect civilians and do not go beyond that.

The international community should work towards common positions without double standards and be able to take appropriate actions when it is necessary. We urge the Security Council to continue responding robustly, swiftly and consistently when international law and human rights are gravely violated. The grave situation in Syria should not be an exception to this rule.

Thirdly, it is important to emphasize that the common positions on the protection of civilians agenda, which have been developed by the international community over the past decade, need to be upheld and further enhanced. The updated aide-memoire (S/PRST/2010/25, annex), the adoption of resolution 1960 (2010), which establishes a monitoring and reporting mechanism on conflict-related sexual violence, and the new strategic framework for the protection of civilians in peacekeeping missions are important steps forward.

Fourthly, it is essential to ensure that humanitarian principles are not compromised and that humanitarian assistance is not used for military and political purposes. Constraints on humanitarian access must be systematically monitored and properly addressed. Today's armed conflicts usually take place in densely populated areas, with extensive civilian losses and damage to civilian buildings and infrastructure as a result. In our view, international humanitarian law also includes the Anti-Personnel Mine Ban Convention and the Convention on Cluster Munitions. Norway supports the Secretary-General's call for more work by the international community to better understand the impact of explosive weapons in populated areas and to develop mechanisms for improving civilian protection in that regard.

Fifthly, it is vital that the parties to a conflict bear the primary responsibility to investigate and prosecute alleged violations of humanitarian law conducted by forces under their command. The culture of impunity must end. All parties must be held accountable under law. That is why we believe it is important to consider the key recommendations of the Secretary-General's Panel of Experts on Accountability with regard to the situation in Sri Lanka during the war in 2009. We welcome their report, which reiterates the need for accountability in Sri Lanka. Credible allegations of human rights and humanitarian law violations by both parties to the conflict should immediately be properly investigated.

Sixthly, we witness today the essential role played by the free media in areas affected by armed conflicts. Thanks to media reporting, the killings, rapes and looting in Walikale territory of the Democratic Republic of the Congo were brought to the world's attention. Journalists can be instrumental in preventing mass atrocities. Resolution 1738 (2006) calls on all Governments to protect journalists in armed conflicts and to end violence and attacks against journalists. That resolution must be fully implemented, and a stronger focus on the monitoring of such violations is necessary.

Let me conclude by reaffirming that Norway is fully committed to the agenda of the protection of civilians in armed conflicts. It is important that common norms continue to be developed and implemented.