

**INNOCENTS WORLDWIDE CONTINUE TO BE DELIBERATELY VIOLATED,
SECRETARY-GENERAL**

**SAYS DURING SECURITY COUNCIL OPEN DEBATE ON CIVILIAN
PROTECTION**

**Human Rights Commissioner, Assistant Secretary-General
Among Speakers Stressing Need for Accountability, Redress for Victims**

Women, girls, boys and men in conflicts around the world continued to be subjected to blatant and frequent violations of international human rights and humanitarian law, not because they were “collateral damage”, but because they were deliberately targeted, United Nations Secretary-General Ban Ki-moon told the Security Council today.

“All of us share a fundamental responsibility to do more to protect civilians caught up in the horrors of war,” he said at the outset of a day-long open debate on protection of civilians in armed conflict. “Protection is essential, yet we must not lose sight of the need to address the causes of conflict, not just its symptoms,” he emphasized.

Ultimately, however, only political solutions could end and prevent the vast majority of conflicts while ensuring the safety and well-being of those who would otherwise bear the brunt, he said. Underscoring the need to ensure enhanced compliance with international human rights and humanitarian law, he also stressed that violations must be met with appropriate Council action, such as the threat of targeted sanctions or referrals to the International Criminal Court. There was also a need to more consistently and effectively engage non-State armed groups in order to improve their compliance with the law, he added.

Briefing the Council, Navanethem Pillay, United Nations High Commissioner for Human Rights, said that a “people’s spring” continued to thaw the global landscape, with the election of a new Government in Côte d’Ivoire, the birth of South Sudan as a new nation and the dawn of a new era in Libya. Progress had been made, but it was critically important to consolidate those gains by ensuring accountability and respect for the rule of law, she emphasized, encouraging the Council to play a more active role in securing follow-up to recommendations and ensuring practical arrangements to secure accountability. “Without it, impunity emboldens perpetrators and breeds more violations that will undermine peace and progress,” she noted.

Where basic human rights were trampled and peaceful demands for change met with brutal force, people were eventually compelled to exercise recourse, she continued. That had happened in Libya and might yet occur in Syria, with the serious risk of the latter country descending into an armed struggle, she cautioned. As for the situations in Yemen, Afghanistan, Iraq, Somalia, Gaza, Democratic Republic of the Congo and Abyei, she stressed that where national authorities failed to investigate credible allegations, it was incumbent upon the international community rigorously to establish the facts.

Catherine Bragg, United Nations Assistant-Secretary-General for Humanitarian Affairs, also briefed the Council, on behalf of Under-Secretary-General Valerie Amos, saying that conflicts were marked by the consistent failure of the parties concerned to comply with their legal obligation to respect and protect civilians. All situations of armed confrontation had in common violations of international humanitarian and human rights law, as well as failure to hold those responsible to account and to provide any form of justice or redress for their victims. “We cannot continue to ignore war crimes and serious violations of human rights law in conflict,” she stressed. “Nor can we ignore the need to ensure that victims see justice and reparations for the wrongs they have suffered.”

Philip Spoerri, Director of International Law and Cooperation at the International Committee of the Red Cross (ICRC), said the overarching challenge in protecting civilians was ensuring consistent respect for international humanitarian law, with greater accountability at the national level and through the International Criminal Court. Despite accepting that the success of civilian protection was notoriously hard to measure due to the impossibility of knowing how much suffering had been prevented, he said that should “never serve as an excuse nor obviate the need for accountability”. States held ultimate responsibility for protecting civilians, he added.

The Council also heard from its November presidency as President Aníbal António Cavaco Silva of Portugal said: “When civilians are a target and the national authorities or the conflicting parties fail in their obligation to protect them, the United Nations — and especially the Security Council — has the duty to speak up and the obligation to act.”

He went on to point out that although the Council had been improving its legal framework to ensure that its civilian-protection measures were more effective and responsible, further coordination among all parties involved would be needed, as would greater international awareness of the need to develop efficient prevention and monitoring mechanisms. Another fundamental aspect was the need to strengthen accountability for human rights violations, he said, stressing that fighting impunity, through national or international institutions such as the International Criminal Court, was fundamental to the prevention of future violations.

In the ensuing debate, speakers noted that the protection of civilians lay at the heart of the Council's work, with Nigeria's representative saying that the United Nations effectiveness, and that of the Council, was measured against its ability to protect civilians. Speakers also highlighted the Council's responsibility to refer situations to the International Criminal Court and to monitor ongoing situations, through commissions of inquiry if necessary. They cited in that regard the 2005 World Summit Outcome document, which underlined, among other things, the "responsibility to protect" civilians if States were unwilling or unable to do so.

Switzerland's representative, speaking for the "Group of Friends of the Protection of Civilians in Armed Conflict", emphasized that, in considering accountability mechanisms, the important question of reparations for violations should not be forgotten. Reparations were not limited to financial compensation, but included such measures as rehabilitation for the victims, public apologies, commemorations and tributes, he added.

Brazil's representative went further, pointing out that exercising international military action with the aim of protecting civilians did not make collateral casualties or unintended destabilization any less tragic. Because the United Nations could authorize the use of force, it was under the obligation to develop fully an awareness of the dangers involved and to set up mechanisms that could provide an objective and detailed assessment of those dangers, as well as ways and means of preventing harm to civilians. The collective point of departure should be "first, do not cause harm", she said.

Expanding on those concerns, South Africa's representative emphasized that civilians could not be harmed in the name of protecting civilians, adding that the Council's authorization of protection for Libyan civilians had been exploited. Condemning international actions in that country, he said they had gone far beyond the resolution, stressing that those who went beyond Council decisions should bear full responsibility. Other speakers from Africa emphasized that Council actions should be impartial. Although the carefully calibrated actions in Côte d'Ivoire had stabilized the situation, those aimed at ensuring the protection of civilians in the Democratic Republic of the Congo and Western Sahara were lagging, they said.

Venezuela's representative said that to use the concept of civilian protection in order to overthrow Governments in developing countries was immoral. Describing the economic greed of some Powers as the main threat to human life, he said the constant foreign intervention of imperialist Powers in the internal matters of countries of the South, under the pretext of protecting civilians, must be rejected. The notion of "responsibility to protect" had been manufactured by the ideologues of neoliberalism, he said, adding that it had provided the pretext for acts of aggression in violation of

international humanitarian and human rights law. The case of Libya was emblematic in that regard, he noted.

Several speakers pointed out that many civilians had been killed in Syria recently and called on that country's Government to comply with the peace plan agreed with the League of Arab States. Syria's representative pointed out that some North Atlantic Treaty Organization (NATO) members had killed 130,000 Libyan civilians under the civilian-protection banner. The United States had called upon Syrian civilians not to turn their weapons over to the authorities, he noted, adding that such policy risked jeopardizing the efforts of the League of Arab League's initiative.

Several speakers said the Council's actions should be based on facts, and stressed the importance of monitoring. The Council should revert to mandating commissions of inquiry when serious violations of humanitarian or human rights law were alleged, they said, underlining the importance of the work carried out by the International Humanitarian Fact-Finding Commission.

Other speakers today were representatives of the United Kingdom, Bosnia and Herzegovina, Colombia, India, France, United States, Russian Federation, China, Gabon, Germany, Lebanon, Egypt (on behalf of the Non-Aligned Movement), Australia, Guatemala, Israel, Austria, Honduras, Bangladesh, Canada, Luxembourg, Mexico, Peru, Norway, Georgia, Slovenia, Chile, Japan, Sri Lanka, Morocco, Pakistan, Malaysia, Tunisia, Sudan, Liechtenstein, Azerbaijan and Armenia.

The Head of the European Union delegation also spoke, as did an official of the International Humanitarian Fact-finding Commission.

The meeting began at 10:10 a.m. and adjourned at 1:20 p.m. Resuming at 3:15 p.m., it ended at 6:05 p.m.

Background

The Security Council met this morning to consider "Protection of civilians in armed conflict".

Opening Remarks

ANÍBAL ANTÓNIO CAVACO SILVA, President of Portugal, speaking in his national capacity and language, said Portuguese was spoken by more than 250 million citizens and was one of the most rapidly expanding languages in the world. As the world's sixth most-spoken one, it deserved to be an official language of the United Nations.

He said that every year, many millions of men, women and children were killed, kidnapped, injured or forced to leave their homes as a result of armed conflict, and civilians had always represented the majority of such victims. Lessons from the past taught that inaction was never a solution and could never be the response of the United Nations to the indiscriminate targeting of civilian populations by parties to a conflict. “When civilians are a target and the national authorities or the conflicting parties fail in their obligation to protect them, the United Nations – and especially the Security Council – has the duty to speak up and the obligation to act,” he emphasized.

He went on to point out that the Council had been improving its legal framework to ensure that its actions in that area would be more effective and responsible. Peacekeeping missions had been established with strong mandates on the protection of civilians, he noted, adding that such development had had a significant impact on improving the protection of civilian populations. However, further coordination among all parties involved in protecting civilians would be needed, as would greater international awareness of the need to develop efficient prevention and monitoring mechanisms.

As the European Union had acquired vast experience in supporting the work of the United Nations and on the missions and operations conducted under the European Security and Defence Policy, he said, it would be useful to improve and deepen cooperation between the regional and world bodies on the protection of civilians, as well as between the latter and other regional organizations, such as the African Union. It was also important to draw up realistic mandates and to ensure that they could be adapted to the real situation on the ground and compatible with available capacity.

Another fundamental aspect was without doubt the need to strengthen accountability for human rights violations, he continued, stressing that fighting impunity, through national or international institutions such as the International Criminal Court, was fundamental to the prevention of future violations. “We Member States have the political responsibility to ensure that the Security Council acts consistently and with determination in order to guarantee the respect for international humanitarian law [regarding] the protection of all civilians who are directly targeted or who become accidental victims in conflicts.”

BAN KI-MOON, Secretary-General of the United Nations, said: “All of us share a fundamental responsibility to do more to protect civilians caught up in the horrors of war.” In conflicts throughout the world, women, girls and boys and men continued to be subjected to blatant and frequent violations of international human rights and humanitarian law. They included killing, torture, kidnapping, rape, mutilation, forced recruitment, including of children, and displacement of populations. Civilians suffered such horrors not because they were what were still euphemistically referred to as “collateral damage”, but because they were deliberately targeted, he stressed.

Referring to past reports on the subject, in which he had identified five core challenges, he underscored the need to ensure enhanced compliance with international human rights and humanitarian law, underlining also that violations must be met with appropriate Council action. Demands for compliance should be backed by the threat of targeted sanctions or referrals to the International Criminal Court. There was also a need to more consistently and effectively engage non-State armed groups in order to improve their compliance with the law, he added.

He went on to underline the need for proactive, well-trained and appropriately resourced peacekeepers, saying that such missions and other partners must continue to strengthen national institutions. There was also a need for improved humanitarian access to affected populations, which could mean action against those who systematically obstructed assistance, and there must be greater accountability, he stressed. “Protection is essential, yet we must not lose sight of the need to address the causes of conflict, not just its symptoms.” Ultimately, however, only political solutions could end and prevent the vast majority of conflicts and ensure the safety and well-being of those who would otherwise bear the brunt of them.

Briefings

NAVANETHEM PILLAY, United Nations High Commissioner for Human Rights, said since the Security Council last debated this subject in May, a “people’s spring” had continued to thaw the global landscape, with a new Government in Côte d’Ivoire, the new nation of South Sudan and a new era in Libya. Progress had been made, but it was critical to consolidate those gains by ensuring accountability and respect for the rule of law.

With that in mind, she had asked the Government of Côte d’Ivoire to investigate and prosecute serious human rights violations and noted that South Sudan’s Government needed more support to better control small arms, prosecute perpetrators of serious violations and ensure victim reparations. In Libya, her Office had held initial discussions and the Commission itself would be in the country early next month.

Where basic human rights were trampled and peaceful demands for change were met by brutal force, people were eventually compelled to exercise recourse, she said. That had happened in Libya and might happen in Syria, with the serious risk that the latter country could descend into an armed struggle. Since the last briefing to the Council, a fact-finding mission showed that Syrian Government military and security forces had continued to commit serious violations. “I am concerned that the killing of

civilians has not stopped,” she said. “We have to see actual progress on the ground. A human rights monitoring presence could help ensure that.”

Turning to Yemen, a mission in June had found that civilians were at risk amid the Government’s suppression of protestors and armed opponents, she said. Convinced that an international investigation and a human rights presence was needed on the ground, she intended to seek the agreement of the Yemeni authorities for deployment of a follow-up mission.

In Afghanistan, she said the number of civilian deaths was increasing, with a lack of accountability for serious international law violations. The United Nations Assistance Mission in Afghanistan (UNAMA) reported a 15 per cent increase in conflict-related civilian deaths during the first half of 2011, she said, emphasizing also the systematic torture of suspected insurgents in national security directorate and police detention facilities.

In Iraq and Somalia, she said that the human rights components in the United Nations Assistance Mission for Iraq (UNAMI) and the United Nations Political Office in Somalia (UNPOS) had observed patterns of indiscriminate bombings and targeted civilian killings.

She strongly condemned the indiscriminate rocket attacks from Gaza, which flagrantly violated international law, and was concerned that Israeli raids in Gaza were placing civilians at grave risk. Her office in the Occupied Palestinian Territory had observed an increase in the frequency and severity of violence perpetrated by Israeli settlers against Palestinian civilians in the West Bank. She urged Israeli authorities to do more to prevent such attacks and to hold perpetrators accountable.

The actors flagged in her Office’s 2010 Mapping Report on serious violations committed in the Democratic Republic of the Congo between 1993 and 2003 continued to be implicated in violations today, she said. While a governmental initiative to establish Special Chambers to try those crimes was encouraging, the Government must urgently ensure that the electoral process was not tainted by violence.

In June, the Council had mandated the Secretary-General to ensure effective human rights monitoring of the situation in Abyei that had occurred in May, following the burning and looting of the town. However, her Office’s repeated requests for access to Abyei had been denied, and the United Nations Interim Security Force for Abyei (UNISFA) should include a civilian human rights component to carry out the Council’s

mandate. Disturbing reports had also come from Southern Kordofan and Blue Nile State, where the United Nations no longer had a monitoring presence. In the absence of any credible national investigations, she reiterated her call for a thorough and independent international investigation.

Where national authorities had failed to investigate credible allegations, it was incumbent on the international community to rigorously establish the facts, she said. Over the last 20 years, her Office had supported more than 30 commissions of inquiry, and had strengthened its capacity to support mechanisms set up by the Security Council, the Human Rights Council and the Secretary-General. She encouraged the Security Council to play a more active role in securing follow-up to their recommendations and in ensuring practical arrangements to secure accountability. “Without it, impunity emboldens perpetrators and breeds more violations that will undermine peace and progress,” she said, adding that her Office stood ready to assist the Council in its efforts to protect civilians.

CATHERINE BRAGG, Assistant Secretary-General for Humanitarian Affairs, reading a statement attributable to Valerie Amos, United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, said conflicts were marked by the consistent failure of the parties concerned to comply with their legal obligations to respect and protect civilians. Eight months of conflict in Libya had led to the death and injury of thousands of civilians and internal displacement of more than 200,000. Apart from lack of access to medical care and the use of explosive weapons in densely populated areas, the widespread availability of small arms and light weapons was also of concern. The risk posed to civilians, especially children, by abandoned weapons and ammunition and by explosive remnants of war was very high.

She remained extremely concerned by events in Syria, where more than 3,500 Syrians had reportedly been killed since March. There were reports of serious human rights violations, including excessive use of force and restrictions on freedom of movement. In Yemen, conflict, poverty, drought, soaring food prices and collapsing State services had created a daily struggle for survival for millions. The response to peaceful demands for greater freedoms, an end to corruption and respect for the rule of law had been marked by the excessive and disproportionate use of force by the State.

Turning to Gaza and southern Israel, she said that in August, a series of attacks launched from Egypt into southern Israel had resulted in the deaths of six Israeli civilians. In response, Israel conducted air strikes on Gaza, resulting in 30 Palestinian fatalities and 103 injured, the majority of whom were reportedly civilians. One Israeli civilian had been killed and seven injured by rockets fired from Gaza during that period.

In Colombia, the Government had taken the historic step of enacting legislation that would provide restitution for up to 4 million victims of the conflict, including through land restitutions for those forcibly displaced, she noted. Ongoing hostilities, however, were marked by violations of international humanitarian law and displacement, as well as the confinement of civilian populations in particular areas. Mines and improvised explosive devices had also hampered the work of humanitarian organizations.

Continuing, she said that some 500,000 people had been internally displaced in Afghanistan. There had been 1,400 civilian deaths in the first six months of the year, attributable to an increased use of improvised explosive devices, as well as suicide attacks, targeted killings, increased ground fighting and air strikes involving helicopters.

Also describing the situations in Somalia, Darfur, South Sudan and the Democratic Republic of the Congo, she said that all those had in common the perpetration of violations of international humanitarian law and human rights law. Equally common was the failure to hold accountable those responsible for those violations and to provide any form of justice or redress for their victims. “This failure of accountability has to end,” she said. “We cannot continue to ignore war crimes and serious violations of human rights law in conflict. Nor can we ignore the need to ensure that victims see justice and reparations for the wrongs they have suffered.”

She reported on a one-day workshop organized last week, together with Portugal, on enhancing the role of the Security Council in ensuring accountability for violations.

PHILIP SPOERRI, Director, International Law and Cooperation, International Committee of the Red Cross (ICRC), said civilians remained the main victims of armed conflicts and that reality on the ground had not kept pace with the considerable recent normative progress. He pointed to violence against health-care facilities and personnel as “one of the most serious yet neglected humanitarian issues of today”, noting that ICRC had launched a multi-year project and communication campaign on the issue. He said the “Arab Spring” had highlighted the vulnerability of migrants living in or crossing through territories affected by armed violence, pointing out the abuse and exploitation to which they were subjected from all sides. He also added concerns over conduct of hostilities, particularly in urban settings, calling for strict interpretation and rigorous application of key notions such as distinction, military objective, the principle of proportionality, and precaution.

He said that the overarching challenge was achieving consistent respect for international humanitarian law, with better accountability at the national level and through the International Criminal Court. ICRC was mandated to ensure that respect, and its approach should remain consistently distinct from all political processes, including Security

Council mandates, while respecting States' sovereignty, contributing to national capacity-building, and helping to strengthen accountability. Despite accepting that the success of protection was notoriously hard to measure because it was not possible to know how much suffering had been prevented, he said that should "never serve as an excuse nor obviate the need for accountability", with States holding ultimate responsibility for protecting civilians.

Statements

MARK LYALL GRANT (United Kingdom) said the primary responsibility to protect civilians rested with States and had been firmly embedded in modern military doctrines. It was also central to most United Nations peacekeeping operations and operations authorized by the Security Council. However, there was a need for enforcement mechanisms that would ultimately lead to accountability. The International Criminal Court was a clear sign of the world's intolerance for impunity, and he urged all States to ratify outstanding humanitarian law treaties.

He condemned the Syrian Government's oppression of demonstrators and its violations of human rights over that last six months, saying the Government should end the violence, release prisoners of conscience and admit United Nations monitors. In Somalia, a stabilization effort was needed to ensure the operation of schools, hospitals and other essential infrastructure, and his country continued to explore ways to support the African Union Mission there (AMISOM) to protect civilians. He then called upon Burma's army and militia to protect civilians and to bring to justice the perpetrators.

IVAN BARBALIĆ (Bosnia and Herzegovina) said it was an unfortunate and unacceptable reality of current times that civilians remained a main target for armed attacks and counted for a high number of casualties in conflicts. Given that civilian protection rested primarily with the State, additional efforts were necessary to make Governments aware of their responsibilities. The Council should take every opportunity to send a message that perpetrators of grave violations of human rights and international humanitarian law would be brought to justice. He welcomed the work of the Department of Peacekeeping Operations with police- and troop-contributing countries to improve understanding and implementation of civilian protection mandates. Host Governments must be consulted and properly informed of monitoring and reporting arrangements under resolution 1960 (2010).

Outlining concrete cases where challenges to civilian protection were significant, he said security institutions must be strengthened in Libya. Also, a key task of the United Nations Mission in the Sudan (UNMIS) was to protect civilians in a volatile security environment, where the State did not have the capacity to do so. He urged the international community to increase efforts in Somalia and to provide much-needed humanitarian assistance to the country. Syria should accelerate implementation of

measures leading to a democratic society, end ongoing unrest and hold accountable those responsible for the killings. The Afghan Government must similarly take measures to investigate violations of international humanitarian and human rights law.

He urged the Council to take a more consistent and comprehensive approach to addressing humanitarian access constraints and ensure accountability for grave instances of denial of access. At the same time, the International Criminal Court should have better interaction with the Council, while the Secretariat and United Nations agencies should clearly delineate their roles and responsibilities regarding civilian protection. Commissions of inquiry and fact-finding missions could be used preventively to help decrease tensions before a conflict escalated.

NÉSTOR OSORIO (Colombia) reiterated his delegation's commitment with the respect for and the protection of civilians in armed conflict. The consolidation of the rule of law was the best foundation to create conditions for the protection of persons and the full enjoyment of their fundamental guarantees. The fact that the protection of civilians had been a topic before the Security Council for more than a decade suggested that there was a need for that executive organ of the Organization to have a bigger role in the task of protecting civilian populations when they were the victims of violent and systematic repression by their authorities, as had just happened in Libya.

On the other hand, he said, those actions were a valuable addition to the contributions and developments originating in other bodies, such as the General Assembly, Economic and Social Council and the Human Rights Council. In the case of the General Assembly and its Special Committee on Peacekeeping, it was acknowledged in document A/65/19 that the mandates of several of the current United Nations peacekeeping missions included a component of civilian protection. He underlined that strengthening national capacities should be considered in adopting such mandates. Fortifying State institutions and supporting the work of national authorities constituted a solid base to guarantee efficient protection of civilians in contexts of violence.

In the search for peace and stability capable of making a difference in the long term, the Council would benefit from more coordination with other bodies and agencies of the system, he said. Comprehensive approaches should be adopted that offered alternatives, underpinned by cooperation, to face existing difficulties. Considering the issue at hand, it was important for the Council to maintain a clear distinction between the situations that were included in its programme of work and those that were not.

MARIA LUIZA RIBEIRO VIOTTI, reading a statement by Antonio de Aguiar Patriota, Minister for External Relations of Brazil, said no issue could be more deserving of the attention of the Council than the need to protect civilians in situations of armed conflict. There was the imperative need to prevent violence against civilians in the

conduct of hostilities and to ensure accountability, as well as to guarantee access to humanitarian assistance and emergency relief. The most important task was that of ensuring compliance with international humanitarian and human rights law.

She said the plight of innocent civilians and the need to prevent impunity of perpetrators was what had led the United Nations to create the International Criminal Court. In September 2005, the Outcome Document of the High-level Plenary Meeting of the General Assembly had established the responsibility of States to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. It had also mentioned the responsibility of the international community to act collectively through the United Nations, should national authorities manifestly fail to protect their populations. The recognition of the responsibility to protect had been a milestone.

The fact that international military action was exercised with the aim of protecting civilians, however, did not make the collateral casualties or unintended destabilization less tragic, she said. Because the United Nations could authorize the use of force, it was under the obligation to fully develop an awareness of the dangers involved and to set up mechanisms that could provide an objective and detailed assessment of those dangers, as well as ways and means of preventing harm to civilians. The collective point of departure should be: “first, do not cause harm”. Brazil would circulate a concept paper in that regard, which elaborated on the idea that the international community, as it exercised its responsibility to protect, must demonstrate a high level of responsibility while protecting.

She said the concept paper was based on fundamental principles, parameters and procedures, including: prevention was always the best policy; the use of force must produce as little violence and instability as possible; actions must be judicious, proportionate and limited to the objectives established by the Council; and enhanced Council procedures were needed to monitor and assess the manner in which resolutions were interpreted and implemented to ensure responsibility while protecting.

HARDEEP SINGH PURI ([India](#)) said that most cases where civilians were at the greatest risk today did not involve nation States, but belligerents, who were not necessarily combatants under international humanitarian law. That fact made the Council’s task more difficult, since it must act within the established principles of international law. While it was the responsibility of all States to respect the fundamental rights of their people, address their legitimate aspirations and respond to their grievances, States also had the obligation to protect their citizens from armed groups and militants. While the right of people to protest peacefully should be respected, States should take appropriate action when militant groups resorted to violence against State authority.

He said that civilian protection, when applied as a basis for Council action, should respect the Charter’s fundamental aspects, including the sovereignty and integrity of

Member States. Any politically driven decision to intervene should be avoided. Several States were all too willing to expend considerable resources for regime change in the name of civilian protection. Yet, they were unwilling to provide minimal resources, such as military helicopters, to United Nations peacekeeping missions mandated to protect civilians. Further, the Council must make up its mind what it meant by protection of civilians, including by having a clear understanding of who was to be protected and what constituted a threat. The expected response and who should respond must also be clear, such as whether a military response or a “rule of law” response was needed. Force commanders or their soldiers should not be asked to assume policing responsibilities. And, there should also be accountability for those who mandated.

“The recent actions of the Council have brought to the fore a considerable sense of unease about the manner in which the humanitarian imperative for protecting civilians has been interpreted for actual action on the ground,” he said, adding that force was not the only means of civilian protection and the Council’s actions should facilitate engagement between warring factions in a conflict in a nationally owned and inclusive political process.

GÉRARD ARAUD ([France](#)) said while peacekeeping operations centred on civilian protection, national Governments held the ultimate responsibility to protect their populations. When national authorities failed in that and when violations or war crimes were committed, the Security Council then must intervene. Adopting sanctions and taking action, the Council had already averted a massacre in Libya and saved thousands of lives in Côte d’Ivoire.

However, he said, the Council had seriously failed Syria, and was now seeing the cost of its inactivity. Civilian protection concerns also existed in the Democratic Republic of the Congo and Sudan. Justice and peace must not be sacrificed to long-term interests; sanctions must be imposed on violators and impartial investigations were needed. When national Governments failed to investigate violations, the international community must act to help them. The Council must also address the issues of sexual violence and violations against children during armed conflict. In Libya, the joy of the people today made past efforts worth it, he concluded.

SUSAN RICE ([United States](#)) said that while protecting civilians was “at the heart” of the Council’s role, as seen in its efforts in Côte d’Ivoire and Libya, it had failed to pass a single resolution on Syria, even if only to condemn civilian attacks, or on the crisis in South Sudan. “Our silence was deafening and inexcusable,” she said.

To build the capacity to protect civilians, the United Nations should, among other things, strengthen early warning systems on the ground, as seen when the United Nations Mission in South Sudan acted on Jonglei state incidents, preventing retaliatory

attacks and inter-community violence. The Council should also strengthen communications within the missions and host Governments and bring to light atrocities when prevention failed, imposing targeted sanctions on individuals committing violence against civilians and bolstering accountability.

BASO SANGQU (South Africa) stressed that the primary responsibility to protect civilians rested with the States. Strengthening judicial institutions and signing of the Rome Statute, therefore, should be encouraged. The Council should use the International Humanitarian Fact-Finding Commission to investigate grave violations of human rights and humanitarian law. The prevention of conflict and the protection of civilians embodied United Nations principles, which recent positive developments in the Council had advanced. The fight against impunity had been strengthened through, among other things, the work of the International Criminal Court and special tribunals.

He was concerned by the fact that Council authorization for protection of civilians had been exploited and condemned in that regard by actions in Libya, which had gone far beyond the resolution authorizing international involvement. That did not bode well for future actions of the Council, as that could lead to a permanent state of paralysis. Harming civilians could not be done in the name of protection of civilians. Those who went beyond Council decisions should bear full responsibility for the impasse. He was also concerned that the impartiality of peacekeepers was compromised if the United Nations chose sides or was being perceived as choosing sides in a conflict. Progress would depend on the consistency with which the Council pursued its goal without selectivity.

VITALY CHURKIN (Russian Federation) said protection of civilians was one of the flashpoints of the Council. Civilians, especially women, children and the elderly continued to suffer from armed conflict. Preventing armed conflict or promoting the prompt cessation of confrontation, therefore, was the best way to protect. He condemned premeditated attacks against civilians, as well as civilian fatalities from the disproportionate use of force. All parties to a conflict, including international troops, had to operate under international law and should not evade responsibility for crimes committed.

Any reactive measures taken by the international community required authorization by the Council, he said, and Council measures must be strictly complied with by all parties participating. If not, the Council would be placed in an ambiguous position. Recent events required an honest analysis and conclusions, as that was the only way for the Council to effectively react to threats to civilians in conflict.

LI BAODONG (China) said that over the past few years, the Council's open debates on civilian protection had generated both consensus and differing views. The

Security Council should first take into consideration the views of non-members of the Council in order to better represent the world. Proposing a series of suggestions, he said national Governments, which were primarily responsible for protecting their civilians, must abide by international law and apply the United Nations Charter, particularly with regard to respecting a State's sovereignty and the right of non-interference in a State's affairs. An early achievement of a declared ceasefire should first be attempted, and protecting civilians through the use of force should only be authorized with extreme caution, he warned. Given the possible imprecision of attacks and the advanced nature of weapons today, civilian deaths were inevitable, he said.

Many questions needed to be clarified, and the Security Council should never take "hasty" action, he said. Security Council resolutions should be fully implemented, and no party should wilfully misinterpret a resolution in a way that tolerated attacks on infrastructure and residential areas, or civilian casualties. Those legitimate concerns demanded answers. It was also imperative to abandon selectivity and double standards. All issues should be treated equally, he said, using Gaza, Somalia, Afghanistan and Iraq as examples.

NOEL NELSON MESSONE (Gabon) said the multidimensional issue of civilian protection remained the responsibility of each State. In times of armed conflict, all actors were responsible to ensure that protection. When there was a failure to protect civilians, the Security Council and the international community should heal that breach, methodically and on the basis of cooperation. He welcomed the framework developed by the Council and international community in terms of resolutions that recognized a State's responsibility in that regard.

However, he said, civilian populations continued to suffer from armed violence. The Council needed to achieve more results to protect and provide justice. The international community had a number of mechanisms to allow for investigations to fight impunity, for instance, in Darfur, Guinea and Côte d'Ivoire, and he commended the Human Rights Commission for its work. Filing cases to the International Criminal Court to investigate and prosecute perpetrators was also essential, and in order for those actions to have an impact, States needed to take responsibility to address the violations. Cooperation with States, the United Nations and regional organizations would make efforts more effective on the ground.

RUFF BUKUN-OLU WOLE ONEMOLA (Nigeria) said the effectiveness of the United Nations and the Council was measured against its ability to protect civilians, but the Council's ability to in that regard had been severely tested over the last 10 months. Through carefully calibrated interventions in Côte d'Ivoire and Liberia, stability had been restored. However, response was lacking regarding the protection of civilians in the Democratic Republic of the Congo, Gaza and Western Sahara.

He said the Council should renew its commitment to ensure accountability for violations of humanitarian law. Where there was impunity, the physical integrity of the individual was no longer guaranteed. Effective monitoring was still required in numerous conflict and post-conflict situations on the Council's agenda. Unless a coordinated and comprehensive system-wide approach was adopted, civilians would continue to suffer. Effective accountability mechanisms could also create space for examination of the root causes of conflict. Multiple challenges remained in Sudan and Syria. The latter country should comply with the Arab League peace plan.

PETER WITTIG (Germany), aligning himself with the European Union, said that recent violence against civilians and their repression brought the concept of responsibility to protect back into the Security Council's purview. Where national authorities were unable or failed to protect their populations, responsibility lay with the international community, through the Security Council, to take appropriate action. He noted that Security Council resolution 1998 (2011) ensured that attacks against schools and hospitals were included in the Secretary-General's report on children and armed conflict. He also noted that the new monitoring, analysis and reporting arrangement on conflict-related sexual violence was now operational. He welcomed completion by the Department of Peacekeeping Operations of new training modules on protection issues for peacekeepers, underlining the importance of local engagement in discussions on protection requirements. Efforts by the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO) could serve as an example for others.

Ensuring accountability of individuals and parties to conflict remained a large challenge, he said, and ending impunity was essential to any approach to sustainable peace, justice, truth and reconciliation. He called for national measures in that regard, saying the international community should step in if that proved impossible. He outlined the Security Council's important role in that, citing the example of the referral in February of the situation in Libya to the International Criminal Court. The International Residual Mechanism for Criminal Tribunals sent a strong message against impunity and had helped the International Criminal Tribunals for the Former Yugoslavia and Rwanda to move towards completing their mandates. He also encouraged the use of the International Humanitarian Fact-Finding Commission to gather information on alleged violations of laws relating to the protection of civilians. He noted with particular concern the ongoing situations in Sudan, Somalia and Syria. The situation in Syria had deteriorated, he said, welcoming the Arab League's more robust approach, and urging the Council to send a strong message to end the bloodshed in Syria.

IBRAHIM ASSAF (Lebanon) said modern conflicts propelled civilians to the front lines in wars they did not choose. Challenges were numerous to protect civilians, requiring a strategy based on cooperation with humanitarian bodies. Each State had responsibility, and the international community should help national authorities to meet their obligations to protect their populations. While the tools to do that job existed, each case was different, he said, pointing to the Council's quick action to protect Libyan civilians.

Responsibility was essential to bring about reconciliation at the end of a conflict, he said, favouring efforts to establish the truth in Libya and to prosecute the perpetrators of serious violations. Justice must also be given to the victims. International and regional organizations should be able to play an active role in preventing conflict, including through mediation and negotiation. However, lasting protection of civilians could only occur after examining a conflict's symptoms and causes. Lebanon had recently hosted the Cluster Munitions Conference, making heard the voices of victims of those weapons, used by Israel on his country's people. He concluded by reiterating a call for Israel to compensate those victims.

MAGED ABDELAZIZ (Egypt), speaking on behalf of the Non-Aligned Movement, said that despite United Nations efforts, civilians were still suffering around the globe, exacerbated, as the Secretary-General had noted, by the proliferation and fragmentation of non-State armed groups and the culture of impunity. States should respect and observe international law, he said, calling upon all parties to armed conflicts to redouble efforts to comply with legal obligations, including prohibiting the targeting of civilian populations.

Condemning attacks on humanitarian workers, he urged the Governments of United Nations Member States to ensure respect for their protection. He also emphasized a State's right to territorial integrity, noting that consent of the country was imperative for granting access to humanitarian assistance. Civilian protection was the responsibility of each host country of peacekeeping operations, and successful efforts required the integration of initiatives at all levels, including the provision of timely and adequate resources, he said.

THOMAS GUERBER (Switzerland), speaking on behalf of the Group of Friends on the Protection of Civilians, said that one of the five pillars identified by the Secretary-General was accountability for violations of international humanitarian law and human rights law, both for individual perpetrators and for parties to a conflict. The Council had set important precedents regarding accountability, including by referring situations to the International Criminal Court. The Council should continue to do so, with improved interaction among other parts of the United Nations system and with civil society. The Council should lead by example in ensuring a coherent approach to ascertaining facts and by taking necessary action on the basis of more standardized criteria.

He said that in tackling the complexities posed by accountability mechanisms, one should not forget the important question of reparations for violations. Those were not limited to financial compensation, but included such measures as rehabilitation for the victims, public apologies, commemorations and tributes. Reparations to the victims of violations of international humanitarian law and human rights law should be made by

those responsible. In conclusion, he said accountability was an essential building block for sustainable peace, the rule of law and for the effective protection of civilians. The Council had a duty to uphold and promote the wealth of practices and policies developed.

In his national capacity, Mr. Guerber said he was extremely concerned by the threats facing civilians in Syria and Yemen. Those and other situations raised the question for the international community of what could be done to make sure that serious human rights violations met with a suitable response. Accountability was one of the key aspects of the protection of civilians and transitional justice was of crucial importance for a lasting peace. Fact-finding mechanisms helped to ensure the credibility of United Nations action when faced with allegations of violations of international law for the protection of civilians. As for individual criminal accountability, the Council had a key role to play in preventing impunity, for example, by referring a situation to the International Criminal Court. The Council must, however, ensure that States concerned met their obligations, particularly regarding arrest warrants.

GARY QUINLAN (Australia), aligning himself with the statement of the Group of Friends, said that enhancing the capacities of peacekeeping and other missions to provide protection was just one of the core protection-of-civilians challenges. Another core challenge was the need to enhance accountability. Justice was best achieved at the national level, but the international community must assist States to fulfil their responsibility by, among other things, working to enhance the capacity of national rule of law institutions. In cases in which States were unwilling or unable to act, the International Criminal Court and ad hoc international courts and tribunals had a vital role to play. Appropriate action must be informed by the facts. The Council, therefore, should consider mandating commissions of inquiry. It was paramount that the Council act when there was clear evidence of violations of international law.

JOSÉ ALBERTO BRIZ GUTIÉRREZ (Guatemala), associating with the statement of the Non-Aligned Movement, said that his country was concerned about the asymmetric nature of existing conflicts, increasingly notable for breaches of international law and the non-observance of the principles of distinction and proportionality. That was enhanced by the proliferation and fragmentation of non-State armed groups and access to new technology, including long-range artillery and missiles. Guatemala considered paragraphs 138 and 139 of the 2005 World Summit Outcome Document to be one of the most outstanding achievements of that meeting. The primary responsibility to protect civilians fell on States, but those were equally responsible for seeking international assistance when that basic duty could not be fulfilled.

RON PROSOR (Israel) said: “We sit here [...] to discuss the vital importance of protecting civilians in armed conflict, as rockets continue to rain down on more than 1 million men, women and children in southern Israel.” There was no question, he said, that Hamas and other terrorists in Gaza deliberately targeted civilians. It should shock and appal this body, but “not a single word of condemnation has been uttered by the Council. Not one word.” One of the most fundamental human rights was the right of people to live

their lives without the fear of terrorist attacks. Day after day, Israeli citizens were denied that right. Underlying the violence emanating from Gaza was a deeply rooted culture of incitement, a culture that also pervaded the official institutions of the Palestinian Authority. The international community had a duty to end that culture.

He said: “In Syria, Bashar al-Assad remains the world’s only ophthalmologist dedicated to cutting his people’s vision of hope and freedom.” His regime was a slaughtering of his people every day, but some Council members remained blind to that brutality. It was time for the Council to speak the “complete, unvarnished and sometimes difficult truths” about those who ruthlessly targeted and employed civilians in armed conflict. “The Governments and terrorist organizations that displayed such a callous disregard for human life should find no refuge in this hall,” he said.

ANDREAS RIECKEN (Austria) said the training modules on civilian protection and sexual violence would be crucial for better preparing peacekeepers. He looked forward to receiving guidance to ensure systematic and comprehensive reporting on civilian protection and thus allow the Council to take appropriate, firm action to address cases of serious violations against civilians. Austria was doing its part to design adequate training modules for its “peace workers” in the field. Next year, it would finalize creation of an interdisciplinary training programme for managers and key field personnel to enable them to put protection mandates into operation.

He expressed concern over the threat of explosive weapons to civilian life and deep concern that the draft protocol to the Convention on Certain Conventional Weapons on cluster munitions, in its current form, would clearly undermine existing international norms against cluster munitions and would contradict the Convention on Certain Conventional Weapon’s humanitarian aim of protecting civilians. The recent increase in targeted killings of journalists was a “worrying development”. The Human Rights Council had an important role in strengthening protection of journalists. Austria would make that a high priority during its membership in that body. It would aim to strengthen the protection framework for journalists through concrete steps focused on fighting impunity and preventing future crimes against journalists.

MARY ELIZABETH FLORES (Honduras) said recent armed conflicts had touched the conscience of the world, adding that acts of repression and State violence against innocent unarmed civilians demanded greater international involvement. The Security Council’s role was that of a guardian, she said, stressing that it was imperative to guard the integrity of the United Nations. Calling for a mechanism to ensure more transparent decision-making, she said vulnerable populations demanded decisive and prompt action, noting that the denial of human rights was usually among the main causes fuelling conflict. There was still room to broaden the protection of children and women.

ABDUL HASSAN MAHMOOD ALI, Member of Parliament from Bangladesh, said that although five of the seven current United Nations peacekeeping operations with a protection mandate had developed comprehensive strategies for protecting civilians, challenges in the field continued. The new Mission in South Sudan (UNMISS), which had such a mandate, would be an important test case, he said, adding that adequate capacity would be the most important element of effective protection of civilians.

Commending recent developments in the Council on children and armed conflict, and on women's participation in the prevention, management and resolution of conflict, he said the presence of female uniformed personnel could be pivotal in a State's ability to protect its citizens. Bangladesh had an all-female formed police unit working in the United Nations Stabilization Mission in Haiti (MINUSTAH), he added. "Prevention is at the heart of protection," he stressed, noting that the preventive capacity of the United Nations must be enhanced, and Member States should inculcate the values of peace, tolerance and harmony that contributed to long-term prevention.

Closer dialogue between the Council and troop-contributing countries could provide valuable information about the situation on the ground, he said, underlining also the importance of enhancing compliance with international legal obligations by parties to conflict and of strengthening accountability mechanisms. International efforts, including the use of force, should be a last resort since the host country was primarily responsible for protecting its civilians. He urged all conflict parties to comply strictly with international humanitarian, human rights and refugee law to ensure protection for the lives and property of civilians, as well as unimpeded access to humanitarian aid.

GILLES RIVARD (Canada) said Council resolutions 1970 (2011) and 1973 (2011) had sent clear messages to the previous Libyan regime that attacks against civilians and human rights violations would carry serious consequences. However, implementation gaps remained, he said, urging the Council to exercise the range of options at its disposal to protect civilians. Those who attacked aid workers should be brought to justice, he stressed, calling for continuing international denunciation of violence, including all forms of sexual violence against women and girls. Canadian programmes supported Afghanistan's efforts to implement its law on the elimination of violence against women, he added.

Vulnerable religious minorities should receive protection and United Nations actors needed to develop strategies to better respond to persecution, he said, adding that the protection of religious freedom was a key part of his country's foreign policy. National accountability mechanisms needed strengthening, he emphasized, adding that every Member State needed to investigate and prosecute violators of international law. Canada supported the Secretary-General's call for more work to address the impact of explosive remnants of war in populated areas, he said, citing also the Canadian Government's \$10 million contribution to help secure weapons of mass destruction in Libya.

OLIVIER MAES (Luxembourg), aligning with the statement of the European Union, said that by authorizing, through resolution 1973 (2011), the operation to protect civilians in Libya, the international community had saved countless Libyan lives. Luxembourg commended the Council for increasingly explicitly mandating peacekeeping operations. It was essential that the mandates formulated by the Council be translated, on the ground, into rules of engagement that allowed peacekeepers to discharge their protection of civilians mandate successfully. The efforts of the Council to better protect children in armed conflicts and to fight against sexual violence in conflict formed an integral part of the protection of civilians agenda. Also, the unanimous decision by the Security Council to refer the situation in Libya in February to the Prosecutor of the International Criminal Court had sent a clear signal to the Qadhafi regime and to all combatants in Libya that they would be held accountable for their acts. The international community would not tolerate impunity for the most serious crimes.

THOMAS MAYR-HARTING, Head of the European Union Delegation, called on all parties to conflict, including non-State actors, to fully comply with their international legal obligations to protect civilians and prevent violations of human rights and international humanitarian law, noting that such compliance also contributed to securing and sustaining humanitarian space and access. Citing the example of Syria, where a brazen regime was brutally repressing its own people and violating their human rights, he said the violence there needed to stop now and those who used it in order to remain in power must be held accountable. He urged the Council to shoulder its responsibilities by taking robust action in situations of human rights violations.

He said that, aside from delivering justice for its own sake, accountability also deterred future injustice and, to that end, fighting injustice should be viewed as an important priority, at both the national and international levels. He added that to further enhance the implementation of the protection of civilian mandates, the Union encouraged peacekeeping missions to sharpen and strengthen their early-warning instruments, observing that all too often the new generation of peacekeeping operations still relied on old generation tools. “The systematic use of modern monitoring and surveillance technologies could greatly increase the UN’s capacity to prevent atrocities,” he said.

YANERIT MORGAN (Mexico) said that ending impunity was essential to addressing past damage and building a solid culture of respect for human rights. Mexico was working on a judiciary reform project focused on international crimes, and had invited other States to take similar approaches. For its part, the Security Council should promote concrete measures to ensure accountability for violations of international humanitarian law, and strengthen peacekeeping mandates to provide them with strategies for monitoring and on-the-ground oversight, with a view to protecting civilians.

ALEXIS AQUINO (Peru) said that despite regular Council meetings, it was clear that the United Nations could and should do more on the ground. While progress had been made, legislative shortcomings were hampering additional efforts, he said, adding that more work could be done on the ground as civilian protection was a fundamental aspect of achieving peace. While parties to conflict had a responsibility to abide by international humanitarian law, the Council must, for its part, ensure the implementation of its mandates. It was also important to develop the prevention dimension, analyse the reasons behind the conflict and assess related risks. Combating impunity was another area that called for greater efforts, using existing mechanisms, including the Geneva Conventions and the Rome Statute, he said.

TINE MORCH SMITH (Norway) said that in situations where populations were still vulnerable to armed hostilities, having data on the harm being inflicted was an important building block for accountability. Alongside the notion that civilian protection could not be seen in isolation from the principle of responsibility to protect, violators of international humanitarian law must also be brought to justice and security-sector reform given a higher priority, she stressed. She said that although fundamental norms established in existing conventions on anti-personnel mines and cluster munitions banned certain weapons that caused unacceptable harm, she was concerned about ongoing efforts to negotiate a new protocol on cluster munitions within the Convention on Certain Conventional Weapons. That would perpetuate, rather than prevent, the civilian suffering caused by those weapons, she warned.

SHALVA TSISKARASHVILI (Georgia) recalled that the August 2008 war between his country and the Russian Federation had had devastating consequences for civilians, especially for those who had been ethnically cleansed from the regions of Abkhazia and South Ossetia. Nothing had changed on the ground in respect of civilians under foreign occupation, which covered some 20 per cent of Georgia's territory. Hundreds of thousands of refugees had been denied the right to return to their homes and villages, while forced displacement and denial of property rights continued, he said, adding that the "occupying Power" continued to deny access to humanitarian aid. Today, the two countries had signed an agreement that would pave the way for the Russian Federation's membership in the World Trade Organization, he said, expressing hope that it would also pave the way for solutions to other issues, including the right of return.

SANJA ŠTIGLIC (Slovenia), speaking on behalf of the Human Security Network, said civilians could not be protected unless respect for international humanitarian law and human rights was promoted and States observed the relevant obligations. Special attention should be paid to those in vulnerable situations, particularly women and children, who faced multiple great risks during conflicts. Second, the Security Council must be consistent both in ensuring accountability for violations, specifically through fact-finding missions, and in preventing impunity by referring cases to the International Criminal Court.

She went on to describe the Human Rights Council's mandate for a Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence as a clear acknowledgement that accountability, truth-seeking processes, reparations for victims and institutional reform guaranteeing that past abuses would never recur were integral to the United Nations strategy on protection. In that regard, the Human Security Network encouraged the United Nations to promote a comprehensive approach to the protection of civilians, particularly when planning peace operations and in coordinating donors.

OCTAVIO ERRÁZURIZ ([Chile](#)) said accountability was really at the heart of today's debate and at the centre of civilian protection. It was necessary to establish an efficient regional and international system, such as the Inter-American Human Rights System, created in 1969, and more recently the International Criminal Court, he stressed, adding that action could be taken when the facts were established. States must strengthen the rule of law as well as judicial institutions to ensure accountability. The Security Council had incorporated civilian protection into its mandates and it was to be hoped that those and other efforts would ensure that there was never a repeat of what had happened in Rwanda or Srebrenica.

KAZUO KODAMA ([Japan](#)) applauded recent gains in Libya and Côte d'Ivoire, but expressed regret that the Council had failed to adopt a resolution on Syria. Welcoming the end of the conflict in Libya, he stressed that verification of the actions taken would be crucial to ensuring accountability. He also welcomed the Council resolution on Yemen requesting the suspension of attacks on civilians and the respect for humanitarian law. Securing the rule of law and ensuring justice could pave the way to preventing the expansion of conflict, he said, urging the Council to continue fighting impunity, using existing mechanisms as necessary.

PALITHA KOHONA ([Sri Lanka](#)), associating himself with the Non-Aligned Movement, said that despite concerted efforts, the state of civilians in conflict situations had not improved in 2011. That slow change demonstrated that the protection of civilians could not be addressed solely in theoretical terms, as it required consciousness of a multiplicity of different factors, ranging from political realities and socio-economic factors to the increasing sophistication of terrorists. The use of modern technology and subtle propaganda tools by terrorist groups and networks was becoming an increasing challenge requiring the detailed attention of the United Nations, he said.

He said that in keeping with the recognition that it was the responsibility of States to investigate and address human rights violations, the Government of Sri Lanka had established the Lessons Learnt and Reconciliation Commission, mandated to recommend measures to ensure reconciliation and restitution for victims, and to address the root causes of conflict. Sri Lanka had also invested heavily in a development programme in the former conflict-affected areas, focusing on civilian infrastructure and job development. In addition, the country had established the Women's Protection Unit, which provided counselling and services to women affected by the conflict.

MOHAMMED LOULICHKI (Morocco) said a comprehensive approach combining judicial, humanitarian and security aspects would ensure effective protection of civilians. With peacekeeping operations having become more complex with the inclusion of peacebuilding tasks, and with the Council having elaborated realistic and clear peacekeeping mandates covering protection, there was a need to mainstream optimal civilian-protection practices. While much progress had been made in the training for peacekeepers, the protection of civilians also required parties to be in strict compliance with international humanitarian law, he stressed, also warning against the militarization of refugee camps, a practice that often hindered the protection of refugees, which was required under international law in all situations.

ASIF DURRANI (Pakistan) said his country had expressed concern about frequent and pervasive violations of the rights of civilians around the world, particularly in situations of foreign occupation. Lack of accountability for such actions, or the politicized handling of specific situations, had resulted in increased suffering on the part of innocent civilians in areas of armed conflict or those under foreign occupation, he said, adding that the importance of objective reporting could not be overemphasized. Calling for the application of basic canons of international humanitarian law, including accountability, he said it was crucial to ending impunity.

HUSSEIN HANIFF (Malaysia), associating himself with the Non-Aligned Movement, said that while the Council's efforts to prevent the unnecessary loss of innocent lives must be recognized, it was also the responsibility of host Governments to protect civilians. United Nations peacekeeping missions required a more comprehensive and holistic approach, incorporating the provisions of resources, support and training, he said. That required the implementation of strong coordinating mechanisms and an effective flow of information. Recalling that a Malaysian journalist had recently been killed in Somalia while reporting on the humanitarian aid mission there, he stressed the importance of paying adequate attention to the protection of journalists and other media professionals, and requested that the Council explore the possibility of strengthening provisions to ensure the safety of journalists, within the civilian-protection framework.

MATEYA KELLEY, International Humanitarian Fact Finding Commission (IHFFC), said that the body, established as a treaty body under the Geneva Convention, was prepared to work with the Council in its deliberations on Libya, adding that its election process ensured the independence and impartiality of its members, which would enhance the acceptability of its findings. The Commission comprised a variety of experts, among them a medical doctor experienced in treating victims of violence, a renowned psychiatrist specializing in the treatment of traumatized persons, former and active military or police officers, and judges and lawyers proficient in the relevant areas of law.

As part of their preparation, the Commission's members participated in various field missions and practical exercises, in addition to the gathering of information and contingency planning, she said. A Council mandate to the Commission would be elaborated into consultations, which in turn would offer the Commission the necessary flexibility. Further, such a mandate would find agreement among the parties to a conflict, she said, underscoring the Commission's ability to facilitate such an agreement, and adding that it would be "honoured and proud" if it could assist in the Council's work towards ensuring a peaceful world.

OTHMAN JERANDI (Tunisia) said the integration of civilian-protection strategies into peacekeeping mandates was critical and entailed involving host countries and regional organizations, so as to identify operational needs, among other things. National ownership of international instruments was also important, he added. Noting that civilians in the Occupied Palestinian Territory had been the targets of systematic violations of international humanitarian law for "a very long time", he said all parties to a conflict, including non-State actors, were bound by the obligation not to target civilians, emphasizing that compliance with human rights law was essential in combating impunity. The issue of people displaced within and outside their borders must be addressed by keeping borders open, he said.

DAFFA-ALLA ELHAG ALI OSMAN (Sudan) said that dealing with the root causes of conflict was the best guarantee of protecting civilians. Unfortunately, insurgents and armed groups were deliberately targeting civilians or using them as human shields in order to move the international community against Governments. The priority should always be the successful implementation of peacemaking and peacebuilding by forcing armed groups to enter into discussions, he said. Practical experiences in various countries had shown that without peace on the ground, peacekeeping missions would not achieve their required goals.

Troubled by the current propaganda on the "responsibility to protect", he said States interpreted that principle in many ways and civilian protection in armed conflict was only one part of a range of rights and duties reaffirmed at the 2005 World Summit, he added. As for points raised today on Abyei, he said the situation in the disputed region was the best it had ever been. In response to the call by the High Commissioner for Human Rights for an inquiry in Sudan's Blue Nile and Kordofan States, he said the situations to which she had referred were not true and any external call for an inquiry would be unrealistic. The situation in Sudan was stable and internally displaced persons had returned to their homes, he said, adding that international agencies should seek the facts to maintain their credibility.

JORGE VALERO BRICEÑO (Venezuela) said that some Council members who promoted draft resolutions purportedly for the protection of civilians, were actually looking for a hegemonic position. To use the concept of protection of civilians in order to overthrow Governments in developing countries was immoral, and the economic greed of some Powers was the main threat to human life, he said.

In recognition of the democratic manifestations in North Africa and the Arab world, he said the constant foreign intervention of imperialist Powers in the internal matters of countries of the South, carried out under the pretext of protecting civilians, must be rejected. The notion of “responsibility to protect” had been manufactured by the ideologues of neoliberalism and savage capitalism, he said, adding that the concept had provided the pretext for acts of aggression in violation of international humanitarian and human rights law. The case of Libya was emblematic in that regard, he said.

BASHAR JA’AFARI ([Syria](#)) said the protection of civilians could not be a matter of selectivity and should not be limited to armed conflict. The protection of Palestinian, Syrian and Lebanese civilians living under Israeli occupation was an important component of the protection of civilians in armed conflict. Syria was concerned that some countries had their own selective concept of civilians and armed conflict, which contradicted international humanitarian law and international jurisprudence. International efforts aimed at protecting civilians should be undertaken in strict compliance with the principles of the United Nations Charter, which stipulated respect for the sovereignty of States and non-interference in their internal affairs, he said, emphasizing that national Governments bore primary responsibility for protecting their own civilians — an exclusive responsibility.

Questioning in that regard how some NATO members had killed 130,000 Libyan civilians under the civilian-protection banner, he asked how one could understand the United States’ call to Syrian civilians not to turn in their weapons to the authorities. Such a policy jeopardized the Arab League’s initiative, he pointed out, going on to stress that remaining silent about Israel’s continuing settlement activities was in contradiction with the most fundamental right of civilians to live in peace and sovereignty over their own lands. One could no longer close one’s eyes to the illegal occupation of Arab territories, including the Syrian Golan, he said, adding that the colonial countries, in particular France and the United Kingdom who had spoken out against Syria, were wrong to think that historical memory would fail to recall the crimes against humanity they had committed during the eras of colonialism and slavery.

CHRISTIAN WENAWESER ([Liechtenstein](#)), associating himself with the Group of Friends, said the Council had a double competence under the Rome Statute: to refer situations to the International Criminal Court under article 13b, and to defer ongoing investigations or prosecutions for a renewable one-year period under article 16. Once the relevant regime was activated, no earlier than January 2017, it would also have a role to play regarding the Court’s jurisdiction over the crime of aggression. However, referrals were not automatically effective in the fight against impunity or, by extension, in protecting civilians, he cautioned. Follow-up action by the Council was needed to make them effective, particularly in cases where cooperation was lacking. So far, the Council had not made use of its broad range of means to promote and enforce cooperation, which had led to prolonged and expensive Court proceedings. That in turn had created a perception of ineffectiveness, compounded by accusations of political bias, he said. It seemed likely that the Council would increasingly turn to referrals rather than other mechanisms, such as the ad hoc or hybrid tribunals used in the past, he warned, noting

that, as it did so, a fresh look at the financing of the International Criminal Court's investigations would be needed.

YUSUF MAMMADALIYEV (Azerbaijan) said that a defining feature in most conflicts was the failure of the parties to ensure respect for the obligation to protect civilians. More focused efforts were required to end illegal policies and practices in occupied territories, including demographic changes. The right to return must be recognized and increased attention focused on overcoming obstacles preventing returns, he said. Lack of agreement on political issues should not be used as a pretext to avoid addressing problems caused by continued and deliberate disrespect for international humanitarian law, whether in situations of conflict or military occupation. Ending impunity was also essential to the prosecution of perpetrators, as well as to sustainable peace, justice, truth and reconciliation, he said, adding that any steps aimed at advocating a culture of impunity would contribute to further violations.

GAREN NAZARIAN (Armenia) said that the frequency with which the Council addressed the issue of civilian protection signalled the urgent need to address challenges in the field. Fighting impunity at national and international levels was essential, he said, adding that the Council should also send a clear message to remind States of their obligations. In the past, it had made several important decisions on vulnerable groups, yet women, children, refugees and others continued to suffer. The best way to ensure the protection of civilians was to promote the rule of law, he said, adding that ensuring accountability and enhancing compliance with international obligations was part of the Council's responsibility. Any resolution it adopted should address fully the root causes of a conflict as a measure to prevent future conflicts.