

**Security Council Open Debate on Rule of Law**  
**Tuesday, 29<sup>th</sup> June 2010, Security Council Chamber (GA-TSC-01)**

*Statement by Ambassador Colakovic, Permanent Representative of Bosnia and Herzegovina to the United Nations*

We would like to thank you, Madam President, for having organized this debate. We also express our appreciation to the Secretary-General for his comprehensive report and our thanks to Under-Secretary-General Holmes and to High Commissioner Pillay for their comprehensive briefings today. We also wish to thank the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs for the study on implementation of protection mandates in peacekeeping operations.

In four days, on 11 July 2010, we will solemnly commemorate the fifteenth anniversary of the genocide committed in July 1995 in the United Nations safe area of Srebrenica, which was established pursuant to Security Council resolution 819 (1993). In that resolution the Council demanded that “all parties and others ... treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act”. However, the Bosnian Serb forces attacked Srebrenica, and the United Nations failed to deter their attack.

The International Court of Justice, in its Judgement of February 26 2007, ruled that “the Bosnian Serbs devised and implemented a plan to execute as many as possible of the military aged Bosnian Muslim men present in the enclave” (para. 292) and that the acts committed at Srebrenica “were committed with the specific intent to destroy in part the group of the Muslims of Bosnia and Herzegovina as such; and accordingly that these were acts of genocide, committed by members of the VRS [Army of Republika Srpska] in and around Srebrenica from about 13 July 1995” (para. 297).

The Srebrenica genocide has become a symbol of the international community’s impotence to intervene and protect the civilian population. The United Nations, by its own admission, bears part of the responsibility for the crimes committed at Srebrenica. The Secretary-General’s 1999 report on Srebrenica unequivocally states: “Through error, misjudgment and an inability to recognize the scope of the evil confronting us, we failed to do our part to help save the people of Srebrenica from the Serb campaign of mass murder. ... Srebrenica crystallized a truth understood only too late by the United Nations and the world at large: that Bosnia was as much a moral cause as a military conflict. The tragedy of Srebrenica will haunt our history forever.” (A/54/549, para. 503)

It is therefore only appropriate to begin this statement by paying sincere and heartfelt tribute to the more than 8,000 boys and men killed in what has been declared the worst atrocity committed in Europe since the Second World War. Our heart goes to their families along with sincere hope that all of them will find the remains of their loved ones and that all those responsible for the genocide in Srebrenica will be brought to justice.

The issue of protection of civilians in armed conflict is one to which Bosnia and Herzegovina attaches great importance. We express our commitment to work jointly with others to implement the study recommendations, in consultations with all relevant actors. Last year we marked 10 years of the Security Council’s activities regarding the protection of civilians in armed conflict, and we can freely say that much has been achieved.

Nevertheless, unfortunately, civilians are still and too often targets of armed attacks and atrocities as well as victims of human rights abuses, in particular rape and sexual violence. Hence we are of the view that even stronger efforts should be made in the future to ensure more effective protection of civilians in armed conflict.

To that end, **Bosnia and Herzegovina urges Member States to work on full implementation of resolutions 1325 (2000), 1674 (2006), 1820 (2008), 1882 (2009), 1888 (2009), 1889 (2009) and 1894 (2009)**, which give peacekeeping missions and all other relevant actors the mandate to take effective measures to protect civilians in armed conflict. We also request all parties to armed conflicts to fully comply with their obligations under international humanitarian law concerning the protection of civilians in armed conflict.

In that context, Bosnia and Herzegovina underlines the need to combat impunity for perpetrators of violence against civilians. The Security Council should take every opportunity to send a message that crimes committed against civilians are unacceptable and that all perpetrators of grave violations of human rights and international humanitarian law will be brought to justice.

Bosnia and Herzegovina is deeply concerned about the issue of unsafe and too-often impeded humanitarian access to populations affected by conflict. As a result of this phenomenon, millions of vulnerable people, particularly internally displaced persons and refugees, are deprived of assistance and protection. We are also troubled by attacks against humanitarian workers, which must be strongly condemned. We call for strengthened action in this area and point out the importance of broadening understanding and acceptance of independent, neutral and impartial humanitarian actions.

We point out that peacekeeping operations continue to make significant contributions to the safety and security of civilians. The Security Council expert group on the protection of civilians and aide-memoire on the protection of civilians (see S/PRST/2009/1, annex) have further contributed to systematic and consistent attention to the issue in their mandates. However, the challenge remains of determining how, on the one hand, to maximize the impact by addressing gaps between mandates, interpretations and implementation capacity, and, on the other, how to improve the tools which already exist.

Bosnia and Herzegovina would like to take this opportunity to urge the Secretariat to work towards developing a strategic framework and to recognize the importance of improving planning processes and developing training modules by using a best practices guide of measures taken by current peacekeeping operations to protect civilians. We also stress the need to launch a website of the Policy, Evaluation and Training Division of the Department of Peacekeeping Operations in order to enhance global peacekeeping capacity by providing the peacekeeping community with timely access to relevant training standards, materials and tools, as well as relevant guidance documents. **In addition, increasing the number of female peacekeepers and trained civilian personnel will largely contribute to adapting strategies and concrete methods to properly address sexual and gender-based violence.**

Before concluding, and in regard to current United Nations peacekeeping missions, I would like to reiterate Bosnia and Herzegovina's grave concern about the consequences which the premature withdrawal of the United Nations Mission in the Central African Republic and Chad could have on the protection and security of civilians, access to humanitarian assistance for refugees and internally displaced persons, and security sector reform efforts. For that reason, we would like to see the United Nations presence remain in Chad until clear signs of stable humanitarian and security situations on the ground are reported and the transfer of responsibility for the protection of civilians to the Chadian authorities has been carried out effectively. Assessment of the progress in implementing standards with regard to the protection of civilians would be useful in the evaluation of further engagement of the United Nations in Chad.

In conclusion, on the basis of our tragic experience, I would like to underline that Bosnia and Herzegovina attaches the utmost importance to the protection of civilians in armed conflict. We consider that the Security Council, Member States and the United Nations must do everything to ensure full respect for the principles of international humanitarian law, human rights law and refugee law, as well as other relevant principles related to the protection of civilians in armed conflict. The mistakes made in Bosnia and Herzegovina and Rwanda should serve as constant reminders that we must give top priority to the protection of civilians and do our utmost to never allow a repeat of Srebrenica.