

**Security Council Open Debate on Protection of civilians in armed conflict, February 12<sup>th</sup> 2013, Security Council Chamber**

*Statement by Mr. Quinlan, Permanent Mission of Australia to the United Nations.*

I thank you, Mr. President, for the Republic of Korea's leadership in convening this debate today and for Foreign Minister Kim Sung-hwan's presence with us today as well. I also welcome the participation of the Foreign Ministers of Azerbaijan and Rwanda, as well as the Foreign Minister of Brazil and the Secretary-General of the Organization of Islamic Cooperation. I also thank the Secretary-General, of course, for his consistent leadership on protection in all its dimensions and the United Nations High Commissioner for Human Rights, Ms. Navanethem Pillay, and the Director for International Law and Cooperation of the International Committee of the Red Cross, Mr. Philip Spoerri, for their indefatigable and irreplaceable efforts.

As a member of the Group of Friends of the Protection of Civilians, Australia associates itself with the statement to be delivered later today by the representative of Switzerland on behalf of the Group.

As the Secretary-General has said, the situation with regard to the protection of civilians is, and I use his word, "abysmal". The situation of the most vulnerable — women and children — violates our humanity. There is what should be seen as an irresistible case for the Council and the United Nations system to focus sharply on strengthening efforts to meet the five core challenges that the Secretary-General has identified in his latest report (S/2012/376). My country supports the report's analysis and recommendations, and we will work assiduously with others on the Council, Member States generally, troop- and police-contributing countries and humanitarian actors to take forward those recommendations as a priority.

In shouldering the responsibilities for the maintenance of international peace and security, the Council must do all it can to prevent and respond to threats of violence against civilians, particularly the most vulnerable, namely, women and children. Protection is not just at the core of the Council's responsibility, it should also be, it must be, the Council's moral compass. More than any other issue, we will be judged by our actions and by our failures to act in response to protection challenges. We are already judged by our failure in Syria, and we are failing in Southern Kordofan and Blue Nile.

So what should we do? I will mention five areas. First, we should bring humanitarian access to the fore and do all we can to ensure compliance with international humanitarian law. Around the world, tens of millions of civilians continue to suffer every day. Although international humanitarian law requires parties to conflict to respect and protect humanitarian personnel whose work is vital to help those victims, we know that those obligations are not being implemented. We have to do better.

Australia is particularly concerned about ongoing attacks against medical workers and facilities, notably today in Syria. More than half of all hospitals there have been damaged or destroyed, and a third of the medical services are not operating. We strongly support the call by the Secretary-General and today's draft presidential statement for the immediate cessation of attacks against medical personnel and facilities. Their deliberate targeting is not only morally abhorrent, it is an unquestioned violation of international humanitarian law, and my country will continue to work with others to improve the protection of medical personnel and facilities and access to them in Syria. Equally, our draft presidential statement necessarily highlights the imperatives to protect schools, teachers and journalists.

Secondly, we should confront the challenge of unregulated small arms and the indiscriminate use of weapons. All too often, as we know, we see explosive weapons being used in densely populated areas. Again, Syria is a particularly egregious example. Parties to conflict must abide by international

law, and we support the Secretary-General's recommendation and further action on those issues.

Similarly, some 2,000 people, mostly civilians, many women and children, are killed every day as a result of the illicit and irresponsible trade in weapons. We can fix that. We have a historical opportunity with the negotiations in March to achieve a legally binding arms trade treaty. We must not fail in that opportunity.

Thirdly, we should enforce the protection of civilians mandates within peacekeeping missions. The Council must lead the way in ensuring that peacekeepers are able to protect civilians. We should be pressing for mission-wide protection strategies, including strategies on early warning and prevention. We have seen such mechanisms in place in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, for example, through the work of provincial senior management groups on protection, which plan the deployment of joint protection teams and provide an essential link with local communities, who, we know, are often best placed to anticipate and communicate protection risks. We must continue to encourage improvements in and sharing of best practices.

Peacekeepers in vastly different peacekeeping operations confront very different obstacles. The threat of conflict-related sexual violence in the Kivus requires a very different response from the response to gang activities in Port-au-Prince or to cattle raiding in Jonglei. The development of mission-specific training is therefore a further crucial step, and we must maintain our focus on operationalizing effective guidance and training materials.

Fourthly, we should foster accountability. Accountability is first and foremost a national responsibility, but the Council has a critical role to play in ensuring accountability. It must exercise its authority, for instance, through referrals to the International Criminal Court and necessary follow-up, and through other mechanisms, including commissions of inquiry and fact-finding missions. And it should, where it needs to, mandate peacekeeping missions to help implement its decisions on accountability.

While the responsibility to protect is a different principle from broader efforts to protect civilians, Australia firmly supports the Council's efforts to uphold it. All our leaders have pledged to support the responsibility to protect, and we welcome the Council's acknowledgement of this commitment in the draft presidential statement to be adopted today.

Fifthly and finally, we believe that we should reform the Council's working methods on the protection of civilians. The time has come to work together on a more regular and formalized mechanism of input to the Council that brings together analysis and trends across the whole protection of civilians agenda. We also believe that an annual report of the Secretary-General is needed.

In conclusion, I should like to commend the personnel involved in peacekeeping and political missions, as well as other humanitarian actors and civil society groups, for their enormous service. They are the front line of protection, and they are all too often inadequately resourced for the challenges they face. The Council must not fail them. We should do all we can to better enable them to perform their essential roles.