

**Security Council Open Debate on Protection of Civilians in Armed Conflict, August 19th, 2013,
Security Council Chamber**

Statement by Mr. Gálvez Permanent Mission of Chile to the United Nations.

I have the honour to speak on behalf of the members of the Human Security Network, namely, Austria, Costa Rica, Greece, Ireland, Jordan, Mali, Norway, Panama, Slovenia, Switzerland, Thailand, my own country, Chile, and on behalf of South Africa, as an observer.

First, I would like to thank the Argentine presidency for having convened this meeting on the protection of civilians in armed conflict, with a focus on humanitarian issues. The Human Security Network was created in the context of the Ottawa Convention prohibiting landmines, and the protection of civilians in conflict has always been central to our concerns. We cannot overemphasize the importance of discussions such as today's, on how best to ensure the security and dignity of civilians affected by armed conflict.

In that respect, I would also like to thank the Secretary-General for his presentation, as well as the High Commissioner for Human Rights, Ms. Pillay, for her contribution to the debate on this challenging issue. We also believe that the statement made by the representative of the International Committee of the Red Cross is of particular relevance, as it highlighted, inter alia, one of the key elements of the issue, namely, the implementation of international humanitarian law.

Despite the unrelenting efforts of the international community, civilians continue to account for the majority of casualties in armed conflicts. Their situation becomes even more precarious when they are deliberately targeted or indiscriminately attacked or when they are viewed as a strategic asset in a conflict.

The Human Security Network remains concerned by the difficulties faced in taking action to ensure the protection of civilians in Syria. The current debate provides an opportunity to consider the most pressing aspects of the issue. These include, first, compliance by the parties to the conflict with international humanitarian and human rights law, in order to guarantee the protection of civilians and, among them, the most vulnerable groups, including women and children; secondly, to ensure the full implementation of protection mandates by peacekeeping and other relevant missions; and, thirdly, to explore ways to bolster accountability for violations of international humanitarian and human rights law. In that regard, the Human Security Network welcomes the briefing by the Independent International Commission of Inquiry to the General Assembly given last July.

It is true that a lack of accountability and justice incites perpetrators to continue their heinous acts. As the most recent report of the Secretary-General (S/2012/376) underscored, the role of the Security Council is crucial in encouraging and assisting States in their efforts to combat impunity and reinforce accountability; however, it is States themselves that bear the primary responsibility to ensure and respect the human rights of individuals within their territory and to protect their populations from mass atrocities.

Against that backdrop, we stress the importance of commissions of inquiry and fact-finding missions, which can substantiate alleged violations, thus opening the way for a possible referral to the International Criminal Court.

Although instances of failure to protect civilians rightfully receive widespread publicity, it is important to recognize that tens of thousands of United Nations peacekeepers risk their lives every day in order to protect civilians. In that respect, the mandates of peacekeeping and other relevant missions are an element that is pivotal to the issue of the protection of civilians in armed conflict and therefore need to be strengthened and effectively implemented.

The addition of broader objectives to missions' mandates must be accompanied by a proportionate increase in resources. The strengthening of mandates will improve monitoring and prevention as well

as the capacity for a targeted and coordinated response when incidents do occur. We also recognize the protection role of other humanitarian actors, including the International Committee of the Red Cross and non-governmental organizations.

The full and unimpeded access of humanitarian assistance continues to be a sine qua non for the relief of affected populations, including in particular the most vulnerable groups, such as women and children. In that regard, we unequivocally condemn sexual and gender-based violence, including the use of sexual violence as a military tactic. Moreover, the effective protection of civilians requires that health-care facilities, schools, teaching staff, transport, humanitarian personnel and people seeking medical treatment be unconditionally spared from attacks and acts of displacement. We should always keep in mind that one of the most disastrous impacts of conflict is on refugees and internally displaced persons; we therefore need to tackle that challenge by taking measures that facilitate voluntary return, repatriation and reintegration.

Let me also stress Network members' strong concern over the use, in populated areas, of explosive weapons that cause severe harm to individuals and communities. Such weapons are indiscriminate within their zones of detonation and therefore pose unacceptable risks to civilians. We call on all relevant actors to refrain from using such weapons in densely populated areas. We believe that more systematic data collection would be important in that respect.

Last but not least, we would like to reiterate our concern about the safety of journalists in conflict situations. Unfortunately, and despite a clear normative framework and repeated calls on the part of the international community to put an end to such attacks, media professionals, too, continue to become civilian casualties while attempting to report and brief us on the realities on the ground. According to the International News Safety Institute, no less than 43 journalists and news workers have died this year trying to cover situations of armed conflict and civil unrest. We welcome the open debate on the protection of civilians and the protection of journalists held under the American presidency of the Council on 17 July (see S/PV.7003), and we urge the Security Council to consider the situation of journalists in armed conflict in a more proactive and systematic way in the context of country-specific discussions and to further promote the implementation of resolution 1738 (2006).

We support the continued consideration of the issue of the protection of civilians on a biannual basis, with the appropriate inputs, including from the Secretary-General, the Office of the High Commissioner for Human Rights and the Emergency Relief Coordinator.