

Security Council
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Secretary-General Describes Appalling Catalogue of Violence Inflicted on Civilians in Conflict, Says ‘We Must Do More to Save Innocent Lives,’ in Security Council

Day-Long Debate on Civilian Protection Hears from UN Relief Coordinator, Top Human Rights Official, International Committee of Red Cross, Some 45 Member States

Around the world — especially in the Middle East, Central Asia and North Africa — the Security Council must use the tools at its disposal to protect unarmed civilians, who were often caught in the crossfire or targeted in places that rightly should be sanctuaries, including hospitals, schools and places of worship, United Nations Secretary-General Ban Ki-moon said today, as he launched an open debate on the protection of civilians in armed conflict.

“Too many people are dying in too many places,” he said in opening remarks.

More and more, the world had seen an “appalling” catalogue of sexual violence, forced disappearances, torture and other acts that violated international humanitarian and human rights law. Across the geography of conflict — in Afghanistan, Somalia, the Democratic Republic of the Congo, Syria and both Sudan and South Sudan — “we simply must do more”, he said. “We must do more to protect women and children, in particular. More to protect journalists. More to save innocent lives.”

Changing the calculus, he said, required that parties to conflict better comply with international humanitarian and human rights law. There was also an urgent need for more systematic engagement with non-State armed groups. Peacekeeping missions mandated to protect civilians must have the resources and forces to do the job. Further, unhindered humanitarian access must be secured to help those in need. When States failed to take the steps necessary to protect civilians, the Council must exercise strong leadership in guiding the international response.

“Meeting these challenges requires political will”, he said, both for the parties involved and for the Council to use the tools at its disposal, including arms embargoes, targeted sanctions and referral of situations to the International Criminal Court. Beyond that, it must consider new approaches to prevent and respond to international humanitarian and human rights law violations, and ensure that the protection of civilians received the attention it demanded.

Briefing the Council, Valerie Amos, Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, said that poorly regulated arms trade and widespread availability of weapons fuelled many of the violations seen in armed conflict. In particular, action was needed to address the use in populated areas of explosive weapons with wide-area effect, the humanitarian impact of which was clear in parts of Syria. The Council also must be more proactive in calling on all parties — in Syria and elsewhere — to stop using explosive weapons in populated areas. In addition, the systematic recording of civilian casualties could help confirm the causes of harm to civilians, and actions needed to end it.

Ivan Šimonović, Assistant Secretary-General for Human Rights, delivering a statement on behalf of Navanethem Pillay, High Commissioner for Human Rights, stressed that human rights monitoring was essential to safeguarding civilians. He urged the Council to include protection and accountability provisions in its resolutions. Where missions received protection mandates, they should be given the personnel and materiel resources — such as helicopters — to carry them out. Human rights training should be provided to all peacekeepers and, more broadly, use of new technologies, such as satellite imagery, should be considered.

Philip Spoerri, Director for International Law and Cooperation at the International Committee of the Red Cross (ICRC), said civilians in many parts of the world were bearing the brunt of hostilities, and he urged the Council to take practical measures to counter a wide range of threats to health care, adopt a strong Arms Trade Treaty and commit to strengthening legal protection for the victims of armed conflict. Resolute action in those three areas would go a long way towards ensuring better protection of civilians everywhere.

When the floor was opened for debate, representatives from some 45 countries voiced concern at situations in Syria, South Sudan, Sudan, Afghanistan, Yemen, Democratic Republic of the Congo, Somalia and elsewhere, where civilians — especially women and children — had been caught in various forms of extreme violence, prompting grave humanitarian crises and huge population displacements.

Speakers stressed the State's primary responsibility to protect civilians, underscoring that respect for the humanitarian principles of distinction, between combatants and civilians, and proportionality — which forbids attack on a military target if harm to civilians or civilian property is excessive — was crucial, as adherence could decrease the number of displaced persons. Non-compliance by one party to a conflict did not justify non-compliance by the other.

Where national authorities failed to take steps to ensure accountability, the Council could play a more proactive role. Many speakers urged the Council to make use of the full range of justice and accountability mechanisms, including referrals to the International Criminal Court. Some, including the representative of the European Union, saw merit in the increased use of commissions of inquiry and fact-finding missions. Missions also must be properly resourced to prepare peacekeepers for civilian protection duties.

Still others, including Colombia's delegate said concern for enhancing compliance by non-State armed actors with international law was valid, but he did not agree with the Secretary-General's "sweeping" proposition of more systematic engagement with such groups. Any dialogue between the Organization and illegal armed groups categorized as "terrorist" organizations could be held only with Colombia's explicit consent. Turkey's delegate echoed that sentiment, cautioning against extending any sense of legitimacy to terrorist groups, which often sought to exploit humanitarian approaches to gain international acceptance and recognition.

Also speaking today was the Foreign Affairs Minister of Guatemala, as well as representatives from the United Kingdom, Togo, Portugal, Pakistan, France, Azerbaijan, Morocco, Russian Federation, Germany, India, United States, South Africa, China, Liechtenstein, Switzerland, Egypt, Australia, Israel, Finland (also on behalf of Denmark, Iceland, Norway and Sweden), Japan, Argentina, Brazil, Greece, Luxembourg, Jordan, Estonia, Mexico, Austria, Canada, Sri Lanka, Uruguay, Venezuela, Indonesia, Republic of Korea, Bangladesh, Chile, Philippines, Iran, Libya, Armenia and Syria.

The meeting began at 10:05 a.m. and adjourned at 6:35 p.m.

Background

The Security Council had before it today the Secretary-General's report on the protection of civilians in armed conflict (document [S/2012/376](#)), his ninth such report. It states that 18 months after the Council had expressed its deep regret that civilians accounted for the vast majority of casualties in armed conflict, the "abysmal" state of civilian protection had changed little. The need to strengthen efforts to meet the five core challenges elaborated in the Secretary-General's 2009 and 2010 reports remained urgent.

The present report outlines progress made in responding to the core challenges of: enhancing compliance by parties to conflict with international law; enhancing compliance by non-State armed groups; enhancing protection by United Nations peacekeeping and other relevant missions; improving humanitarian access; and enhancing accountability for violations. It takes stock of "encouraging" developments, as well as ongoing or emerging concerns affecting civilians in contemporary conflicts. It also makes

recommendations for responding to the core challenges and, thus, should be read in conjunction with the 2009 and 2010 reports.

Remarks by the Secretary-General

Launching the open debate, United Nations Secretary-General BAN KI-MOON said the thrust of his ninth report on the protection of civilians in armed conflict was clear: “too many people were dying in too many places”. They were innocent victims of attacks on their communities and often places that rightly should be sanctuaries: hospitals, schools and places of worship. “More and more, we are witness to an appalling catalogue of sexual violence, forced disappearances, torture” and other acts that violated international humanitarian and human rights law, he said.

Detailing recent developments, he said, last year in Afghanistan, there was a rise in civilian deaths, with anti-Government forces responsible for more than 75 per cent of those killings. In Somalia, Al-Shabaab attacks had taken place most frequently against civilians, while clashes between Sudan, South Sudan and their proxies had caused many deaths. Other such events had been registered in the Democratic Republic of the Congo and Côte d’Ivoire. In Syria, United Nations observers had risked their lives to report on what they had seen: armed assaults on civilians, execution-style killings and opposition forces firing from inside hospitals.

“We simply must do more,” he said. “We must do more to protect women and children, in particular. More to protect journalists. More to save innocent lives.”

The Council had made progress in the last year and a half, he said, with the “power of unity” seen in the halting of violence and upholding of democracy in Côte d’Ivoire. In Libya, international forces had intervened to prevent a civilian threat in the east. The Council had also shown more willingness to use targeted sanctions against those who had violated international humanitarian and human rights law. Landmark verdicts against Charles Taylor and Thomas Lubanga marked important steps for international justice and accountability.

He said peacekeeping missions had made advances as well, addressing threats through political efforts to prevent violence and resolve conflict, offering physical protection and building a broader protective environment for civilians. There also were new tools to improve efforts to carry out protection mandates, including guidance on strategic planning and training.

His report highlighted five core challenges, he said, stressing that parties to conflict must do more to comply with international humanitarian and human rights law. Some violations demanded particular scrutiny: the growing use of explosive weapons in populated areas and attacks against health-care services, among them.

There was an urgent need for a more systematic engagement with non-State armed groups, he said. That did not presume recognition — but it did require understanding, on the part of those groups, of the responsibilities and consequences of violating international humanitarian and human rights laws. Missions must have the resources and forces to protect civilians when mandated to do so. Their work must be accompanied by political efforts to secure lasting peace, and assistance to build State institutions. Further, “we need to do more — much more — to ensure safe, timely and unhindered humanitarian access”. Finally, when national authorities failed to take steps to protect civilian or bring the perpetrators of war crimes and gross human rights violations to justice, he urged the Council to exercise strong leadership in guiding the international response.

“Meeting these challenges requires political will”, he said, the will of the parties to refrain from using explosive weapons in populated areas, to allow engagement with armed groups and open access to those in need of assistance, and to hold accountable those who perpetrated violations. It also implied the will, on the Council’s part, to deliver on its commitment to civilian protection by consistently using the tools at its disposal, including the imposition of arms embargoes, targeted sanctions and referral of

situations to the International Criminal Court. The Council also must consider new approaches to prevent and respond to international humanitarian and human rights law violations and ensure that the protection of civilians received the attention it demanded.

Briefings

VALERIE AMOS, Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, said that, in Syria in recent weeks, an “alarming intensification” in violence had been seen. The ongoing use of artillery and tanks by Syrian forces in populated areas was of the utmost concern. Reports of summary executions of civilians, as well as torture and other forms of ill-treatment by Syrian security forces and militia, including against children, were also of grave concern. Schools had been raided, and used as military bases and detention centres.

Similarly, in the Democratic Republic of the Congo, intensified military operations in North Kivu between the Congolese Armed Forces and the March 23 Movement (M23) had displaced over 220,000 people since early April and, in Sudan, continued fighting between the Sudanese Armed Forces and the Sudanese People’s Liberation Movement-North, including aerial bombardment of civilian areas by the Sudanese Armed Forces, had resulted in a sharp increase in the number of refugees fleeing to South Sudan. In Yemen, a Government offensive to regain control of cities in the Abyan Governorate had resulted in civilian deaths and injuries. Fighting in Northern Mali had forced more than 174,000 people to flee the country and an additional 170,000 were internally displaced. Insecurity in the North had severely restricted humanitarian access and forced a number of humanitarian organizations to cease operations. In Afghanistan, the number of internally displaced people continued to grow, with more than 87,000 Afghans displaced in the first four months of 2012. As of April, there were an estimated 408,000 internally displaced persons in the country. “Lastly, I am concerned by the renewed violence this month in the west of Côte d’Ivoire and between Israel and militant groups in the Occupied Palestinian Territory,” she added.

“The poorly regulated trade in arms and corresponding widespread availability and misuse of weapons fuels and facilitates many of the violations that we see in armed conflict,” she went on. Next month’s United Nations Conference on the Armed Trade Treaty provided an opportunity to address the humanitarian impact of the poorly regulated trade in arms. Action was also needed to address the use in populated areas of explosive weapons with wide-area effect, the humanitarian impact of which was clear in parts of Syria. More than 21,000 civilians were killed or injured by explosive weapons in 2011 and 87 per cent of those deaths and injuries occurred in populated areas, including markets, schools, places of worship and homes.

Ms. Amos called on the Council to be more proactive and systematic in calling on all parties, in Syria and elsewhere, to refrain from using explosive weapons in populated areas. There was also need for systematic recording of civilian casualties, she said. Such recording, combined with regular reporting, could confirm the causes of harm to civilians and actions needed to end such harm, including by the Council.

“In most, if not all, of the situations mentioned, serious violations of international humanitarian law and human rights law are being committed,” she went on. The perpetrators of such acts must be held accountable, either domestically or internationally. The Security Council and Member States had a responsibility to ensure that that happened.

Delivering a statement on behalf of Navanethem Pillay, High Commissioner for Human Rights, IVAN ŠIMONOVIĆ, Assistant Secretary-General for Human Rights, discussed various country situations to illustrate the ways in which the protection of civilians could be strengthened. Turning first to Syria, he said that, despite efforts to restore calm, the situation continued to deteriorate and the Government was obliged to ensure that civilians were adequately protected. Its use of heavy weapons and indiscriminate shelling of civilian areas could not be justified and must cease immediately. Those attacks might amount to crimes against humanity and other international crimes. Both Government and opposition forces had been involved in attacks that had harmed civilians.

In that context, he reiterated his call for the Council to refer the Syria case to the International Criminal Court, which would remind actors that they would be held to accountable for their failure to abide by international humanitarian and human rights law. The international community must act in unison to prevent more violations. Actions that directly contributed to escalating violence, such as providing arms, could only result in more civilian deaths and injuries.

He said that commissions of inquiry were important mechanisms for promoting accountability for serious violations of international humanitarian and human rights law, when national authorities failed to take the necessary action. He welcomed the Security Council's practice of referring to the findings of those commissions established by other bodies, saying it could play an important role in enhancing the impact of those commissions by requesting States and others to cooperate with them. Justice and protection of victims could be advanced by supporting the implementation of their recommendations and considering follow-up actions aimed at ensuring accountability.

Turning to measures taken to protect civilians in situations where more robust international action had been mandated, he said that in Afghanistan a civilian casualty mitigation mechanism by the International Security Assistance Force (ISAF) was being used to track incidents in which international forces had been responsible for civilian deaths and injuries. Such mechanisms could be an effective means to document incidents that resulted in civilian casualties, to launch investigations, and to provide remedies to victims. His Office had advocated similar mechanisms be used within the Afghan military forces to increase accountability in the transition to full Afghan control of security. That would allow for timely investigations in civilian incidents.

Enhancing accountability also required strong a sustained commitment from the United Nations, he said, adding that the Human Rights Due Diligence policy on United Nations support to non-United Nations security forces was an example of the Organization taking its responsibility seriously. In the Democratic Republic of the Congo, the implementation of that policy had led to improvements in the Forces Armées de la République Démocratique du Congo (FARDC) troops. The United Nations Joint Human Rights Office supported the implementation of that policy through a "profiling project", to identify and profile people in security services allegedly responsible for violations of international humanitarian and human rights law.

In South Sudan, he said the mission today had released a report on armed attacks on the Lou Nuer and Murle communities, which had taken place in Jonglei State in December 2011 and January 2012. The report noted brutal killings and abductions, and called for both full accountability and the strengthening of the justice system. He voiced concern at the protection risks associated with forced disarmament, saying that the United Nations Mission in South Sudan (UNMISS) had persuaded the Government to embark upon a voluntary disarmament exercise conducted with cooperation from community leaders. Integrated monitoring teams had undertaken more than 60 missions to areas where disarmament was taking place to monitor disarmament by South Sudanese forces.

He joined the call for the adoption of a global arms trade treaty, saying it was key to strengthening civilian protection. Highlighting another country situation, he said Israel's illegal blockade of Gaza had severely restricted civilian rights to food, health care and education. Protecting civilians in that area required lifting the blockade and that all sides distinguished between combatants and civilians. He was seriously concerned at the deaths resulting from counter-terrorism activities in Yemen, Pakistan and Somalia, as well as the lack of transparency around the circumstances in which armed drones were used.

In sum, he said human rights monitoring was essential to safeguarding civilians and he urged the Council to include protection and accountability provisions into its resolutions. Where missions received protection mandates, they should be given the personnel and materiel resources to carry out their mandates, including helicopters and armoured personnel carriers. Human rights training should be provided to all peacekeepers. The United Nations should also consider making use of new technologies, such as satellite imagery.

PHILIP SPOERRI, Director for International Law and Cooperation at the International Committee of the Red Cross (ICRC), highlighted three issues of great concern to his organization: first, threats affecting the security and delivery of health care; second, the availability and use of arms; and third, the lack of compliance with international humanitarian law. The need to improve respect for international humanitarian law, and to ensure accountability for violations, lay at the heart of all those issues confronting the ICRC in its daily work worldwide. “The terrible human suffering caused by these issues can — and must — be reduced,” he said.

Violence against health-care workers, facilities and beneficiaries was one of the most serious, yet neglected humanitarian concerns today, he said. It impeded access to, and the delivery of, health care in many countries, including Pakistan, where the kidnapping and murder of an ICRC health manager earlier this year had deprived thousands of wounded patients of adequate treatment; Somalia, where hospitals had been shelled; Libya and Syria, where ambulances had been shot; and Afghanistan, where wounded people might languish for hours in vehicles held up at checkpoints. In sum, blatant disrespect for the neutral status of health facilities, transport and personnel was all too common. The study conducted by the ICRC in 16 countries, which was published at the end of last year, showed that while the number of recorded incidents was striking, these represented only the tip of the iceberg. A single violent incident against health-care infrastructure or workers could have immeasurable longer-term repercussions on entire communities with war-related or chronic health problems.

The ICRC and some 50 national Red Cross and Red Crescent organizations subsequently raised the issue at the Thirty-First International Conference of the Red Cross and Red Crescent in Geneva in November-December 2011, he noted. This had seen the adoption of a far-reaching resolution on “Health Care in Danger,” demanding an effective response from States, national societies and the health-care community at large. The resolution called for the ICRC to initiate consultations with all major stakeholders in order to identify and agree on concrete measures for making the delivery of health care safer in armed conflicts and other emergencies worldwide. Such consultations were under way — aimed not at creating new international instruments or legal frameworks, but rather at producing practical recommendations and measures to be implemented at the national level.

The second issue he wanted to highlight was that many threats to the security and delivery of health care in fact stemmed from the widespread availability and use of weapons, he said. Each year, hundreds of thousands of civilians paid a devastating price for the rampant availability and misuse of conventional weapons. Civilians remained at risk of being injured, killed or displaced by violence involving weapons, even long after an armed conflict had ended. That was partly a consequence of the poorly regulated international trade in conventional arms. In most situations in which it worked, the ICRC was confronted with the consequences of inadequate control over transfers of conventional weapons and that was why the ICRC strongly supported the adoption of a global arms trade treaty.

The prevailing lack of compliance with international humanitarian law was the third issue, he noted. As set out in the Secretary-General’s report, weak compliance with international humanitarian law and lack of accountability for violations seriously impacted the protection of civilians.

Fortunately, some positive developments had been observed, he added. At the national level, there had been many measures to improve compliance and accountability, such as legislation, training public officials (including security forces) and strengthening local judicial capacities. In parallel, key decisions of the international criminal tribunals had constituted major steps in the effort to ensure accountability.

Civilians in many parts of the world were bearing the brunt of hostilities, he said, urging the States in the Council to take practical measures to counter a wide range of threats to health care, to adopt a strong arms trade treaty and to commit to strengthening legal protection for the victims of armed conflict. Resolute action in those three areas would go a long way towards ensuring better protection of civilians everywhere.

Statements

HAROLD CABALLEROS, Minister for Foreign Affairs of Guatemala, said that, starting in 1999, the Security Council had made a qualitative leap in adding tangible and specific actions aimed at protecting innocent civilians from armed conflicts to its generic mandate to preserve peace and security at the international level. In the not-too-distant past, peacekeepers participating in stabilization or peacekeeping missions were obliged to be passive witnesses of grave violations inflicted on civilian populations by parties to conflict, without being able to intervene. Today, an increasing number of Security Council resolutions creating peacekeeping operations contained explicit mandates on the protection of civilians.

“We cannot tolerate the images of the dead, the wounded, the crippled, the mutilated, the tortured, those stripped of their belongings and those displaced; often victims of high-powered explosives, mines or frontal attacks,” he went on. Those barbarous acts occurred every day in distinct geographical points of the planet. That fact, in addition to being a blemish on humanity, reflected grave fault on the part of sovereign States that failed to comply with one of their primary obligations, which was to protect their citizens. That was why his country participated actively, through its troops, in peacekeeping operations with strong mandates on the protection of civilians, such as in the Democratic Republic of Congo.

Now that Guatemala had adhered to the Rome Statute, it would be even more forceful on the question of accountability for Government officials or non-State armed groups with regard to those conflict situations that flagrantly violated relevant international law and humanitarian law by deliberately attacking civilian populations, he said. Guatemala also aligned itself with the Secretary-General’s report, in which it proposes that humanitarian assistance should not be politicized. It had made no secret of its support for the norm of the responsibility to protect, which overlapped and had some common aspects with the protection of civilians. The debate that persisted around the so-called “pillar three” of the right to protect should not contaminate the broader concept of protection of civilians rooted in humanitarian law.

He viewed favourably the utilization of training modules developed by the Department of Peacekeeping Operations and Department of Field Services for the protection of civilians and the fact that they were being offered to military and police personnel assigned to missions with a mandate to protect civilians. That approach would give a renewed impetus in the future to achievements by the United Nations in the area of protection of civilians in conflict situations.

MARK LYALL GRANT (United Kingdom) said that ensuring the necessary degree of compliance with international human rights law and international humanitarian law was essentially a matter of political will. The international community must play its part in helping States to ensure such compliance. Humanitarian access was fundamental to the protection of civilians and impeding such access was a violation of international human rights law and humanitarian law. The Syrian regime had shamefully failed in its responsibility to protect Syrian civilians. The regime had killed around 15,000 Syrian civilians.

Combating impunity was critical to the protection of civilians, he went on. The United Kingdom welcomed the recent convictions by the International Criminal Court. Those verdicts were examples of how the international community would continue to challenge impunity. Security Council members should publicly welcome those decisions.

He added that the security vacuum in eastern Democratic Republic of the Congo had allowed armed groups to operate in the area. The United Kingdom encouraged all neighbouring States to play supportive roles in that area. On Yemen, he welcomed the progress made by the President to move forward with transition, but said that that progress must come with equal determination to protect civilians. Mr. Lyall Grant announced the United Kingdom’s strong support for the importance of moving rapidly to conclude negotiations on an arms trade treaty.

NÉSTOR OSORIO (Colombia) said the report drew attention to the need to comply with international humanitarian law to reduce the impact of armed conflict on civilians, which was particularly

important for his country, as it had to defend its institutions from attack by illegal armed groups that employed war strategies that breached such law. International law should be respected by all parties to a conflict. He agreed that protection should be enhanced by United Nations peacekeeping, that humanitarian access must be improved, and that accountability must be enhanced. Colombia had serious reservations about the report's proposal that compliance by non-State armed groups depended on the existence of direct contacts between non-State armed groups and the United Nations.

One-size-fits-all solutions could not be easily applied, he said. On actions directed to non-State armed actors, the report's suggestions collided with Colombia's policies on the question of eventual peace negotiations. Concern for enhancing compliance by non-State armed actors with international humanitarian law was valid, but this concern had been amply covered by the first core challenge: enhancing compliance by parties to conflict with international law. Colombia could not agree with the report's "sweeping" proposition of more systematic engagement with such groups. Any dialogue between the United Nations and illegal armed groups categorized as "terrorist" organizations could be held only with Colombia's explicit consent. The Government was willing to initiate peace talks with armed groups at any moment, provided that they cease attacks against civilians, kidnapping and sexual violence. On humanitarian access, Colombia agreed that the alternatives required to get to people in need — such as the temporary cessation of hostilities — must be tailored to the particular circumstance.

KOKOU NAYO M'BEOU (Togo) said accidental violence against civilians was a grave concern for the Council. Supporting the Secretary-General's five core challenges to be addressed, he said it was still difficult for those principles to be applied. The report noted that all parties had violated international humanitarian law. In Africa, the situation in east Democratic Republic of the Congo, Somalia, Sudan and South Sudan, and in areas where the Lord's Resistance Army (LRA) held sway, highlighted the atrocities afflicted on civilians. That violence had been reflected by attacks against schools and hospitals, sexual violence, and attacks against human rights defenders, which were reprehensible and should be sanctioned pursuant to the relevant international legal texts. Not enough was being done on either side to avoid such violations. The result had been an inability to hold perpetrators accountable and a lack of political will to bring them to justice.

"The situation needs to change," he said. "Mentalities need to change. The law has to be enforced." A disrespect for the principle of proportionality, and the principle of non-use of explosive devices in populated areas explained such violence. In Syria, civilians had been caught in the crossfire, which was unacceptable and must be condemned by everyone. Civilian protection must be an over-riding commitment at the political and legal levels. For its part, the Council should continue to pressure Governments and non-State armed groups to respect physical integrity in deciding to apply targeted sanctions against perpetrators. The arrest of people accused of such acts required cooperation by all countries. He was pleased the Secretary-General's recommendations had urged respect for international humanitarian law by United Nations peacekeeping operations. Under no circumstances should the perpetrators of crimes against civilians find sanctuary in any Member State. The head of the LRA must be arrested and delivered to the relevant tribunals. All such perpetrators must be arrested, tried and condemned.

JOSÉ FILIPE MORAES CABRAL (Portugal) said that attacks against civilians, wherever they took place, were unacceptable and should be vigorously condemned. Parties to conflict should abide fully by international humanitarian law and human rights law. Even if such compliance would not, in itself, reduce the violence and the suffering inherent in conflict, it would allow fewer civilian casualties, less exposure of civilians to violations and less displacement of populations. Civilians constituted the majority of victims in a conflict. Too frequently, they were deliberately targeted and used as instruments of war. Women and children were particularly victimized, through sexual violence imposed on them, their recruitment into the conflict, or through their simple murder. Care and humanitarian aid providers and their families had also increasingly been targeted, in a deliberate move to increase the vulnerability of the civilian victims of war.

Portugal believed that United Nations peacekeeping operations continued to play a crucial role, he went on. Sadly, peacekeepers continued to lose their lives in trying to protect civilians, as recently

happened in Côte d'Ivoire. Along with strong protection mandates entrusted to peacekeeping missions, their improved engagement with local communities and humanitarian agents could have a positive impact in enhancing protection of civilians. It would reinforce a much-needed warning capacity in different conflict scenarios. Strong protection mandates also needed to be accompanied with the necessary means for the missions to fulfil them. There was a worrying trend by which the mandates of missions were multiplied without sufficient consideration being given to what that entailed, or to the specific conditions in which the peacekeepers must operate. The primary responsibility in that matter lay with the Council.

A second fundamental area would be to enhance the access of humanitarian assistance to civilian populations, he went on. It was plain that, in many dire situations, denial of or constraints to humanitarian assistance was yet another instrument of war aimed at increasing the pressure on the civilian population. Such actions should be vigorously opposed and the Security Council should act forcefully when they arose. Bringing the perpetrators of crimes against civilians to trial must also become a norm and not the exception, he added.

ABDULLAH HUSSAIN HAROON (Pakistan) said questions had been raised about the Security Council's role and mandate and its ability to objectively deliver on such themes as "the protection of civilians in armed conflict". The compelling need to protect civilians in armed conflict had led to a broad consensus that such protection be pursued objectively and without politicization. Regrettably, there had been a trend of out-of-context and selective reporting on those issues. The last two reports of the Secretary-General on protection of civilians, including the one under consideration, stretched to situations that could not be described as armed conflict and were thus outside the mandate of the report. Pakistan plainly rejected unwarranted references to Pakistan. By no stretch of imagination could Pakistan's law enforcement operation against terrorists be termed as armed conflict. Pakistan was disappointed that the authors of the report had clearly violated the mandate by mentioning the nation in the report.

Noting that Pakistan was a leading troop contributor to peacekeeping missions, he emphasized the need to respect host-country primacy in ensuring civilian protection and stressed the need for careful evaluation of all legal aspects of civilian protection in peacekeeping operations, given misplaced expectations under a recent mandate revision that asked peacekeepers to pre-empt a threat to a civilian population. It was important to resist the urge to use Secretariat reports to advance notions that had failed to gain any traction in intergovernmental processes. The annex of the Secretary-General report on "constraints on humanitarian access" dealt with the issue of access in a partial manner, overlooked the possibility that there could be legitimate reasons for restricting access, and disregarded the fact that, regrettably, not all humanitarian actors performed in accordance with the humanitarian principles of humanity, neutrality, impartiality and independence. In that context, he recalled General Assembly resolution 46/182, which required that humanitarian assistance be provided with full respect for the sovereignty, territorial integrity and national unity of States.

GÉRARD ARAUD (France), aligning himself with the statement to be delivered by the European Union, cited the recent establishment of the Secretary-General's policy of due diligence in human rights matters, which did not allow people accused of violations to receive United Nations support. France also welcomed the establishment — in the African Union Mission to Somalia (AMISOM) and ISAF — cells that provided an inventory of civilian victims. Such efforts would help identify the harm caused to civilians and allow the Council to provide appropriate responses. But, the international community had failed to protect civilians in Syria. Fifteen months of violence there had led to 15,000 deaths, the majority of whom were civilians. The bloody regime of Bashar al-Assad continued to violate its commitments. Massacres in Houleh and Al-Koudeir, following those in Homs and Idlib, proved that the regime had no limits. The United Nations had done nothing to change that regime's murderous behaviour.

He urged the Council to send a message for the Syrian Government to adhere to its commitments. In the Democratic Republic of the Congo, the challenges to protect civilians were immense, he said, noting the setting up of rapid alert networks must be continued. Protection of civilians would require a long-term commitment by authorities. In Mali, where civilians had been held hostage in the north by rebel forces linked to Al-Qaeda in the Islamic Maghreb, many had left the region. The Economic Community of West African States (ECOWAS) was working towards a strategy to restore constitutional order and preserve

Mali's territorial integrity. The Council must support those initiatives. Also, Bosco Ntaganda who was the co-accused with Thomas Lubanga, must be arrested and transferred to the International Criminal Court.

AGSHIN MEHDIYEV (Azerbaijan) noted that the challenges to civilian protection were vast, ranging from the scale of the needs on the ground and the challenging security environment, to the lack of proper infrastructure and capacity. At the same time, the most outrageous challenges were inaction and negligence to the suffering of civilians, as well as a prevailing sense of impunity and accountability for deliberate attacks against them. The best deterrence was no doubt bringing a timely end to impunity and holding those responsible for war crimes, crimes against humanity, genocide and other gross violations of international humanitarian law and human rights law to account. The recent Charles Taylor and Thomas Lubanga cases had sent a clear message to all perpetrators around the world that such grave crimes were never forgotten, forgiven and tolerated, even if committed by high-level figures.

“My country knows about the sufferings of civilians in armed conflicts not from hearsay” but from the ongoing aggression of Armenia against Azerbaijan, he said. The forcible deportation of about 230,000 Azerbaijanis from their homes in Armenia at the end of the 1980s was accompanied by killings, torture, enforced disappearances and other crimes throughout Armenia, and even children were not spared. The period — from 1991, when Armenia initiated combat operations on the territory of Azerbaijan, to the establishment of a ceasefire in 1994 — was marked by an increase in the magnitude, intensity and consistency of the attacks on Azerbaijani civilians. In February 1992, the Azerbaijani town of Khojaly was completely razed to the ground and its civilian population was subjected to an unprecedented massacre. More recent casualties included a 9-year-old child shot dead by an Armenian sniper in March 2011, in spite of a formal ceasefire. Armenia's widespread, deliberate and systematic policy of aggression and hatred was perfectly reflected in the famous interview of 15 December 2000 with the then-Defence Minister, now the President of Armenia, Serzh Sargsyan, who — responding to the question as to whether things could have happened differently and whether he had any regrets about the deaths of thousands of people as a result of Armenian attacks against Azerbaijani civilians — frankly had said that he “has absolutely no regrets” since “such upheavals are necessary, even if thousands have to die”. No further comments were needed here to explain the logic and attitude of the Armenian leadership to the issue of civilian protection.

MOHAMMED LOULICHKI (Morocco) said that 2012 would be a year for evaluating the strategies for the protection of civilians developed during peacekeeping operations with mandates to protect civilians. Such evaluation would provide the opportunity to introduce corrective measures. The execution of those mandates required better coordination and a grand synergy with Headquarters, in particular the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs. The year was also one for strengthening the national capacity of host States to carry out their primary responsibility to protect civilians. In that regard, deep reflection was needed on the interactions between the reform of the security sector and the protection of civilians by the Governments. National ownership should not just be a slogan, but should include the urgent development of coordination mechanisms between the peacekeeping missions with the different national and local actors. That would permit the implementation of the withdrawal phase of the peacekeeping missions, with the Government assuming the security and protection of its citizens.

It should not be forgotten that protection of civilians represented only one aspect of the complex and multidimensional mandates of certain peacekeeping missions, he went on. The principal task of those operations, in effect, consisted of facilitating a peace process, putting in place an inclusive political process, and assuring a transition to durable peace. It was, therefore, necessary to dwell more on the theme of transition and to reflect more deeply on the interactions between security and development, and on the challenges linked to transition from maintenance to consolidation of peace.

Since protection of civilians was intimately linked to reform of the security sector, it was crucial to conclude disarmament, demobilization and reintegration programmes for the combatants.

The protection of civilians also required enhancement of international efforts in the area of disarmament, he said. Morocco had previously called on the Security Council to address the challenge posed by non-State actors and their lack of respect for international legal instruments. It was pleased at the

interest that had been accorded to that issue in the Secretary-General's report. The control of civilian populations by non-State actors was a major challenge that the international community must meet.

SERGEY KAREV (Russian Federation) said that, despite the efforts of the international community and the pressure of the international legal system for their protection, thousands of civilians continued to die and most of those were women and children. His country vehemently condemned attacks on civilians and believed that unswerving compliance by parties of a conflict to their commitment to international law was necessary.

The Russian Federation did not, however, believe that the international community needed to dream up any new instruments for the protection of civilians, he went on. He questioned the effort to designate new categories of people for protection, arguing that such a move would only weaken the existing regime. In the same way, his country questioned the subjective invocation of the instruments to protect civilians. He reiterated that the priority in protection of civilians should be the understanding that the primary responsibility lay with belligerents and that the international community should assist national efforts in that area.

In assessing efforts to protect civilians, it was necessary to take into account the nature of a conflict and its root causes, he went on. The adoption of any reactionary measures that involved the use of force should only be possible with the approval of the Security Council, and with unswerving adherence to the Charter. The Russian Federation had questions over the Libya case, which had led to civilian victims. Those incidents needed to be investigated and those concerned brought to international justice. Strict compliance with international law and international humanitarian standards was needed. It would be unwise to create any new Security Council mechanism for the protection of civilians.

PETER WITTIG (Germany), aligning himself with the statement to be delivered by the European Union, said there was a need to continue exploring ways of ensuring that those responsible for violations of international humanitarian law were held accountable, and that serious violations carried not only a strong stigma, but consequences. The convictions of Charles Taylor by the Special Court for Sierra Leone and Thomas Lubanga by the International Criminal Court were significant steps forward. He urged States concerned to fully cooperate with the Court in bringing other indicted people to justice who remained at large. Where non-States parties to the Rome Statute failed to take such steps, the Council's role should be strengthened. Attacks against health-care services deserved more attention and the Council should take a more proactive approach in preventing and responding to such events.

Also, the devastating humanitarian impact of explosive weapons in densely populated areas was a major concern and he agreed that such weapons with a wide impact should be avoided in such areas. He urged more systematic engagement with non-State armed groups on compliance with international humanitarian law, while bearing in mind such engagement did not constitute political recognition of them. The action plan with non-State armed groups by the United Nations to end the use of children in armed conflict was an example of how such engagement could lead to improved compliance. Germany strongly supported an effective arms trade treaty that was legally binding. It also was concerned at the humanitarian situation in South Kordofan and Blue Nile States of Sudan, as well as the high numbers of people killed by armed groups in the eastern Democratic Republic of the Congo.

HARDEEP SINGH PURI (India) said India's commitment to the right to life had been seen at the international level for more than five decades. Long before the term came into common usage, Indian soldiers had defended civilians in Congo as part of the United Nations mission. Taking stock of progress, he said a study by the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations had made it clear that the major share of blame for the failure to protect civilians lay with the Security Council itself, which had been unable — for more than a decade — to develop an understanding of the nature and extent of the problem. It had been unable to give clear directions about how the Department of Peacekeeping Operations should operate, or lend credence to the voice of countries whose troops were on the ground.

The protection of civilians, when applied as a basis for Council action, must respect the United Nations Charter, he said, citing the principles of sovereignty and integrity. Civilian protection must be applied in a uniform manner to all parties to a conflict. The Council's failure to enforce accountability of armed groups had exacerbated the situation. There was a need to ensure responsibility while protecting, he said, citing recent actions by some organizations and States that had lent "considerable" unease about the manner in which the humanitarian imperative had been interpreted. To enable States to fulfil their duty to protect their people, national capacities must be strengthened where needed without political or extraneous motives. He called for more support for socio-economic development in that regard. Finally, the Council must not resort to its Chapter VII powers instead of promoting pacific dispute settlement under Chapter VI. The Council must not use international legal institutions for political purposes, such as regime change.

SUSAN RICE (United States) said that protecting civilians was a fundamental responsibility of the international community and a priority for the United States. Too many situations still cried out for stronger action and the international community must redouble its efforts to prevent and confront abuses of civilians. The three priorities for the United States were ensuring safety and access for humanitarian workers; advancing accountability; and strengthening United Nations capacity.

She agreed with the Secretary-General that the Security Council had not spoken out enough on the question of protection of journalists. Her country remained committed to working with the United Nations and the international community to protect civilians. The recently released directive by her country supported that position. The Secretary-General had also encouraged all relevant United Nations entities to brief the Council on protection of civilians, which is something the United States strongly supported. The country would also welcome a briefing to the Security Council on implementation of resolution 1894 (2009) and an annual briefing on the capacity of current United Nations-mandated peacekeeping and special political missions with respect to their efforts to protect civilians, particularly to identify lessons learned and resources gaps. Additionally, all relevant United Nations entities, in future reports to the Council, should include information on the threats and vulnerabilities facing the population, as well as their strategies to mitigate them.

The Security Council had proven that it could act to protect civilians under threat, she went on. "The perennial question remains — when will it?" Last year, the Council and the broader international community took a principled stand, saving untold lives in Libya. As the Secretary-General said in his report, the Council's response to the situation in Libya was decisive. By contrast, the situation in Syria represented a colossal failure by the Security Council to protect civilians. For over a year, it had not been willing to protect the Syrian people from the brutal actions of their Government. During its last debate on the topic in November, the High Commissioner for Human Rights estimated the death toll from months of violence at 3,500. That number had at least tripled since. The regime's relentless campaign of violence against its own people has grown ever more reprehensible and ever more dangerous to international peace and security.

The recent suspension of operations by the United Nations Supervision Mission in Syria was a testament to the gravity of the situation, she said. It was a shame that the Council continued to stand by, rather than to stand up. Meaningful steps must be taken, including by imposing binding sanctions under Chapter VII, to pressure the Syrian regime to comply with the Joint Special Envoy's six-point plan; and work towards a political transition that met the legitimate aspirations of the Syrian people.

DOCTOR MASHABANE (South Africa) said that if the Security Council was not seen to be protecting civilians and innocent children, and women and men continued to suffer on its watch, "then we have failed in the mandate entrusted to us". His country was fully committed to the protection of civilians in armed conflict and continued to support a strengthened normative and legal framework for enhancing that protection. At the same time, while the Council had made important advances in protecting civilians, it was necessary to ensure that such efforts were not abused for furthering objectives that fell outside the scope of the noble and moral endeavour. The protection of civilians should also not be pursued selectively, as that would erode the credibility of the international community to pursue the goal. It was, therefore, regrettable that the plight of civilians in Palestine, Afghanistan and Western Sahara were being ignored without accountability.

A further challenge related to the abuse the mandate for the protection of civilians which not only eroded the credibility of the Council, but also affected its ability to act, he went on. Abusing the authority granted by the Council by using it to advance political and regime change agendas had created mistrust with the Security Council and had led to paralysis and inaction when faced with similar challenges. That development had prevented the Council from acting resolutely in advancing the agenda of the protection of civilians. Responsibility for that failure must be borne by those who abused the trust of the Council with creative interpretations of the protection mandates. Another challenge related to the use of unmanned aerial assets against targets which inevitably led to the killing of innocent civilians. The various challenges underscored the importance of the Council and the international community engaging robustly on the Brazilian-introduced concept of “responsibility while protecting”. Those entrusted with protection of civilians had a stake in ensuring that their actions did not undermine the very objectives which the Council sought to advance. There had to be scrupulous compliance with international humanitarian and human rights law in carrying out the mandates.

Health-care personnel must be able to provide aid unhindered and in safety, he said. That was a real and present danger. South Africa expressed condolences on the killing of a volunteer for the Syrian Arab Red Crescent yesterday in Deir Ezzor in eastern Syria. That deplorable killing was the fourth time since September that a member of the International Committee of the Red Cross had been killed while on duty. He added that it was the primary responsibility of States to protect civilians within their borders. Armed opposition groups also bore the responsibility for ensuring that unarmed civilians were protected. Failure by both State and non-State actors to uphold that responsibility should not go unpunished.

LI BAODONG ([China](#)), speaking in his national capacity, said civilians bore the brunt of war and there had been several recent outbreaks of conflict around the world. The Council’s mandates on civilian protection had prompted differences among States. All parties to a conflict must spare no effort in protecting civilians. States bore the primary duty to protect their populations. At the same time, all parties were duty-bound to abide by international humanitarian law, and fulfil their duties to protect civilians. If one party broke their commitments to international law, that should not be an excuse for another party to breach international law. The issue of drones deserved key attention.

He said that, in the protection of civilians, the United Nations Charter principles must be upheld, especially for national sovereignty, territorial integrity and non-interference in State affairs. No party should arbitrarily interpret Security Council resolutions. The protection of civilians was humanitarian in nature. It should not serve political motives, including regime change. The authorization of the use of force must be approached with extreme caution, he said, underlining the importance of peaceful dispute resolution. Selectivity and double standards must be abandoned. The Council must uphold the principles of fairness and impartiality.

CHRISTIAN WENAWESER ([Liechtenstein](#)) commended the Secretary-General for his initiative to review United Nations experience in commission of inquiry and fact-finding mission processes. He also supported the Secretary-General’s call on the Council to begin a dialogue aimed at strengthening the Council’s role in enhancing accountability, at both the national and international levels. One central element in this regard was a more coherent use of the Security Council’s power to refer situations to the International Criminal Court. That required predictability and consistency in choosing situations worthy of investigation by the Court. Its past practice of seeking to exempt certain nationals from the Court’s jurisdiction, thus infringing on the powers of the Court under the Rome Statute, needed to be reconsidered. Equally problematic was the Council’s past practice of implying that the United Nations could not contribute to the financing of such referrals, thus infringing on the powers of the General Assembly under the United Nations Charter and the United Nations-International Criminal Court Relationship Agreement.

Another central element was greater ownership in following-up on such referrals, he said. Whenever the Council referred a situation to the Court, it did so on the basis of its powers under Chapter VII of the United Nations Charter. Legally, the Council was acting as if it was establishing its own tribunal with its own statute, by imposing the obligations of the Rome Statute — in its entirety — upon the situation country, a point that would perhaps be worth emphasizing in future referral decisions. That further implied,

as currently relevant in the situation in Libya, that Court officials enjoyed immunity from detention under article 48 of the Rome Statute. The work of the Court based on Council referrals was thus not very different in nature from the work of the International Criminal Tribunal for the Former Yugoslavia and International Criminal Tribunal for Rwanda. Follow-up to referrals, in particular regarding cooperation, should, therefore, be much higher on the agenda of the Council.

Non-cooperation with the International Criminal Court in case of Council referrals was as much of a problem for the Council itself, as it was for the Court, he said. In practical terms, it might be useful to establish a forum to advance questions of cooperation with the ICC at the level of a sub-organ of the Council, such as a new working group on the relationship with the Court. That would be a useful and necessary space for concerted action on all related matters, such as notifications from the Court on non-cooperation, but also the ongoing situation regarding the detention of Court staff in Libya. In this context, the Government of Libya should release the detained Court staff without delay. Overall, the Council had a very limited record in following up to the referrals it had made to the Court, a situation that needed to be rectified.

PAUL SEGER (Switzerland), speaking for the Group of Friends on the Protection of Civilians in Armed Conflict (Australia, Austria, Belgium, Brazil, Canada, France, Germany, Italy, Japan, Liechtenstein, Norway, Portugal, United Kingdom and Uruguay), said finding ways to respond to the five core challenges should help the Council in its deliberations on civilian protection. Widespread violence against women and children, and the indiscriminate use of weapons in densely populated areas were unacceptable. The Group of Friends stressed that consideration should be given to the Secretary-General's recommendations in that regard. Consensus around the civilian protection concept must be rebuilt. It was important to reaffirm the basic tenets of that concept, based on international humanitarian law, human rights refugee law, and international criminal law. As outlined in resolution 1894 (2009), parties must be reminded — time and again — that wars had limits.

The Council must reaffirm those basics when the need arose, he said. It was essential to promote a positive perception of humanitarian action. He called for strengthening communications between the Council and troop-contributing countries, as well as improving cooperation among the Council, States and civil society actors. On civilian casualty reporting, the Council might benefit from recommendations on how to use reliable data collection in line with humanitarian principles. The Group of Friends had been briefed on the humanitarian impact of explosive weapons in densely populated areas and called for compliance with international humanitarian law. Peacekeeping operations could play an important role in enhancing host countries' ability to protect civilians by strengthening the rule of law and security institutions. He invited the Council to consider the Secretary-General's recommendation when renewing mandates.

Speaking in his national capacity, he said Switzerland was gravely concerned at the situation in Syria, recalling that all allegations of violence must be investigated. He urged the Council to refer the situation to the International Criminal Court. On the warring situation between Sudan and South Sudan, he said the Council must not relax its vigilance in the current crucial period for the civilians in those countries. He was pleased that questions of access to the Blue Nile and South Kordofan areas were being dealt with by the Council.

Humanitarian access was a critical point in the area of protection, and securing such access was becoming more difficult, he continued. As such, Switzerland and its partners had launched a project to develop instruments to obtain and maintain that access. He said that non-State armed groups were also a challenge, especially in convincing them of the need to comply with international law and allow humanitarian staff access to people in need. He called on the Council to take into account the potentially negative effects of some measures and legislation pursuing the legitimate goal of fighting terrorism. It would be regrettable if those measures complicated or prevented establishment of a dialogue for purely humanitarian purposes. Finally, he said the Council should be a "driving force" on the question of "dealing with the past". It should use an appropriate combination of fact-finding mechanisms, justice, reparations and institutional reforms, with a view to preventing such violations from recurring.

MOOTAZ AHMADEIN KHALIL (Egypt) reminded the Council that the Egyptian President-elect had said the country would respect human rights at the national, regional and international levels. Indeed, today's debate had come at an important time, especially for Africa and the Arab world. He affirmed the Secretary-General's recommendation in his recent report on the need to respect international law. All parties, especially countries, must respect the principles of proportionality and differentiation in armed conflicts. States had greater responsibility, as they had the authority to use force by virtue of law. The Council must hold accountable anyone responsible for violations against civilians. Forming commissions was not enough to deter violations. Those commissions must arrive at genuine results, name perpetrators and compensate those harmed and their families, especially by States.

He reaffirmed the importance of peacekeepers taking part in civilian protection, urging respect for the sovereignty of nations in which they were present. Egypt supported a framework that protected civilians and held accountable those responsible for violations during mandate implementation. He called for participation of all United Nations bodies, including the Council, in implementing what had been called for by the Arab League on the need to protect and defend civilians in Syria, and to take decisions in line with relevant Charter articles to end violations against civilians. The Human Rights Council must take measures to stop random attacks in the Occupied Palestinian Territory and lift the siege imposed by Israel on Gaza, which did not account for proportionality and which violated international law.

GARY QUINLAN (Australia) said that the deliberate targeting of civilians in Syria was "unacceptable and in violation of international norms of behaviours and international law". Those responsible for such acts must be held to account and, further, he supported calls for strong action under Chapter VII of the United Nations Charter.

He wanted to highlight three civilian protection issues that required sustained attention. First, in peacekeeping operations, protection of civilians was the primary responsibility of the host Government, he said. A peacekeeping mission could not be there forever. Protection of civilians by peacekeeping missions would, therefore, be sustainable in the long term only through strengthening national capacities and institutions. The role of peacekeeping operations in supporting host Governments' capacities to protect their civilians was the subject of a workshop Australia had co-hosted with Uruguay at the International Peace Institute two weeks ago.

He also wanted to highlight the United Nations Conference on the Arms trade Treaty, which would begin next week. It represented not only a historic opportunity with regard to the protection of civilians, but a "compelling responsibility". The daily reality for many civilians throughout the world was, unfortunately, a life of fear, suffering and economic chaos wrought by conventional weapons, illegally and irresponsibly bought, sold and used. That was the main reason his country had pushed tirelessly within the United Nations for a legally binding arms trade treaty that would obligate countries to trade conventional arms transparently and that was based on the highest possible common standards of responsibility.

On the use of powerful explosive weapons in populated areas, Mr. Quinlan said that such use, without proper regard to international humanitarian law restrictions, led to unacceptable civilian casualties. That was not justifiable and represented clear violation of standards in conflict. States needed to do more to prevent the harm caused by explosive weapons in populated environments, including by strict adherence to international humanitarian law principles. Australia encouraged greater collection of information and data on the issue and urged all parties to a conflict to clear affected areas as soon as feasible after such conflict had ended.

RON PROSOR (Israel) said, "Truthfully, there is little protection that we can speak about. Instead, today we recount the subjugation, exploitation and attempted annihilation of civilians." The appalling images coming out every day from Homs, Hama, and Aleppo highlighted the failures of the international community. It was failing the helpless mothers and children of Syria. It was failing to protect them from their own brutal ruler. And it was failing to uphold the most basic principles implied by a debate titled "the protection of civilians". A 20-year-old Syrian student at the University of Aleppo, who was arrested for distributing leaflets that called on Syrians to march peacefully, said at the United Nations Human Rights Council last March: "I spent 52 days in prison. I was brutally tortured. I was raped by the

security forces. They tortured me more than usual only because I am a Christian. I want freedom. I have seen too much suffering of fellow Syrians who spent years in prison merely for expressing a thought.” Voices like hers should unite the voice of the world against the tyrannical Assad regime. It was time for the world community to speak clearly, decisively, and truthfully about what was happening in Syria and to speak unequivocally against that evil regime. Iran’s arm extended from Syria into Lebanon. Its grip had twisted the Lebanese State into an Iranian outpost for terror. Today Lebanon’s fastest growing industry was the smuggling of missiles.

Those who harmed civilians were taught to hate and learned to kill, he said. Yet, the chamber heard very little about the cultures of incitement around the world that served as the key ingredient in the recipe for violence against civilians. “Make no mistake: words can kill,” he said. It did not matter whether they were spoken in Farsi in an Iranian mosque that promoted jihad against the West, written in Arabic in a Hamas textbook that dehumanized Jews and Israelis, or taught in Korean in a North Korean political education centre that glorified violence against South Koreans. The Council had the duty to speak with one voice against those nations and organizations that fanned the dangerous flames of hatred and incitement. The clock in the Council ticked forward from debate to debate, but little progress was seen in the protection of civilians. Some of the very nations that ruthlessly exploited and targeted civilians in armed conflict had the audacity to sit in the chamber and speak about their protection. “They should find no refuge here,” he said.

JARMO VIINANEN ([Finland](#)), speaking also on behalf of the other Nordic countries, Denmark, Iceland, Norway and Sweden, condemned the continuous atrocities in Syria in the strongest possible terms. The continuous killings of civilians, the brutal executions of innocent children and the use of torture, including rape and sexual violence, were horrifying. The continuing constraints to humanitarian access, despite the commitment to the negotiated ceasefire, were unacceptable. The Nordic countries joined the vast majority of the international community in urging Syria to immediately end the violence and all attacks on civilians, and called on all parties to conflicts to comply with their international obligations and on national authorities to take all possible measures to provide accountability for violations of international humanitarian and human rights law. Ensuring accountability was first and foremost a national responsibility. The capacity-building of national justice and security institutions also served the broader aim of strengthening the rule of law and respect for human rights.

The Secretary-General focused attention in his report on increased attacks on health-care facilities and health professionals, he said. In Syria, medical doctors and surgeons were seen directly targeted, wounded and killed. Ambulances were attacked and hospitals were damaged by explosive weapons. These threats and attacks against health-care workers, facilities and vehicles were becoming more frequent in conflict situations and had devastating consequences for civilians. The direct effect on the security of health personnel had a multiplying effect on those who needed their services the most — the victims of armed violence and conflict. It was of the utmost importance to improve the security and delivery of effective and impartial health in situations of armed conflict and other emergencies. The Nordic countries fully supported the recent “Health Care in Danger” initiative launched by the ICRC at the Thirty-First International Conference of the Red Cross and Red Crescent.

KAZUO KODAMA ([Japan](#)) raised three issues based on the current status of affairs in civilian protection. First concerns the need for enhancing effectiveness in implementing the peacekeeping civilian protection mandate. There were high demands on peacekeeping operations to protect civilians to supplement the primary responsibility of host Governments. Indeed, many missions were mandated to play such a supplemental role. The implementation of the civilian protection mandate, which could affect the credibility of a mission, was increasingly challenging and important, and the lack of adequate resources was a pressing issue. In that light, Japan commended efforts made by the Department of Peacekeeping Operations and the Department of Field Support to produce resource capacity matrix and training modules, and looked forward to further improvement of those tools. In addition, he called for efforts to improve the effectiveness of the implementation of the civilian protection mandate, with attention paid to mid- and long-term capacity-building of host countries, as well as efforts made by local residents.

Second, he said, rapid and unimpeded humanitarian access was indispensable in protecting civilians. The political climate, including United Nations sanctions, often complicated negotiations on humanitarian access; however, humanitarian assistance, which stood on the principle of neutrality and impartiality, should not be politicized and host countries should cooperate, in light of their responsibility to protect civilians. In such complex circumstances, close communication among relevant bodies such as the Security Council, the Department of Peacekeeping Operations and the Department of Political Affairs, as well as the leadership of Emergency Relief Coordinator were critical. Third, it was crucial to seek facts and hold perpetrators accountable for violence against civilians, in order to prevent further deterioration of situations. In that regard, Japan welcomed the resolution adopted by the Human Rights Council earlier this month that requested the Commission of Inquiry to urgently look into the events in Houleh. Japan urged the Government of Syria to cooperate with the Commission to fully implement the resolution. Despite the Security Council's short history of dealing with civilian protection, the issue had been brought to the body in the wake of a series of violent incidents in a number of countries, including Bosnia and Rwanda. The Council should bear in mind its important role in the issue.

MATEO ESTREME ([Argentina](#)) said the Council must remain committed to the protection of civilians in armed conflict, to the full respect of international law and to the fight against impunity. Parties to an armed conflict were bound by international humanitarian law, which provided that civilians must be protected from the effects of conflict. He agreed that the first challenge was to promote compliance with international humanitarian law. The principles of distinction and proportionality were crucial, as respect for them could decrease the number of displaced persons. Non-compliance by one party to the conflict did not justify non-compliance by the other. He agreed with the Secretary-General's comments on the distinction between the protection of civilians in armed conflict and the responsibility to protect. Prevention was key and, to that end, respect for international law, especially human rights law, was essential.

He urged that civilian protection mandates continue to be included in peacekeeping missions, that they be drawn up clearly and that operations be provided the necessary means in a timely manner. Training in humanitarian law must be intensified for those missions. Strict compliance with Council mandates was also important, and mandate implementation must comply with international humanitarian law and international human rights law, and be strictly limited to ensuring civilian protection. On humanitarian access, he voiced concern at deliberate attacks on hospitals and other means of assistance. On other matters, he said the International Fact-Finding Commission provided an impartial means for elucidating facts that could entail serious violations of the Geneva Covenants, and the Council should have recourse to such a body.

THOMAS MAYR-HARTING, Head of Delegation of the [European Union](#), called on all parties to armed conflict to respect their obligations. He was concerned at situations in Afghanistan, South Sudan, Sudan, Democratic Republic of the Congo, Somalia and elsewhere, where civilians, especially women and children, were subject to various forms of extreme violence, prompting grave humanitarian crises with huge population displacements. In Syria, he called on all parties, including the armed opposition, to immediately cease all violence and provocation to violence, reiterating the importance of full and unhindered humanitarian access.

He agreed with the Secretary-General that there were differences between the protection of civilians in armed conflicts and the responsibility to protect. Both concepts were important and he called for enhancing the collective understanding of both areas. Where national authorities failed to take steps to ensure accountability, the Council could play a more proactive role. He saw merit in the increased use of commissions of inquiry and fact-finding missions, and referring such situations to the International Criminal Court. More must be done collectively to ensure that peacekeeping missions could carry out protection mandates and he welcomed the creation of civilian training modules to prepare peacekeepers for that task. Missions must be properly resourced, with priority given to civilian protection activities. Host countries bore the primary duty to protect civilians. Activities in that regard should seek to support the creation of an environment in which all people, institutions and entities were held to account, according to laws that were consistent with international law.

REGINA MARIA CORDEIRO DUNLOP (Brazil) said that protecting civilians was one of the most important ways that the United Nations could give concreteness of its ultimate objectives as set out in the Charter. The plight of innocent civilians who remained victims of the horrors of conflict demanded that reflection on why effective implementation remained a challenge in spite of the progress on the protection agenda. Brazil stressed the importance that the Council call for respect and adherence to international humanitarian law in a consistent and non-selective manner. The work of peacekeeping operations and other protection actors in assisting Governments to build the necessary capacity to perform their primary responsibility to protect their citizens was vital. It was also very important to express recognition for the work of protection actors on the ground.

In its presidential statement of 22 November 2010, the Council, with Brazil's support, had expressed deep regret that civilians accounted for the majority of the casualties in armed conflict, she went on. Long-term protection could only be ensured if the international community contributed to sustainable solutions to conflicts. Helping States move along the path of political reconciliation and development was, ultimately, the best contribution of the United Nations to the long-term protection of civilians. The Council should strengthen the importance of that dimension when drafting peacekeeping mandates. The protection of civilians could best be achieved if conflicts were prevented. It was that emphasis on diplomacy and cooperation that reduced the risk of armed conflict and the human cost associated with it.

ANASTASSIS MITSIALIS (Greece) said that developments during the 18 months since the last report of the Secretary-General on the protection of civilians had clearly demonstrated that the volatility of the international environment, as well as the complex dynamics both at the national and regional levels, had, in many instances, led to political unrest and conflict. Despite some encouraging developments, those trends remained of concern. Civilians accounted for the majority of casualties during conflict. The death and injury of civilians, conflict-related sexual violence, reduced humanitarian assistance and, most importantly, lack of accountability, were alarming realities that ought to be immediately addressed, along with the worrying dimensions of displacement of populations, which was one of the many grave consequences of a conflict.

Aggression against civilians could no longer be tolerated, he went on. The international community should share the responsibility to protect people in danger and should make sure that everyone enjoyed the full spectrum of basic rights, especially under the terrible conditions of a conflict. For the purpose of preventing atrocities, and in order to ensure multilateral involvement in the subject of protection of civilians in areas of conflict, accurate and independent information on the situation on the ground was needed. That was where the role of journalists and their protection in armed conflicts came in. Journalists were not only the voice of truth in areas of conflict, but were also civilians that must be protected, as stipulated by relevant humanitarian law. Considering the multitude of serious violations of the rights of civilians around the world over the last 18 months and assessing the challenges ahead, Greece believed that the intensification of international cooperation was necessary for a more efficient response of the international community to the problem. The United Nations plan of action on the safety of journalists and the issue of impunity constituted a praiseworthy effort towards combating attacks against journalists.

SYLVIE LUCAS (Luxembourg) said that “as the defenders of international humanitarian law, we cannot shy away from the responsibility of finding all ways and means to contribute to the protection of civilians in Syria”. Faced with the deterioration of the situation and non-implementation of the “Annan Plan”, a modification to the mandate of the United Nations Supervision Mission in Syria (UNSMIS) was being considered. Some were calling for a reduction of the Mission, or its withdrawal. She reminded the Council that after the withdrawal of the observers of the League of Arab States in January, the crisis only intensified.

She supported the Secretary-General's recommendations to ensure more effective protection of civilians in armed conflicts, saying it was urgent to respond to the challenge presented by the growing number of attacks and other interferences targeting health services. It was just as imperative to continue fighting against the impunity of those who had violated international humanitarian law, or civilian rights in times of conflict. International commissions of inquiry or fact-finding missions, and referral to the

International Criminal Court were actions that had a deterrent and preventive character. The appropriate use of such measures was an important part of the Council's toolkit for contributing to civilian protection.

Prince ZEID RA'AD ZEID AL HUSSEIN ([Jordan](#)), speaking on behalf of the Human Security Network, namely Austria, Chile, Costa Rica, Greece, Ireland, Mali, Norway, Panama, Slovenia, Switzerland and Thailand, with South Africa as an observer, said that some progress had been made; in providing peacekeeping missions with the necessary tools to implement civilian protection mandates; in the consideration of protection issues in the situation-specific resolutions; and in the use of targeted sanctions. The members of the Network, however, were deeply concerned by the fact that, since the Security Council had adopted its last presidential statement on civilian protection, the difficult situation on the ground "has shown little change". Regarding the lack of compliance with international human rights and humanitarian law, further attention should be paid to the dangers faced by journalists and other media professionals, who played a crucial role by reporting on civilian situations in armed conflicts and on violations of humanitarian law and human rights.

He highlighted the importance of focusing on the consequences for civilians if non-State armed groups were not engaged. On the issue of strengthening the protection provided by United Nations peacekeeping and other missions, it was very important that peacekeepers continued to assist in creating a protective environment, including by supporting the establishment of effective rule-of-law and security institutions, in addition to the physical protection they provided. He also recognized the protective role of other humanitarian actors, including the ICRC and non-governmental organizations. The members of the Network supported the Secretary-General's recommendation urging the Council to play a more proactive role in ensuring an appropriate international response when national authorities failed to take the steps necessary to ensure accountability, and reiterated the call for greater regularity and frequency in using fact-finding missions by the Council. He also stressed the need for the Council to follow up on the recommendations of the commission of inquiry established in the past months in the Human Rights Council, and was concerned by the difficulties in taking action to protect civilians in these situations, in particular Syria.

MARGUS KOLGA ([Estonia](#)) said that, in many regions, civilians were still the main victims of armed conflict. Estonia condemned all forms of violence, especially those committed against children. He acknowledged that the primary responsibility to protect their people lay with States. At the same time, international humanitarian and human rights laws must be obeyed by all, not only by national authorities, but by all parties to a conflict. The international community could do more in enforcing that compliance both at the national and international levels.

Estonia believed that the increased use of accountability mechanisms was one of the most important means of ensuring accountability, he said. The international community must take responsibility, in order to save lives and provide justice. It should take a more appropriate stand, including referring cases to the International Criminal Court, when appropriate. His country joined the High Commissioner for Human Rights in calling on the Security Council to address the situation in Syria in a more systematic way.

LUIS-ALFONSO DE ALBA ([Mexico](#)) said that his country believed that, in order to promote compliance on the protection of civilians, it was essential that States that had not yet done so should accede to international humanitarian laws. States should also incorporate those norms into their national laws and practices.

Noting that indiscriminate use had been made of weapons in civilian areas, he said that Mexico endorsed the Secretary-General's recommendation to ban the use of such devices in such situations. Mexico also supported the call to the Security Council to play a more active role in that regard. The country had participated actively in the negotiations for an Arms Trade Treaty. Such a treaty was necessary, in order to prevent the trade in arms when the possibility existed that such weapons would be used in activities that involved the violation of international human rights law or humanitarian law.

GABRIELE JUEN (Austria), aligning herself with the European Union, the Group of Friends on the Protection of Civilians, and the Human Security Network, underlined the obligation of all parties to a conflict to ensure the protection of civilians, including journalists. The Council had condemned such attacks in resolution 1738 (2006) and she encouraged it to consider the situations of journalists in armed conflict in a more proactive and systematic manner. States should be reminded of their obligation to prosecute international humanitarian and human rights law violators. To ensure accountability, the Council should make use of the full range of justice and accountability mechanisms at the national and international level, including referrals to the International Criminal Court.

Voicing concern at the humanitarian impact of explosive weapons used in densely populated areas, she welcomed the Emergency Relief Coordinator's appeals in that regard. The appalling civilian suffering they caused when used in such areas should be reason enough for the Council to consider the issue more in depth, including the possibility of developing stronger international standards. To more effectively respond to challenges, civilian casualty recording by parties to conflicts should receive more attention. The practice of offering amends to civilians harmed — such as recognition of harm and public apologies — had increased and she welcomed efforts made by the ISAF and AMISOM in that regard. She supported legally binding norms for the regulation of the international trade in arms. She also underlined the importance of both providing missions with key resources and preparing peacekeepers for the implementation of protection mandates.

GUILLELMO E. RISHCHYNSKI (Canada), noting that in Syria civilians were being massacred by their Government, and that elsewhere women and girls were victims of sexual violence, said that the Council must redouble its efforts to protect the most vulnerable. The Council must act swiftly and decisively to ensure compliance with the Joint Special Envoy's six-point plan, or move to implement other diplomatic solutions to the crisis. He urged the adoption of tough and targeted sanctions against President Assad and his regime. The Secretary-General's report highlighted the deplorable effects of conflict on women and children, including sexual violence in many emergencies. He was deeply concerned at the deteriorating security situation in the eastern Democratic Republic of the Congo, urging persistence in denouncing violence directed against women and girls.

Further, in too many contexts, humanitarian access was politicized and constrained, he said. Civilians in need of assistance were held hostage to the whims of Governments and non-State armed groups. In too many contexts, hospitals were routinely targeted and the wounded chose not to seek treatment for fear of detention, torture or death. Humanitarian workers, including medical volunteers, had lost their lives in the performance of their duties. He urged the Council to exercise the full range of options at its disposal to prevent and cease violence against civilians in armed conflict.

PALITHA KOHONA (Sri Lanka) welcomed the clarification of the misconceptions and misinterpretations relating to the principles on protection of civilians and the responsibility to protect. He hoped that the clarifications provided by the Secretary-General in his report would contribute to the application of those principles in a considered and non-political manner, without the ever-present overlay of emotion and propaganda. His country also welcomed the recommendations in the report, especially the focus on displacements and increased attacks against health facilities.

Ad hoc approaches, which had been seen too frequently, would not achieve the noble underlying goals of those principles, he said. Global principles, if they were to be respected, must be applied consistently and non-selectively. The protection task must not be held hostage to solely theoretical analysis, but required consciousness of the multiplicity of the different underlying factors. The resort to modern technology and propaganda methods by rebel groups, in particular terrorist groups and their networks of sympathizers and the agitated media, were becoming an increasing concern. The practical realities based on the experiences of Member States, particularly those which had successfully countered terrorism, needed to be seriously examined instead of simply adopting a theoretical application of one-size-fits-all humanitarian framework. The protection of civilians was not a static concept and had relevance in immediate and medium-term post-conflict contexts. Sri Lanka had seriously taken account of the principles underlined in the Council's thematic resolutions since 1999. Its commitment was demonstrated in the manner it addressed the needs of civilians and their protection during the conflict it had with the

terrorist Liberation Tigers of Tamil Eelam and in its aftermath. Throughout the final phase of the armed conflict, from 2006 to 2009, Sri Lanka had engaged with the United Nations and its agencies, the International Committee of the Red Cross and representatives of the international community and the civil society both in Sri Lanka and outside.

JOSÉ LUIS CANCELA ([Uruguay](#)) said that his country supported the need to redouble efforts towards the concept of protection of civilians. It deplored the ongoing violations of human rights and humanitarian law reflected in the Secretary-General's report and believed that the five challenges established in the report remained fully valid in the current situation of armed conflict. There was an urgent need to constantly facilitate access by humanitarian workers to civilians in conflict situations and to provide adequate security for such workers, so that they could carry out their work.

He said that there was need to improve the registry of victims. His country was aware of the importance of that activity, given the relationship it had to most basic values of human dignity and the practical effect it could have in preventing certain acts from being repeated. He added that the proposed arms trade treaty represented a valuable opportunity to regulate the human cost of the lack of control of the arms trade. In negotiating that treaty, the humanitarian aspect needed be given attention. Protection of civilians continued to pose a challenge to the United Nations system, especially to the peacekeeping system. It needed to be recognized that the United Nations system had taken significant steps forward in implementing mandates with civilian protection components, but urgent situations needed to be addressed. Such mandates must be sustained once missions were withdrawn. The primary responsibility to protect civilians fell on the recipient States, but the United Nations must carry out in-depth analysis of how it must support the national institutions responsible for maintaining rule of law.

JORGE VALERO BRICEÑO ([Venezuela](#)) recalled that civilian protection must be based on international humanitarian law, specifically the Geneva Conventions. The Council had addressed the protection of civilians since 1999, emphasizing women, children and humanitarian workers in that regard. Protection of civilians must be achieved through peaceful methods. Military might was neither the best nor the only alternative. It should only be used in extreme circumstances, and under the principle of proportionality. Governments bore the primary duty for protecting civilians. It could not be usurped by interventionist foreign agendas. Social justice policies must be developed to eliminate inequality among countries, and form part of solidarity-based diplomacy.

He said civilian protection could not be addressed selectively; yet the Council had done so on several occasions, when choosing those civilians who deserved protection. Countries with neo-colonial aims had resorted to double standards, seeking to remove the sovereign status of developing nations. What hope did people have that civilian protection would be applied universally and objectively? Some Council members promoted resolutions to protect civilians, but they really sought a hegemonic foothold in the countries of the global South, which undermined the United Nations Charter. Resolution 1973 (2011) provided the North Atlantic Treaty Organization (NATO) with a pretext to sponsor regime change in Libya. Indeed, the concept of civilian protection was controversial. Why was civilian protection not invoked when American drones killed dozens of civilians in Afghanistan, Yemen and Pakistan? Also, the notion of the responsibility to protect could be used as a "lethal weapon" to violate State sovereignty.

DESRA PERCAYA ([Indonesia](#)) said one difficult point in the protection of civilians was the vague meaning and distinction between armed groups, combatants and civilians. The lack of clarity had cost civilian lives by both mistake and design. The situation was confounded by the fragmentation of non-State armed groups, some of which rejected the premise of civilian protection. Another key issue was the asymmetric nature of armed conflict in various regions, where the principles of distinction and proportionality were being violated, underlining the need for determined action in a manner that accorded primacy to civilian protection by all combatants and non-combatants.

He agreed that compliance by parties to a conflict with international humanitarian and human rights law, including all Geneva Conventions, was vital. The main failure in civilian protection stemmed from a lack of compliance by parties to a conflict with their moral and legal obligations. He urged that tools be developed and national capacities supported that enabled systems for civilian well-being, with

particular attention to women and children. The role of States in promoting accountability, including through domestic legislation, was critical to preventing violations. Finally, Indonesia attached high importance to the role of United Nations peacekeepers in volatile situations, and he stressed that they be provided with clear guidelines in performing their goals. In sum, all relevant international actors must collaborate to generate the needed political synergy to mitigate conflict and effectively protect civilians.

SHIN DONG IK (Republic of Korea) said that, since the adoption of resolution 1265 in 1999, protection of civilians had come to occupy a prominent place on the agenda of the Security Council, but the international community was still suffering from a basic failure to protect civilians in many parts of the world, where they were caught up in the horrors of wars and were in desperate need of greater protection. Enhanced compliance with international human rights and humanitarian law was the most important principle. No violation of those laws should go unpunished under any circumstances. When there was no escape for a violator, regardless of status of the parties in conflict, compliance would be enhanced. The punishment of Charles Taylor, the former President of Liberia, and two non-State armed groups from Sierra Leone in 2012 signified important steps forward for international justice and greater fight against impunity.

Sexual violence against women and girls in armed conflict was one of the most horrible forms of violence against civilians and deserved special attention, he went on. The Republic of Korea hoped that the Security Council would continue to strengthen its efforts to address that issue through increased coordination with UN-Women, the Department of Peacekeeping Operations and other concerned organizations, in order to better confront those atrocious crimes and ensure a brighter future for women and girls around the world. Access to civilians affected by armed conflict, to provide humanitarian aid and basic safety and security, also needed to be guaranteed. There had been many cases where humanitarian personnel and supplies failed to reach those in urgent need, due to interference of certain parties in the armed conflict. Such acts were clearly a violation of relevant humanitarian norms and rules. Those involved in such crimes should be held accountable.

ABULKALAM ABDUL MOMEN (Bangladesh) said that the concept of protection of civilians was founded on the universally accepted rules of international humanitarian, human rights and refugee law which were set out in a range of international legal instruments, in particular the 1949 Geneva Conventions and their 1977 Additional Protocols which contained specific rules to protect civilians. In situations that were not covered by those treaties, in particular, internal disturbances, civilians were protected by the fundamental principles of humanitarian law, by most religious values and ethics and by human rights law. Ironically, a large number of civilians continued to be exposed to the atrocities of conflict.

To ensure the protection of civilians in armed conflict, special attention needed to be given to ensure that there was minimum misuse of the “protection of civilians mandate”, he went on. Protection should also relate to prevention and the building of a culture of peace. The preventive capacity of the United Nations needed to be enhanced and Member States should take steps to inculcate the values of peace, tolerance, and harmony that contributed to long-term prevention.

He said that the effectiveness of United Nations peacekeeping operations, which were one of the important tools available to the United Nations to protect civilians, should be enhanced. Being one of the largest troop-contributing States, Bangladesh believed that there needed to be close dialogue between the Council and troop-contributing countries as those countries could provide valuable information about the situation on the ground.

ERTUĞRUL APAKAN (Turkey) said civilians were the majority of casualties in armed conflict. While the primary obligation to protect civilians lay with States, the international community was obliged to help when States failed to do so. In that context, he said Palestinians continued to suffer, with their rights being denied. The illegal blockade on Gaza had entered its sixth year this month and the Office for the Coordination of Humanitarian Affairs had noted the devastating effects of that blockade on Palestinian lives. On Syria, he said the Government bore primary responsibility for protecting civilians. It should immediately end the violence and the tragedy that had affected 1.5 million people. Turkey would continue to support the Joint Special Envoy’s six-point plan.

As regards the dialogue with non-State armed groups, he said Turkey understood the rationale for humanitarian access, but in doing so, States must be careful not to extend any sense of legitimacy to terrorist organizations. When engagement with non-State armed groups was being contemplated, permission from the State in question was needed. United Nations documents should not contain positive references to non-governmental organizations with known terrorist ties. The protection of civilians was a cause the international community must pursue. To ensure such protection, human rights, the rule of law, democracy and good governance must be strengthened. Perpetrators must be held fully accountable for their actions. Prevention would only work if there was no impunity.

JORGE TAGLE (Chile), aligning with the Human Security Network, said civilian protection touched on the protection of human rights and maintenance of international peace and security. Despite progress, the overall picture was “far from encouraging”, as civilian attacks continued and the parties to conflict were unable to meet the minimum standards for respecting their rights. Sexual attacks against women and children, attacks against hospitals and schools, and abuse against journalists had left much pain in their wake. In recent months, the world had seen densely populated areas in Syria bombed by the Syrian Armed Forces, while opposition forces also had caused civilian victims. More than 9,000 civilians had lost their lives because of the Syrian security forces.

He appealed to the Syrian Government and opposition forces to engage in political negotiations to bring peace to the Syrian people. He reaffirmed support for the Joint Special Envoy’s six-point plan. Regarding unmanned drones, he said access to that technology had resulted in hundreds of civilian victims. They had jeopardized the principle of distinction between combatant and non-combatant, and that of proportionality. He underlined the need to bring to justice the perpetrators of such attacks. Chile supported commissions of inquiry in the situations of Côte d’Ivoire and Syria, to ensure that perpetrators of international law violations were brought to justice. Common criteria were needed for the implementation of the use of force. The Secretary-General’s recommendations provided a “reasonable” and “positive” guide for the protection of civilians.

CARLOS D. SORRETA (Philippines) said that the nature of conflict had changed dramatically over the past century. In World War I, over 90 per cent of the casualties were soldiers. Today, at least 75 per cent of the casualties were civilians. The distinctions between combatants and civilian non-combatants were being ignored. The international community needed to do everything it could to protect civilians in armed conflict.

There was a need to provide support for United Nations peacekeepers, he went on. It was necessary to ensure that efforts on the ground were complemented by enhancement of the civilian aspects of peacekeeping. His country noted the current efforts in that area, including CAPMATCH, which was designed to help match the supply and demand of civilian capacities. Civil society also had an important role to play. The Philippines was working closely with Benin, Belgium and Costa Rica in bringing attention to the contributions of civil society to unarmed civilian protection. Conflicts had arisen when the rule of law was weak. The international community needed to continue to work as one to prevent the escalation of conflicts and ensuring respect for the rule of law. There was added opportunity this year for reaffirming the collective desire and obligation for the peaceful settlement of disputes, with the commemoration of the thirtieth anniversary of General Assembly’s resolution 37/10 and the Manila Declaration on the Peaceful Settlement of Disputes.

ESHAGH AL HABIB (Iran) said that the upheavals in parts of the Middle East and North Africa in the past couple of years had brought the issue of the protection of civilians in armed conflict to a prominent place on the Security Council’s agenda. That fact had been manifested in the holding of regular open debates, presentation of reports and holding of workshops and thematic meetings on the protection of civilians. The incidents of violence against civilian populations in conflict situations had allowed for the identification of measures to protect civilians under armed conflict situations. Despite some progress, there had been many failures along the way in protecting civilians. A large part of the reason for that state of affairs was due to the double standards and injustice in different armed conflicts, including in territories under foreign occupation, as well as the failure of some parties to respect the principles of international and humanitarian law.

The root causes of many conflicts were poverty, exclusion, marginalization, foreign interventions and military excursions and occupation, he continued. The influence exercised by some members of the Security Council when trying to reach a balanced solution to a conflict sometimes exacerbated such conflicts and contributed to their prolongation. Iran firmly believed that the crisis in Syria should be promptly resolved based on the initiatives proposed by Kofi Annan and with the active and constructive engagements of the parties concerned. The prolongation of that crisis for narrow-minded political interests would have dire consequences on the peace and stability of both the region and Syria.

Saying that the representative of the Israeli regime had used the Security Council to level baseless allegations against Iran and had referred to arms smuggling from Iran to Hamas and Syria, he described the statement as slander. He said that the Israeli regime, with its brutal killing apparatus, excluded the civilian population in Gaza and other occupied territories from the jurisdiction of international law, as if they did not deserve protection under the Geneva Conventions and international law. One and a half million Palestinians in Gaza were deprived of their basic needs and of humanitarian assistance, including United Nations assistance. Many civilian homes continued to be targeted with Israeli missiles, an action that constituted premeditated attacks against civilian populations. All these constituted grave breaches of international law, in particular the Fourth Geneva Convention for which they should be held accountable.

IBRAHIM O.A. DABBASHI (Libya) said the onset of the Arab Spring and outbreak of armed conflict constituted a new challenge: how to prevent aspirations for freedom and democracy from turning into armed conflict. Important questions must be asked about how to prevent tyrants from using weapons in densely populated areas, or convince States to refrain from lending military and other support to dictators who were killing their own people. “We have had dire experiences,” he said. “We have seen all kinds of crimes committed by the former Qadhafi regime”, with demonstrators killed on the streets, tanks and helicopters used to bomb densely populated areas, and women and children killed mercilessly. The same crimes were taking place in Syria, but only in a worse manner. The situation would become clear when reporters and humanitarian workers were deployed in areas blocked by the Assad regime. Was it acceptable that representatives of the Syrian regime continued to represent their country in international organizations, spreading lies and disinformation? Would the Libyan and Syrian people forget that some countries were complicit by extending arms to those regimes?

The Council had taken action at the right time in Libya by adopting resolutions 1970 (2011) and 1973 (2011), setting the stage to implement the right to protect and saving the lives of tens of thousands of civilians. Would the Council continue to have its hands tied and limit its actions to counting the number of civilian victims in Syria? “We should not be insensitive to seeing people being killed in Syrian streets,” he stressed. Nor should we be insensitive vis-à-vis the destruction of houses, or about images of children being killed. The Council should guarantee civilian access to food and medicine. It was time for the major Powers to stop hindering the Council’s ability to protect civilians. Civilian protection could not be achieved without effective measures against the Assad regime, which should include limiting its access to disinformation, suspending Syria’s membership to international organizations, expelling its ambassadors, and referring its crimes to the International Criminal Court. The regime had undermined the six-point plan. It was time to provide weapons to the Syrian people, so they could defend themselves.

GAREN NAZARIAN (Armenia) shared concerns about civilians in armed conflict, which constituted an overwhelming majority of victims, with women and children being the most vulnerable group. Ensuring accountability and enhancing compliance by parties to a conflict with international legal obligations should be viewed as key to the Council’s responsibility to maintain international peace and security. Bettering the use of sanctions and implementing binding resolutions calling for all States to adopt legislation for the persecution of people responsible for genocide, crimes against humanity and war crimes were important. Accountability for those crimes was important in the context of the Nagorno-Karabakh conflict resolution. Azerbaijan had the primary duty to provide accountability for violations of international humanitarian and human rights law in connection with hundreds of thousands of Armenians who had been displaced and become refugees, as a result of ethnic cleansing by Azerbaijan in the 1980s and 1990s, in response to the exercise of that area’s exercise of its right to self-determination, as well as Azerbaijanis massacred in one town by the Azerbaijani national front.

He said some of Armenia's territories had been invaded and, for the last 20 years, been under the occupation of the Azerbaijani Armed Forces. Civilians in Nagorno-Karabakh had been subject to heavy artillery, shelling and bombing. The Azerbaijani Army had fired at hospitals and schools. Armenia had taken humanitarian actions to mitigate civilian suffering by exercising its responsibility to protect the population's physical security, in line with humanitarian and human rights law. It was concerned at the humanitarian impact of the use of force by Azerbaijan against Nagorno-Karabakh.

There were fundamental differences between the protection of civilians in armed conflict and the responsibility to protect. In the Nagorno-Karabakh context, the Organization for Security and Cooperation in Europe (OSCE) Minsk Group Co-Chairs and the Secretary-General had called on parties to implement confidence-building measures, notably to remove civilian threats. He called on Azerbaijan to cease all violence along the Armenia-Azerbaijan border. A lasting solution to the problem must be achieved only through peaceful means, based on international law and within the agreed international format. The Council's approach must be built on an understanding that any resolution should impartially address the root causes of conflict under discussion, and provide security guarantees to the populations concerned.

BASHAR JA'AFARI (Syria) said that the protection of civilians should not be dealt with selectively by picking which civilians should be protected and which ones should not. Equal importance should be attached to protecting Syrian and Palestinian civilians. That basic concept should be the focus of the Security Council debate. Protection of civilians must be undertaken in the context of strict respect for the United Nations Charter, including respect for national sovereignty and non-interference in the internal affairs of Member States. There should be no confusion between the protection of civilians and the enforcement of international peace and security. There should be no loose interpretation of the protection of civilians, such as through injection of the concept of the right to protect. Such interpretation would only undermine the noble effort to protect civilians in armed conflict situations.

The Secretary-General's report had timidly addressed the situation in Syria, he said. It failed to refer to the positive cooperation with the United Nations on the part of the Syrian Government. The armed groups in Syria were operating against the civilians. The report also failed to refer to the daily suffering of civilians under Israeli occupation in the occupied Golan. Those who were sincere should call on all parties in Syria to engage in sincere national dialogue in line with the Kofi Annan plan, instead of opening the borders of neighbouring States to wage terrorist attacks. The protection of Syrians could not be achieved through such actions, but rather through the application of international law. The Syrian Government had no problem with honest Syrian national opposition that did not intend to destroy the country.

He said that Libya had not changed after the ousting of its previous regime. Extremism and the use of language that contravened the United Nations Charter by its representative indicated that there was a legal and political hysteria there. The representative should be committed to the protection of the remaining Libyans and should use his eloquence to regain his country's resources from the same countries that had invaded it. Further, there were terrorists financed by Qatar and Saudi Arabia in training in Zintan, Libya. Their camp included terrorists being trained for dispatch to Syria. Some of them had been killed and others captured. Responding to the statement by the Israeli representative, he said that that country had accounted for more than 60 vetoes by members of the Security Council trying to protect it from responsibility for its violations of international law.

In her concluding remarks, Ms. AMOS said the number of participants in today's debate spoke to the timeliness of it. She welcomed the concern expressed for improving casualty reporting, preventing attacks against health-care workers and services, and about the need for a robust arms trade treaty. Many speakers also had stressed the need for accountability for those who had violated the law. She also welcomed the focus on compliance and humanitarian access. Humanitarian actors must be able to engage with armed groups, if progress was to be made. There was no one-size-fits-all approach. Engagement for exclusively humanitarian purposes was essential in the pursuit of civilian protection. She looked forward to working with the Council in that regard.

Taking the floor again, Morocco's delegate regretted that one Government in the Security Council had mentioned the question of the Sahara. That State had made an inappropriate parallel to other situations. That parallel with other situations was without basis, was politically motivated and did not take account of the realities of the situation. The State was lying when it compared situations that were different. Morocco had institutions that protected and promoted human rights. Each situation had its own specificities. To make parallels of that kind only showed ignorance of Moroccan history.

Israel's delegate said it was unbelievable that the Syrian delegate had spoken in today's discussion on the protection of civilians, when thousands of civilians were killed every day in that country. It hoped that by saying the word "Israel" it would hide those appalling crimes. The Syrian delegate's words said everything about the despicable regime he represented. Also, the Iranian delegate's remarks brought to mind George Orwell's *1984*, in which ignorance was seen as strength.

Also taking the floor again, Syria's delegate said what happened in his country was an internal problem that had begun one and a half years ago. The situation had worsened after demands for reform. Those demands had been accepted by his country. The situation then moved to intervention in Syria's internal affairs. As for Israeli crimes against Arab peoples, he said that was a centuries-old matter. Israel had led to the issuance of more than 1,000 United Nations resolutions condemning its crimes, occupation and settlement policies. Israel had committed many crimes, he said, noting that the Golan was still under Israeli occupation.