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STATEMENT

BY

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ON BEHALF OF THE HUMAN SECURITY NETWORK

**AT THE
SECURITY COUNCIL OPEN DEBATE ON THE PROTECTION
OF CIVILIANS IN ARMED CONFLICT**

New York, 28 June 2006

Madame President,

It is my honor to speak on behalf of the Human Security Network, namely Austria, Canada, Chile, Costa Rica, Greece, Ireland, Jordan, Mali, The Netherlands, Norway, Switzerland, Thailand, Slovenia and the observer country of South Africa.

Let me begin by thanking the Danish Presidency of the Security Council for organizing this open debate. We welcome the adoption of the Council resolution 1674 on 28 April 2006 and this opportunity for the general membership of the Organization to participate in the discussions on its follow-up and implementation. Even more so as six years have elapsed between the adoption of the last SC resolution in 2000 and the one adopted this April. Important progress has been achieved since Resolutions 1265 and 1296 in integrating civilian protection elements into new sanctions regimes to mitigate their humanitarian impact, and the last seven UN Security Council mandated missions each included specific provisions allowing the troops to utilize force to protect civilians under imminent threat of attack. These advances have been paralleled by others, including more regular inclusion of international human rights and humanitarian law language in Security Council texts, links to small arms and light weapons, the impact of illicit resource extraction, and the need to include attention to child, gender and HIV/AIDS in mission design.

We would also like to thank Under-Secretary-General for Humanitarian Affairs and UN Emergency Relief Coordinator, Jan Egeland, for his presentation and in particular his recommendations on possible practical measures to strengthen our collective ability to protect civilians. After the publication of last year's report of the Secretary-General, the states of the Network look forward with great interest to the coming report, due next year.

Violence in internal armed conflicts in various parts of the world continues to disproportionately affect the civilian population and often forcibly displaces them. The suffering of civilians caught in armed conflicts remains one of the most disturbing features of armed conflicts, constituting a major challenge to peace and security. We are also more aware today of the effects on civilian population of the societal breaking down accompanying armed conflicts.

We are particularly concerned about the proliferation, illegal trafficking and misuse of small arms, light weapons and ammunitions which increase armed violence, endanger the security of civilians and jeopardize development activities that aim at stabilizing post conflict societies. Urgent measures are needed to reverse the cycle of violence and its effects on civilian populations, caused by small arms and light weapons. In this regard we would like to draw the attention of the Council to the Geneva Declaration on Armed Violence and Development of 7 June 2006, which contains a set of recommendations on how to tackle armed violence.

The 2005 World Summit Outcome Document affirmed the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. The Network is committed to further promoting the understanding of the notion of "responsibility to protect". We welcome the Council's reaffirmation of paragraphs 138 and 139 of the 2005 World Summit Outcome Document. We encourage the Security Council to devise appropriate implementation mechanisms in this respect. Furthermore, we encourage the Permanent Members of the Security Council to refrain from exercising their veto powers with regard to the aforementioned four international crimes.

We would also like to underline that responsibility to protect is a continuum that ranges from prevention, to protection and rebuilding. In this regard, we welcome the Council's emphasis on prevention and the need for a comprehensive approach through promoting economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law and respect for, and protection of human rights. With regard to the challenge of rebuilding, we welcome the establishment of the Peacebuilding Commission that met for the first time last week and the role it can play in facilitating the transition from relief to development and towards sustainable peace.

As members of the Human Security Network, we fully support the mandate of the Special Adviser of the Secretary-General on the Prevention of Genocide. His work and cooperation with various actors involved on the ground is important for collecting early and solid data that can better inform our preventative efforts, as well as providing the basis for bringing relevant situations to the attention of the Security Council. We encourage the Security Council to strongly support this mechanism, working towards the actual prevention of violations and abuses of international human rights and humanitarian law.

The Security Council's role in addressing civilian protection as a component of its peace and security responsibilities is now well established and was reinforced with the Outcome Document. The Council must continue to explore how best it can most effectively respond to violations and abuses of international humanitarian law and human rights law. It is also important that the Council aims at consistency of practice in upholding its responsibilities under the Charter so as to enhance predictability and transparency of its work.

(Objectives of protection mandates; coordination, cooperation; provision of relevant information, analysis and planning)

In order for the Council to set realistic objectives for the protection of civilians in armed conflicts - i.e. objectives to be shared within the concerned society and in the international community, the Council must first and foremost be well informed. The practice of the Council missions to affected regions and countries is commendable. Also, the Council can benefit from regular briefings by relevant other parts of the UN system, including the Emergency Relief Coordinator and Under Secretary-General for Humanitarian Affairs, the Special Adviser of the Secretary-General on the Prevention of Genocide, the High Commissioner for Human Rights, the Representative of the Secretary-General on Internally Displaced Persons and UN agencies, as well as other important implementing humanitarian partners. The ongoing strengthening of the Office of the High Commissioner for Human Rights' field presences should contribute importantly to translating UN decisions and basic humanitarian and human rights norms into improved local realities and partnership with local actors.

Well-informed decisions contribute to the necessary clarity of the protection mandates, ones that are tailored to the specific needs of the situation on the ground. The Council also needs to pay particular attention to base its decision-making on all relevant principles, norms and standards of international humanitarian, human rights and refugee law.

(Humanitarian Access)

In order to protect civilian populations and to alleviate their plight, the Network calls on states and non-state armed actors to ensure safe and unimpeded access to affected populations by humanitarian actors. We welcome in this regard the adoption in December 2005 of the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, which greatly contributes to the effective work of humanitarian agencies and organizations on the ground, which is indispensable.

We welcome current reforms to enhance the timeliness, predictability and effectiveness of the global humanitarian response system, including through the expanded Central Emergency Revolving Fund, as well as efforts to strengthen humanitarian coordinator capacity, to improve needs assessments and to ensure accountable sector coordination, preparedness and response. These reform efforts are mutually reinforcing and should result in better cooperation between agencies to avoid gaps in meeting protection needs of affected populations, including in particular those of the internally displaced.

(Impunity, compliance with international law)

Compliance by all parties to the conflict with international law is the essential guarantee to ensure safety of civilian population.

The fight against impunity is essential for enabling war-affected societies to reckon with their past and move towards reconciliation and sustainable peace. It is the obligation of all states to prevent impunity through the adoption of national laws, policies and programmes, and the effective functioning of the justice system. Furthermore, the work of international or mixed tribunals and in particular of the International Criminal Court is proving to be valuable when justice through the national level can not be achieved. It is of the utmost importance that national and international institutions of criminal justice receive all the necessary support on the ground.

We have noted in previous open debates of the Security Council the alarming pervasive nature of sexual and gender-based violence in conflict-affected areas. Women and children constitute a majority of the civilian population and are therefore particularly affected by conflict. UN SC Resolution 1325 on women, peace and security responds to the fact that women's experiences in conflict situations are marginalized to an unacceptable degree. Sexual violence is repeatedly used as a deliberate method of warfare with frightening persistence. In some contexts, this sexual violence has led to an increase in the transmission of HIV/AIDS with devastating results. More action is required to document and report on these matters so that effective preventive measures and remedies can be put in place. It is a significant development in combating sexual violence as a method of warfare that rape, sexual slavery, enforced prostitution and forced pregnancy have been included in the definition of crimes against humanity and war crimes in the Rome Statute of the International Criminal Court. But more must be done.

Children are particularly vulnerable in situations of armed conflict, and are often targeted for abduction and recruitment into armed groups. We welcome the work of the newly-created Security Council Working Group on Children and armed conflict and encourage effective implementation of Resolution 1612.

Let me conclude by saying that we should keep in mind our common responsibility to act in a timely, proactive and decisive manner to prevent further suffering.

Thank you, Madame President.