

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

STATEMENT

BY

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CHECK AGAINST DELIVERY

Mr. President

This debate is taking place against the background of the armed conflict in Gaza that causes very high numbers of civilian casualties, in particular among children. We support Council resolution 1860, which is legally binding on the parties to the conflict, and call for its early implementation, first and foremost in the interest of the civilian population whose rights are not respected, bears the brunt of the ongoing violence and is deprived of the necessary humanitarian assistance. The parties to the conflict have the responsibility, under international humanitarian law, to facilitate humanitarian operations.

Mr. President

Civilian populations have always suffered from the consequences of armed conflicts, but modern warfare and the changed nature of armed conflicts have massively exacerbated their situation. The Council has routinely discussed the situation of civilians in conflict situations and achieved some remarkable results. Most recently, resolutions 1674 and 1738 constituted important steps to enhance the normative and operational framework for the protection of civilians. Nevertheless, the disproportionate burden that armed conflicts continue to place on civilians requires a more consistent and more permanent engagement. The establishment of an expert-level group of the Council and a consistent application and update of the aide-memoire for the consideration of issues pertaining to the protection of civilians would facilitate a more systematic consideration of protection concerns. A positive development outside the Council was the adoption of the Convention on Cluster Munitions which we have signed together with almost one hundred other States. While this is only a first step, we hope that it will rapidly lead to the total elimination of such weapons, which are by nature indiscriminate and are causing enormous suffering among civilian populations around the globe.

Mr. President

This year we celebrate the sixtieth anniversary of the adoption of the Geneva Conventions, one of the outstanding achievements in the history of international law and the centerpiece of international humanitarian law. Only the full implementation of the Geneva Conventions and other provisions of international humanitarian law can ensure the effective protection of civilians in armed conflict. Unfortunately, we have witnessed in the recent past an erosion in the observance of IHL. We must urgently reverse this trend. We are also supportive of the principle of Responsibility to Protect endorsed at the Summit level more than three years ago and call for its consistent application both at the national level and by the relevant intergovernmental bodies. If the observance of relevant standards of international law is at the core of the protection agenda, the effective fight against impunity is its necessary complement. When national judiciaries fail in their duty to prosecute the most serious crimes under international law, the International Criminal Court can step in to fill the gap. While more than hundred States have become parties to the Rome Statute, the Security Council also has a special obligation through the referral powers given to it under the Rome Statute.

Mr. President

One type of crimes warrants the particular attention of this Council: Due to its large-scale, systematic and targeted use, sexual violence is no longer a simple by-product of armed conflict. It has turned into a method of warfare aimed at destroying the social fabric of communities in order to achieve political and military ends. In this regard, we reiterate our support for SC resolution 1820. The protection of civilians from acts of sexual violence must be an inherent task for all peacekeeping missions and the Council's mandates must offer clear guidance on how to provide such protection. Furthermore, the full implementation of Resolution 1820 requires more resources for the collection of data on sexual violence in conflict situations.

I thank you.