

Mr. Mayr-Harting (Austria): At the outset, Mr. President, let me thank you for organizing this debate and Under-Secretary-General Sir John Holmes for his important briefing, as well as for the constant commitment of Office for the Coordination of Humanitarian Affairs in this area. Austria associates itself with the statement to be delivered by the representative of the Czech Republic on behalf of the European Union, as well as with the statement made by the representative of the Costa Rica on behalf of the Human Security Network.

Over the past 10 years, the Council has developed a comprehensive protection agenda, imposing clear obligations on parties to conflict and providing a toolbox for Security Council action. The issues addressed include compliance by parties to a conflict with their obligations under international humanitarian law, unhindered access for humanitarian organizations to people in need, accountability for serious violations against civilians, and the protection of civilians through peacekeeping missions. Austria is a fervent supporter of that protection agenda, and we stand ready to contribute to its implementation.

We welcome the Secretary General's report (S/2009/277) before us that identifies the major challenges that we are facing in the implementation of the protection of civilians agenda. The report provides an excellent basis for our further work. Let me also welcome the access annex attached to the present report. More specific reporting on access constraints will enable the Council to react in a more effective way.

Systematic attention needs to be paid to protection concerns in the daily deliberations of the Council. Therefore, Austria welcomes the establishment of the Security Council Expert Group on the Protection of Civilians, which has already demonstrated its usefulness in better addressing protection concerns. We hope that the Council will make full use of the potential of this innovative mechanism.

More consistent and comprehensive reporting on protection issues in the Secretary-General's regular reports would enable the Council to act more systematically regarding the protection of civilians, and particularly of women and children. The aide-memoire on the protection of civilians (S/PRST/2009/1, annex) offers a very good framework in this regard. Also, the challenges identified in the Secretary-General's report should receive particular attention.

The question of how to enhance the protection of civilians through peacekeeping operations has been identified as a major challenge. In recent years, several peacekeeping missions have been mandated by the Council to ensure the physical protection of the civilian population. Indeed, its mandate to provide protection to refugees and internally displaced persons was a strong factor in Austria's decision to contribute troops to the European Union Force in Chad and the United Nations Mission in the Central African Republic and Chad (MINURCAT).

Austria has also contributed to the independent study commissioned by the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs, which seeks to analyse the experiences so far in the implementation of such protection mandates in peace operations. We look forward to discussing the findings and recommendations of that study. It is our hope that they will contribute to the overall reform efforts of United Nations peacekeeping and to the further strengthening of the protection agenda of the Council. Our aim must be to have more effective and better resourced peacekeeping missions that are in a position to implement their protection mandates in a credible and consistent manner. Let me add that the recent mission of the Security Council to the Democratic Republic of the Congo gave us a very good opportunity to observe at close range the complexities that United Nations peacekeeping missions and troop-contributing countries may face in the implementation of their mandates.

That is why we applaud the recent positive developments in several peacekeeping operations, in particular the United Nations Organization Mission in the Democratic Republic of the Congo, such as the adoption of a comprehensive strategy to combat sexual violence and the decision to give clear priority to the protection of the civilian population. From our point of view, the task assigned to MINURCAT of strengthening national police capacities in Chad is another important positive development. We need to take the lessons from such experiences and see how they can be applied to other missions.

Ensuring better compliance of parties to conflict with international humanitarian law has already been rightly identified by many speakers as another area requiring priority attention. This is a particular problem with regard to many non-State actors. The Council needs to continue consistently to call for compliance by all parties to a conflict and to ensure investigations in cases of alleged violations and consequences for non-compliance. We welcome the experiences gained by the United Nations in negotiating with parties to a conflict, in particular non-State actors, in order to improve humanitarian access and compliance with international humanitarian law. Important efforts have also been undertaken to secure commitments from non-State actors to stop the recruitment of child soldiers and to end the use of landmines.

The Security Council should further contribute to strengthening the rule of law by supporting criminal justice mechanisms and other mechanisms for accountability and by affirming its opposition to impunity. Fighting impunity should be seen as part of a comprehensive approach to seeking sustainable peace, justice, truth and national reconciliation. More efforts are needed to strengthen national systems in order to build their capacities to ensure that perpetrators are brought to justice and that victims are granted an effective remedy.

A further issue that needs urgent attention from the Security Council is the vulnerability of civilians in relation to the abundance of weapons, mainly small arms and light weapons. Austria also welcomes the emphasis placed by the Secretary-General on the devastating humanitarian consequences of weapons with area effects, such as cluster munitions. The victims and survivors of these weapons need special attention and protection. The provisions on victim assistance in the new Convention on Cluster Munitions comprehensively address the immediate concerns of victims. In our view, this should become the new international standard for victim assistance. Austria calls on all States that have not yet done so to sign and ratify the Convention as soon as possible.

This year marks the tenth anniversary of the Security Council's first consideration of the protection of civilians in armed conflict. This anniversary provides us with a good opportunity to take stock and to reaffirm our commitment to protecting civilians from the devastating effects of armed conflict, as emphasized by the Secretary-General in his report.

In response to this call of the Secretary-General, Austria is therefore planning to organize a debate of the Council, on the occasion of the tenth anniversary, during its presidency of the Council in November. Austria's Foreign Minister, Mr. Michael Spindelegger, has a strong personal commitment in this area and therefore intends to preside over that important meeting personally. The aim of the debate should be to identify a set of concrete measures to address current challenges in the protection of civilians. We look forward to working with all interested delegations and the Secretariat towards this goal.