

Mr. McNee (Canada): I would like to thank you, Mr. President, and the delegation of Turkey for convening this important debate. Under-Secretary-General Holmes gave us a particularly cogent briefing at the outset, for which Canada is very appreciative.

This year marks the tenth anniversary of the first groundbreaking thematic resolution on the protection of civilians. Resolution 1265 (1999) and its sister resolution 1296 (2000) articulated clearly and specifically the linkage between the protection of civilians in situations of armed conflict and the Council's responsibilities for the maintenance of international peace and security. Collectively, the international community has built a solid international legal and normative framework. But the question remains: has that led to positive results for civilian populations? Since the last open debate on this issue, in January, a number of situations have demonstrated that critical gaps remain between words and actions.

In the Sudan, the expulsion in March of 13 international non-governmental organizations (NGOs) from the northern parts of the country, including Darfur, and the closure of three national NGOs have forced the scaling back of assistance and weakened humanitarian response capacity. In the meantime, peacekeepers are unable to fulfil their protection mandate.

In Sri Lanka, the intensification of fighting during the final months of the conflict led to significant numbers of civilian casualties. Hundreds of thousands of civilians were trapped in a shrinking area without shelter or basic services, under repeated shelling and used as human shields.

In Afghanistan, indiscriminate acts of violence remind us why the support for the international Mission and the Afghan people is so important.

Sharp increases in the numbers of displaced persons in Pakistan underscores that the international community's collective support for international humanitarian action is a critical component of protection efforts.

Canada welcomes the Secretary-General's most recent report on the protection of civilians in armed conflict (S/2009/277). It outlines key challenges and offers a practical road map for Council attention and action. This afternoon I would like to focus on three key elements in the report: the need for practical efforts, access and accountability.

First, 10 years of experience tells us that the language on the protection of civilians in Security Council resolutions does not automatically translate into clear mandates and operations on the ground. To bridge this gap, Council language must be translated into practical, field-based guidance for military and civilian actors, including civilian police, as John Holmes proposed in his briefing earlier. Those entrusted with protection must have the knowledge and training required to effectively fulfil this role, with particular sensitivity to vulnerable groups, such as women and children.

Canada was pleased to recently co-sponsor a conference at Wilton Park, in the United Kingdom, to examine the role for military peacekeepers in addressing sexual violence. The conference resulted in an inventory of good practices for peacekeepers to use in protecting civilians from sexual violence.

We also need to work together to assign appropriate accountabilities in order to ensure that mandated tasks are implemented. Canada applauds the commitment of the Office for the Coordination of Humanitarian Affairs (OCHA) and the Department of Peacekeeping Operations (DPKO) to more effectively operationalize the protection of civilians within peacekeeping mandates. We welcome the recent DPKO high-level seminar on robust peacekeeping, and we recognize the work of the Special Committee on Peacekeeping Operations, which included a reference to the protection of civilians in its 2009 report. My delegation also looks forward to the upcoming OCHA/DPKO lessons-learned study based on 10 years of implementing protection of civilians mandates in peacekeeping operations. The potential significance of this study should not be underestimated. Canada urges the Council to consider this study seriously and to act on its key recommendations.

It is also important to prevent gaps in coordination between peacekeeping operations and civilian agencies, which have a critical role to play in protecting civilians. Effective

coordination between peace and security, development and humanitarian actors remains key to ensuring that gaps are addressed and protection needs are met.

Secondly, Canada welcomes the Secretary-General's focus on humanitarian action. The question of access cuts to the heart of our ability to assist populations at risk, yet access is too often hindered or denied outright. Full, safe and unhindered access to populations in need must be provided. We welcome OCHA's efforts to monitor access constraints more effectively and report to the Council on this issue. Timely, credible information and analysis on access challenges are crucial in the development of effective responses.

However, when issues such as access are brought to the Council's attention, follow-up is vital. In its response, the Council must be willing consistently to draw upon key tools at its disposal, including deploying fact-finding missions, good offices, special envoys, monitoring missions and preventive deployments when civilians are at risk, and support for humanitarian and human rights agencies to promote compliance with international law. In addition, the Council must monitor its own resolutions and provide back-up to missions as necessary.

The Secretariat also has a role. In the Democratic Republic of the Congo, for example, field visits by the Security Council Expert Group on the Protection of Civilians, perhaps in conjunction with the Working Group of the Security Council on Children and Armed Conflict, could provide the Council with key information about humanitarian and protection needs and the conduct of the mandate.

The third issue remains front and centre, and that is the issue of accountability. Despite the existence of numerous provisions under international law, attacks against civilians, including humanitarian workers, often continue unabated. Such attacks must be seen as the crimes that they are. Accountability is critical. National authorities are responsible for exercising jurisdiction over those responsible for committing such crimes. When there is an unwillingness or inability to do so, the Council and the broader United Nations membership have a role to play in ensuring that those who commit serious violations of international human rights and humanitarian law are brought to justice.

(spoke in French)

Finally, the Government of Canada is pleased to see a reference to the Montreux Document (S/2008/636, annex) on pertinent international legal obligations and good practices for States related to operations of private military and security companies during armed conflict. Canada is pleased to have participated in the debate that led to the adoption of this non-binding document intended to clarify international law as it pertains to private military and security companies. This compendium of good practices is a good guide for Member States, in particular in their relations with private security providers. We ask Member States to support this document and to advocate on its behalf.

Over the past 10 years, we have put in place an exceptional framework to guide our collective action. We have sought thereby to ensure that the Council and its mandated missions will never be at a loss for strategies to deal with the most serious situations in which civilians are at risk. In terms of the future, we have undertaken new initiatives to respond to emerging problems. Canada urges the Council to ensure that its actions are appropriate, to remain vigilant in its monitoring, and to exercise the necessary political will to deploy the full range of measures at its disposal to protect civilians.