

Statement by the European Union at the Open Debate of the United Nations Security Council

Protection of Civilians

12 February 2014

(Unofficial Transcript)

I have the honour to speak on behalf of the European Union (EU) and its States members. The candidate countries Turkey and Montenegro; the country of the Stabilization and Association Process and potential candidate Albania; as well as the Republic of Moldova and Georgia, align themselves with this statement.

I shall deliver a shortened version of my statement, the full version of which will be circulated in the Chamber and be made available on our website.

I would like to thank the Under-Secretary-General for Humanitarian Affairs, the High Commissioner for Human Rights and the representatives of the Department of Peacekeeping Operations and the International Committee of the Red Cross for their briefings. I also thank the Lithuanian presidency for organizing this timely debate.

Let me start by stating that the EU continues to be concerned about the heavy civilian casualties, massive displacement of populations, serious human rights violations and worsening of the humanitarian situation in the Central African Republic. In that context, the EU is currently drawing up support for the Office of the United Nations High Commissioner for Human Rights so that human rights monitors can be deployed. We welcome the recent appointment of the members of the commission of inquiry and encourage the United Nations to swiftly deploy it on the ground. We look forward to working with the United Nations, the African Union and other actors in ensuring the complementarities of ongoing initiatives.

A more robust response to the crisis is urgently needed. For its part, the European Union has responded swiftly through a combination of humanitarian, stabilization and development support. The European Commission has increased its allocation up to €9 million and has furthermore substantially scaled up its humanitarian engagement, moving to a collective contribution by the EU and its member States of €76 million by the end of 2013. The EU has been fully mobilized since the beginning of the crisis to support the efforts of our African partners.

As authorized by the Council, the EU is committed to sending a crisis management mission in order to help provide a safe and secure environment, protect civilians in the Bangui area and permit internally displaced persons to return to their homes, as well as to create the conditions for humanitarian actors to operate freely. The European Union thanks the Council for adopting resolution 2134 (2014), which authorizes that action.

With regard to the situation in Syria, the EU remains gravely concerned about the continuing and indiscriminate bloodshed among the civilian population and calls for the cessation of all violence so as to allow urgent humanitarian access on the ground. It strongly condemns the regime's escalating and indiscriminate attacks, including the use of Scud missiles, barrel bombs and air and artillery strikes, and its brutality on the ground, notably in Aleppo. The regime bears the primary responsibility for the conflict. Its actions on the ground are undermining the potential for genuine political transition and are fuelling extremism.

We call on all parties to the conflict to immediately uphold their obligation to protect civilians, as well as medical personnel, facilities and transport, to allow and facilitate immediate and unimpeded humanitarian access to the whole of the territory and to guarantee, without delay, the safety and security of humanitarian personnel in the exercise of their duties. The EU will continue to defend human rights and will remain active in ensuring accountability for the widespread and systematic violations and abuses of human rights and international humanitarian law perpetrated in Syria.

The EU reiterates its call on the Security Council to urgently address the situation in Syria with regard to those aspects, including a possible referral to the International Criminal Court (ICC), as requested in the Swiss letter to the Security Council of 14 January 2013. The EU recalls that all those responsible for crimes against humanity and war crimes must be held accountable. We reaffirm our support for the Independent

International Commission of Inquiry on the Syrian Arab Republic, established by the Human Rights Council.

The annual report of the Secretary-General on children and armed conflict (S/2013/245) reminds us of the challenges ahead. We have seen progress in some areas. However, children in too many countries are suffering terribly as a result of armed conflict. The situation in Syria is of special and most urgent concern. The EU reiterates its call in support of the “No Lost Generation” strategy for the children of Syria. The difficult situation of children in Mali and the Central African Republic is also highlighted in the Secretary-General’s report.

Strengthening accountability is an important element in enhancing compliance by parties to armed conflict with their international obligations. National authorities have the primary responsibility to provide accountability for violations of international humanitarian and human rights law. In cases where the national authorities fail to take the necessary steps to ensure accountability, the Security Council can, as appropriate, play a more proactive role.

The ICC continues to play a crucial role in fighting impunity. Serious crimes of international concern should be dealt with by national judicial systems but, when they are unwilling or unable to do so, States parties to the Rome Statute should consider referring those situations to the ICC. Further institutional dialogue between the ICC and the Security Council and the effective follow-up of referrals made by the Security Council to the ICC could assist in ensuring accountability.

In addition to bringing perpetrators to justice, we strongly believe in early and decisive action to try to prevent such crimes from being committed and in the need to forcefully remind the authorities responsible of their primary responsibility to protect civilians, or be held to account. There is much room for improvement, including in the way in which the United Nations system responds to early warnings and evolving situations. The EU welcomes the Secretary-General’s “Rights up front” initiative as an important element of the Organization’s efforts to strengthen early warning and prevent atrocities against civilians.

For a number of years, the mandates of many peacekeeping and other missions have included protection-of-civilians activities. Many challenges remain in terms of the effective implementation of those protection mandates, and we need to continue to address them. The implementation of protection-of-civilians mandates requires better planning support to missions, gleaned from the lessons learned effectively and improving understanding of how to support host States in protecting civilians.

The EU also welcomes the use of new technology in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, which supports the delivery of its protection mandate. We encourage the Department of Peacekeeping Operations to further explore opportunities to use state-of-the-art technology in peacekeeping missions.

In many ways, training is the cornerstone for improving the implementation of the protection of civilians by missions. For its part, in Somalia, the EU has provided training to Somali soldiers, with the prevention of the perpetration of war crimes and other premeditated acts of violence against civilians, human rights law and international humanitarian law, among other elements, as an integral part. In future, the European Union Training Mission in Somalia will also provide strategic advice to the General Staff in Mogadishu on designing and developing training concepts, policies and programmes. With the aim of assisting Malian authorities in consolidating peace and security and, more generally, in order to find lasting solutions to the crisis in the Sahel region, in close coordination with other regional and international stakeholders, from the beginning the EU Training Mission in Mali has been incorporating the issues of the protection of civilians, human rights and gender in the training curriculum.

The EU civilian mission launched at the request of Niger’s Government in the summer of 2012 aims, in part, at strengthening the rule of law by developing criminal investigation capacities and ensuring respect for the criminal justice system.

Let me end by saying that the Security Council should continue to request the Secretary-General to explicitly report on the implementation of protection-of-civilians mandates by peacekeeping operations. The protection of civilians should also be a standard benchmark against which we measure the success of peacekeeping operations