

Statement by Ghana on the Protection of Civilians in Armed Conflict

Wednesday, 11 November 2009

Allow me to congratulate the Austrian delegation on assuming the presidency of the Security Council for this month. Ghana welcomes the latest report of the Secretary-General (S/2009/277), as well as his statement this morning demonstrating his commitment to addressing the issue of the protection of civilians in armed conflict.

My delegation aligns itself with the statement made by the Permanent Representative of Egypt on behalf of the Non-Aligned Movement and with the statement to be delivered by the Permanent Representative of Zambia on behalf of the African Group.

The timing and theme for today's open debate could not have been more appropriate, considering that this year marks the tenth anniversary of the Security Council's initial consideration of the protection of civilians in armed conflict as a thematic issue under its resolution 1265 (1999). In the course of the past decade, Ghana has remained among the 10 top troop-contributing countries in peacekeeping, and many Ghanaians peacekeepers are among those who have made the ultimate sacrifice. Ghana will continue to cooperate with other Member States in the implementation of the relevant resolutions adopted by the United Nations aimed at enhancing the protection of civilians in armed conflict. As acknowledged in the valuable concept paper (see S/2009/567) prepared for this debate, though some modest progress has been made, more work remains to be done.

As we speak today, millions of innocent people are suffering in various theatres of conflict and are denied humanitarian assistance. Many are deliberately targeted by armed groups and regular forces, in the face of the inability or unwillingness of their own Governments to come to their rescue. Children are being forcefully recruited as child soldiers or sex slaves; the raping of women and girls as a weapon of warfare persists; many victims have no access to food, water or schools, while others have been compelled to flee their homes, while humanitarian workers and peacekeeping personnel are deliberately killed or injured. Such atrocities are being committed in flagrant violation of the principles of international humanitarian and human rights law.

The phenomenon of internally displaced persons, a category of civilians in need of protection in armed conflict, is of particular concern in Africa, where millions of people are at present displaced by violent conflicts. In order to address the gaps and weaknesses in the existing international legal framework on the protection of internally displaced persons, in October African States adopted in Kampala, Uganda, the African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons in Africa with the purpose and objective "to promote and strengthen regional and national measures to prevent or mitigate, prohibit and eliminate the root causes of internal displacement".

The States parties to the Kampala Convention are not only obligated to respect the right, which the African Union Constitutive Act confers on the Union and its member States, to intervene or request intervention in circumstances of genocide, crimes against humanity and war crimes, but they also undertake to prevent other violations of international humanitarian law against displaced persons. Furthermore, States parties to the Kampala Convention are under a general obligation to ensure the

accountability of individuals and non-State actors for acts of arbitrary displacement, in accordance with national and international criminal law. It is hoped that the Council and other United Nations entities with the mandate to protect internally displaced persons will cooperate with African States in advancing the objectives of the Kampala Convention.

In the long run, the protection of civilians must begin with a culture of prevention encompassing all the phases of armed conflict. This should include the strengthening of early warning mechanisms, immediate or rapid response in the early stages of a conflict to avert escalation and establishing mechanisms for post-conflict peacebuilding in order that countries emerging from conflict do not experience a relapse. Effective sanctions regimes must be put in place to ensure that armed groups and their sponsors do not profit from natural resources they illegally exploit in conflict zones. Peacekeepers and humanitarian agencies must be adequately resourced to fulfill their mandate in order that they can focus on the protection of civilians in armed conflict, and not on their own protection and survival. Therefore, steps being taken to ensure cost-effectiveness in peacekeeping must not sacrifice the effectiveness of peacekeeping, peacebuilding and other peace operations.

There is the need for the international community to work closely with regional organizations such as the African Union to strengthen regional mechanisms designed to enhance the protection of civilians in armed conflict, to facilitate prevention of violent conflicts and intervention in them and to avert post-conflict relapse. To that end, Ghana would reiterate the need for the United Nations to heed the request by the African Union for logistical and material support towards the implementation of the African Standby Force arrangement. This will enable the AU to give practical meaning to the relevant articles of its founding treaty and the Protocol on the establishment of the African Peace and Security Council, providing for the right of the Union and its member States to intervene in circumstances of genocide, war crimes and crimes against humanity.

In closing, Ghana wishes to urge that measures to ensure the protection of civilians in armed conflict include the prosecution and punishment of perpetrators, with a view to deterring attacks on innocent civilians. Indeed, if we are to succeed in fighting impunity, then it is imperative to promote universal participation in the Rome Statute of the International Criminal Court and to strengthen other international criminal justice mechanisms, bearing in mind the link between justice and the maintenance of international peace and security.