



IRELAND

Statement by

Mr Jim Kelly
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at the

Open Debate of the Security Council
“Protection of Civilians in Armed Conflict”

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Mr President,

Civilians - entirely innocent non-combatants - account for the vast majority of casualties in armed conflict. Reports of violence and brutality against the civilian population of Syria; of serious violations of human rights law and of international humanitarian law in Mali; and of the displacement of entire communities due to ongoing violence in eastern DRC; these reports, and reports from other areas in crisis, are daily reminders of the extreme vulnerability of those living in conflict zones.

The protection of civilians is at the heart of what the United Nations stands for. It is where the UN can and does make a critical difference, every day. And it is for this reason that, while significant policy progress on the protection of civilians has been made since 1999, we look to the affected States in the first instance, and to the UN peace operations that they host, to deliver more tangible results, and to better protect civilians, in conflict-affected areas.

I would like to thank the Republic of Korea for scheduling this debate and for their Concept Note, and to make a number of comments arising from the Secretary-General's report of last year. Ireland associates itself with the statement made on behalf of the European Union.

Mr. President,

States bear the primary responsibility for the protection of civilians in armed conflict. Where States are willing, but unable, to discharge their primary responsibility to protect civilians, peacekeeping missions can play an important role in building up State capacity and institutions, through training, conflict resolution, reconciliation efforts and the provision of logistical support.

There are also situations where a State is able, but may be less than willing, to discharge its responsibilities, or to cooperate fully with a peace operation on the latter's protection mandate. In this regard, Ireland is concerned by reports that UNAMID has repeatedly been prevented from accessing areas in northern Darfur, which has seen an increase in hostilities between the government and armed groups as well as inter-communal violence, and we call on the Government of Sudan to allow the mission unhindered freedom of movement throughout Darfur, in accordance with the status-of-forces agreement.

For various reasons, many states do not take sufficiently resolute action to deal with the crime of sexual violence in conflict. We are deeply distressed by the finding of the International Rescue Committee (IRC) that many Syrians identified rape as a primary reason their families fled the country. Yet we are encouraged by the work in other places of the Special Representative, Zainab Bangura, to foster the necessary cultural change, and encourage the political ownership and leadership at the national level, that are crucial to tackling conflict-related sexual violence.

States also bear the primary responsibility for ensuring accountability, at the national level, for violations of international humanitarian and human rights law. Mr. President, as pointed out in your Concept Note, "*in many armed conflicts it is to a large degree the absence of*

accountability and, worse still, the lack in many instances of any expectation thereof, which allows violations to thrive”.

The Secretary-General’s 2012 report urges this Council to identify ways to encourage and assist States to ensure accountability at the national level. But where this is not forthcoming, and where credible and independent national procedures are neither established nor followed, this Council must be prepared to act. Last month, Ireland joined 56 other countries in calling upon the Security Council to refer the situation in Syria to the International Criminal Court. We repeat that call today. We believe that a referral to the Court, signalling clearly that atrocities will not go unpunished, would be a dynamic element that could potentially save lives in acting to deter future atrocities.

Mr. President,

An imperative in any armed conflict is respect by the parties for international humanitarian law and for humanitarian workers. The Secretary-General’s report of 2009 stated that “*access is the fundamental prerequisite for humanitarian action*”. Ireland is deeply concerned by the plight of Syrians living in areas worst affected by the fighting who have been unable to receive sufficient humanitarian assistance. Ireland’s commitment to the Syrian people is steadfast, and underscored by our humanitarian support which amounts to almost \$9.5 million over the past twelve months. We pay tribute to the humanitarian workers, from UN agencies, the Syrian Arab Red Crescent and many other partners, who work tirelessly in extraordinarily difficult conditions to assist those in need. And we urge all parties to the conflict to ensure the safety and security of humanitarian workers, including as they cross conflict front-lines.

From Syria too, there are reports of the deliberate targeting of medical personnel, vehicles and facilities; of doctors prevented from accessing hospitals; and of attacks on patients and those seeking medical treatment. Access to medical care and facilities is a matter of life and death for civilians and we call on all parties to the conflict to honour their legal obligations.

Mr. President,

We have spoken previously of the overarching need to match resources to the ever-growing ambition of peacekeeping mandates. In the meantime, there are smart approaches that even relatively small peacekeeping missions can use to better cover their sometimes vast areas of responsibility, through for example:

- the increased use of unmanned aerial systems, which would enhance situational awareness to the benefit of improved protection of civilians – and also offer improved force protection;
- the Mission deployment of more women peacekeepers, female police officers, or female civilian staff, to increase reach into local communities
- a greater focus on preventing crimes being carried out against civilians through early warning and decisive early positioning, such as that conducted successfully by UNMISS around Pibor town in South Sudan in 2011,

- closer cooperation and information-sharing between peacekeeping operations and other missions, especially special political missions, to improve early warning capacity and ensure better quality analysis of the dynamics of fluid situations on the ground.

Mr. President,

Reports published over the past two years by the Secretary-General's Panel of Experts on Accountability in Sri Lanka, and by the Internal Review Panel, give us a sense of the scale of the atrocities committed against the civilian population during the final stages of the war in Sri Lanka. These have been described as "*a grave assault on the entire regime of international law designed to protect individual dignity during both war and peace*". The Security Council did not refer the situation to the ICC. Indeed, the Council did not even hold a formal meeting on Sri Lanka during the final stages of the conflict. And the Internal Review Panel concluded that "*many senior UN staff did not perceive the prevention of killing of civilians as their responsibility*".

While these reports cast the tragic events in Sri Lanka into sharp relief, we know that the failure to protect civilians has cost countless lives across many conflicts. Protecting civilians in the extreme environment of armed conflict is both a daunting challenge and a grave responsibility. It falls to all of us - the wider UN membership, led by this Council, and the UN family itself - to work together to better discharge this responsibility. We owe it to all civilians who have died in conflict for want of protection to learn the harsh lessons, and ensure that we do much more to protect vulnerable civilians in Syria, in Mali, in eastern DRC and in all areas afflicted by conflict.

Thank you, Mr President.