

Statement by Chile at the Open Debate of the United Nations Security Council

Protection of Civilians in Armed Conflict

12 February 2014

(Unofficial Transcript)

My delegation thanks the Lithuanian presidency for convening today's open debate on a subject of the greatest importance and priority for my country. Similarly, we are grateful for the briefings we have heard from the High Commissioner for Human Rights Pillay, Under-Secretaries-General Amos and Ladsous and Director-General of the International Committee of the Red Cross Daccord.

My delegation endorses the statement that will be made by the representative of Slovenia on behalf of the Human Security Network, of which my country is a part.

As mentioned in the concept note (S/2014/74, annex) and the report of the Secretary-General (S/2013/689) before us — the Secretary-General's tenth report on the matter — despite the fact that we are celebrating 15 years since the Security Council adopted resolution 1265 (1999), there is little room for optimism. The briefing of Under-Secretary-General Amos speaks volumes in that regard. Civilian populations continue to be the most affected by armed conflicts, which today are, in the majority, intra-State conflicts.

The primary responsibility to protect civilian populations falls to each State. However, when that does not occur, whether deliberately or because of the incapacity of the State itself to act, the international community must seek to do so in accordance with the principles agreed upon in paragraphs 138 and 139 of the 2005 World Summit Outcome Document (General Assembly resolution 60/1).

The negative situations we face today in the area of the protection of civilians are the result, fundamentally, of the lack of political will to confront the situation, and not the lack of instruments or mechanisms established for the purpose. Indeed, we have a comprehensive legal framework, which is known and shared by the majority of States, and which includes all the necessary elements to respond to the protection of civilians and other vulnerable groups. In many cases, there is no will to act and to allow access to humanitarian aid where it is needed, and there is a lack of willingness on the part of some Governments affected by conflict situations to understand that the humanitarian organizations, by dint of their very nature, ought to be able establish contact with non-State actors within those same States.

We welcome the Secretary-General's initiative and the "Rights up front" action plan, which reaffirms the central role that human rights play in the work of the United Nations and provides fundamental recommendations for the whole system, aimed at reacting better to and dealing swiftly with problems of human rights. Respect for human rights and for international humanitarian law is, ultimately, the central concept that underpins the protection of civilians.

In attempting to respond to some of the concerns raised by the Lithuanian presidency's concept note (S/2014/74, annex), we feel that the following elements could contribute to the better protection of civilian populations in armed conflicts.

First, there needs to be greater cooperation among the Security Council, troop- and police-contributing countries and the Secretariat in order to establish clear, realistic and achievable mandates along these lines. Missions must be able to count on the availability, in a timely and effective manner, of the necessary resources and capacities needed to achieve their mandates. In the same way, troops must be given training in the protection of civilians.

Secondly, the improvement and strengthening of early-warning systems will help us get ahead in crisis situations. In that respect, we would urge improved coordination among the various actors on the ground so that the flow of information is adequate and timely. With the same goal in mind, my delegation supports the use of new, non-weaponized technologies as tools for preventing crises. We also recognize the contribution of mechanisms, such as horizon scanning, among others, that can play a role in achieving that objective.

Thirdly, the establishment of a registry system for civilian casualties could serve as a mechanism for monitoring violations of international humanitarian law and human rights law.

Fourthly, accountability for war crimes and serious human rights violations can serve as an element of justice and redress and as a tool for deterrence and prevention. There must be absolute certainty that abuses and crimes committed will not go unpunished.

In conclusion, we welcome the current aide-mémoire prepared by the Office for the Coordination of Humanitarian Affairs, and the presidential concept note. We recognize the aide-mémoire's value as a tool for query, analysis and diagnosis in matters pertaining to the protection of civilians by the Council, Member States and other actors of the United Nations system.