

SECURITY COUNCIL

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The Protection of Civilians in Armed Conflict

Statement by H.E. Gary Quinlan
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Mr President

Thank you for the Republic of Korea's leadership in convening this debate and for Foreign Minister Kim's presence today. I welcome the participation of the Foreign Ministers of Azerbaijan and Rwanda, as well as the Foreign Minister of Brazil, and the Secretary-General of the Organisation of Islamic Cooperation.

Thank you also to the Secretary-General for his consistent leadership on protection in all its dimensions, and to High Commissioner Pillay and to Dr Spoerri and the ICRC for their indefatigable - and irreplaceable - efforts.

As a member of the Group of Friends on Protection of Civilians, Australia associates itself with the statement to be delivered today by Switzerland on behalf of the Group.

As the Secretary-General has said, the situation on protection of civilians is "abysmal". That of the most vulnerable – women and children – violates our humanity. There is what should be an irresistible case for the Council and the UN system to focus sharply on strengthening efforts to meet the five core challenges the Secretary-General identified in his latest report.

We support the report's analysis and recommendations and we pledge to work assiduously with others on the Council, with Member States, troop contributing countries and humanitarian actors, to take forward those recommendations as a priority.

Protection is not just at the core of the Council's responsibility. It should also be the Council's moral compass. More than any other issue, we will be judged by our actions and by our failures to act on protection challenges. We are already judged by our failure in Syria. And we are failing in Southern Kordofan and Blue Nile.

So what should we do?

I will mention five areas.

1. We should bring humanitarian access to the fore - and do all we can to ensure compliance with international humanitarian law

Around the world, tens of millions of civilians continue to suffer every day. And international humanitarian law requires parties to conflict to respect and protect humanitarian personnel whose work is vital to help them. Yet we know that these obligations are not being respected. We have to do better.

Australia is particularly concerned about ongoing attacks against medical workers, notably today in Syria. More than half of all hospitals have been damaged or destroyed and a third of medical services are not operating. We strongly support the call by the Secretary-General and today's Presidential Statement (PRST) for the immediate cessation of attacks against medical personnel and facilities. Their deliberate targeting is not only morally abhorrent; it is an unquestioned violation of international humanitarian law. Australia will continue to work with others to improve the protection of medical personnel and facilities and access to them in Syria.

Equally, the Presidential Statement necessarily highlights the imperative to protect schools, teachers and journalists.

2. We should confront the challenge of unregulated small arms and the indiscriminate use of weapons

All too often we see explosive weapons being used in densely populated areas – Syria is a particularly egregious example. Parties to conflict must abide by international law. And we support the Secretary-General's recommendation and further action on this issue.

Similarly, some 2000 people – mostly civilians, many women and children – are killed every day from the illicit and irresponsible trade in weapons. We can fix this. We have an historic opportunity with the negotiations in March to achieve a legally-binding Arms Trade Treaty (ATT) to set universal standards that will prevent the illegal and irresponsible transfer of conventional arms, particularly small arms and light weapons to parties likely to use them against civilian populations. We must not fail this opportunity.

3. We should enforce the POC mandates within peacekeeping missions

The Council must lead the way in ensuring that peacekeepers are able to protect civilians. We should be pressing for mission-wide protection strategies, including on early warning and prevention.

We have seen these mechanisms in place in MONUSCO in the Democratic Republic of Congo through the work of Provincial Senior Management Groups on Protection which plan the deployment of Joint Protection Teams and provide an essential link with local communities – who are often best placed to anticipate and communicate protection risks. We must continue to encourage improvements in and sharing of best practice.

Peacekeepers in vastly different peacekeeping operations confront very different obstacles. The threat of conflict-related sexual violence in the Kivus requires a very different response to gang activities in Port au Prince or cattle-raiding in Jonglei. The development of mission-specific training therefore is a further crucial step. We must maintain our focus on operationalizing effective guidance and training materials.

Of course, ultimately efforts by peacekeeping missions to protect civilians will only ever be sustainable if there is trust and confidence in the Rule of Law and security institutions of the host state. This requires immediate support by the peacekeeping mission such as joint operations and information-sharing, as well as support with capacity building in the security and justice sectors.

4. We should foster accountability

Accountability is first and foremost a national responsibility. But the Council has a critical role in ensuring accountability. It must exercise its authority – through ICC referrals and the necessary follow-up to these; and through other mechanisms, such as commissions of inquiry and fact-finding missions. And it should, where it needs to, mandate peacekeeping missions to help implement its decisions on accountability.

While the Responsibility to Protect is a different principle from broader efforts to protect civilians, Australia firmly supports the Council's efforts to uphold R2P. All our leaders have pledged support for R2P (2005) and we welcome the Council's acknowledgement of this commitment in our PRST.

5. We should reform our working methods in the Council on POC

The time has come to work together on a more regular and formalized mechanism of input to the Council which brings together analysis and trends across the whole POC agenda. We also think that an annual report by the Secretary-General is needed.

In concluding, I would like to commend the personnel involved in peacekeeping and political missions, as well as other humanitarian actors and civil society groups for their enormous service. They are the front-line of protection; and they are all too often inadequately resourced for the challenges they face. The Council must not fail them. We should do all we can to better enable them to perform their essential roles.

Thank you.