

## EXCERPTED STATEMENTS ON THE OPEN DEBATE ON THE PROTECTION OF CIVILIANS IN ARMED CONFLICT

**4 December 2006**  
**Security Council Chamber**

**United Nations Undersecretary-  
General for Humanitarian Affairs and  
Emergency Relief Coordinator, Jan  
Egeland:**

(...)Last year, as Members of the United Nations, Council members solemnly pledged to accept the **responsibility to protect** civilian populations. We are, sadly, still far away from seeing that responsibility translate into predictable and adequate action to provide protection for all beleaguered and threatened communities irrespective of time, place and circumstance. That **responsibility to protect** must be depoliticized, become a truly shared interest and translate into joint action by all members of the Council and by our global Organization. Thereby, members will live up to the expectations of tens of millions of vulnerable men, women and children for a United Nations that is united.

I have seen during my tenure as Emergency Relief Coordinator that we have succeeded in providing security when in the end there was united action taken by all members. We are seeing vast progress in Liberia, in Sierra Leone, in the Democratic Republic of the Congo and in South Sudan thanks to that. We have not had the same unity of purpose or action in Darfur or in Gaza. Our readiness to act, to sanction and to fund must be the same in Uganda, in Chad or

Côte d'Ivoire as it is in Afghanistan, Kosovo or Iraq. Our **responsibility to protect** must transcend singular interests and become a core principle of humanity across all civilizations. That is why this regular thematic debate on the protection of civilians matters so much. When the lives and safety of civilians are at stake, regardless of where, neither strategic nor economic or other political interests should deter members from acting swiftly upon their united **responsibility to protect**. (...)

**China**  
**Mr. Liu Zhenmin (spoke in Chinese):**

(...)The issue of the protection of civilians in armed conflict is an old one. International humanitarian law, including the Fourth Geneva Convention of 1949 and its two Additional Protocols of 1977, sets out adequate provisions in this regard. While the provisions of international humanitarian law have been widely accepted, many challenges remain in their implementation. We are deeply concerned about the fact that the lives and property of civilians are threatened in armed conflict. We urge the relevant parties to armed conflicts to abide by international humanitarian law, provide adequate protection to civilians and avoid threatening their lives and damaging their property.

The important Security Council resolution 1674 (2006), adopted in April, which sets out comprehensive provisions pertaining to the protection of civilians in armed conflict, and a number of other relevant resolutions and presidential statements adopted by the Council on previous occasions, have established a legal framework for the work of the Council on this issue.

What is needed now is the effective implementation of those documents in order to improve the situation on the ground. In that context, I would like to highlight the following points.

First, in accordance with the Charter of the United Nations and international humanitarian law, the **responsibility to protect** civilians lies primarily with the Governments of the countries concerned. While the international community and other external parties can provide support and assistance and urge the parties concerned seriously to implement the provisions of humanitarian law and to avoid harming civilians, they should not infringe upon the sovereignty and territorial integrity of the countries concerned, nor should they enforce intervention by circumventing the Governments of such countries.

Secondly, it is imperative clearly to differentiate between the protection of civilians and the provision of humanitarian assistance. The efforts made by humanitarian agencies in the spirit of humanitarianism to provide assistance to civilians affected by armed conflict, often under dangerous circumstances, should be appreciated and commended. However, they should also at all times abide by the principles of impartiality, neutrality, objectivity and independence, in order to maintain

the humanitarian nature of their operation and to avoid getting involved in local political disputes or negatively affecting a peace process.

Thirdly, to protect civilians, greater emphasis should be placed on prevention as well as on the need to address both the symptoms and the root causes of a conflict. If the Security Council, which bears the primary responsibility for the maintenance of world peace and security, can effectively prevent and resolve various conflicts, that would successfully provide the best protection possible to civilians. A number of incidents that occurred this year have demonstrated that failure effectively to respond to the outbreak of conflict will render any ex-post-facto protective measures, however ingenious, virtually ineffectual vis-à-vis the sudden onslaught of violence and conflict. The best way to protect civilians is to provide them with safe and predictable living environments by actively exploring ways of preventing conflicts and effectively resolving ongoing conflicts.

In discussing the issue of the protection of civilians in armed conflict, the Security Council should continue to approach with caution the concept of the **responsibility to protect**. The World Summit Outcome last year gave an extensive and very cautious representation of the **responsibility to protect** populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and went on to request the General Assembly to continue to explore this concept. As many Member States have expressed their concern and misgivings in that regard, we believe that it is not appropriate to expand, willfully interpret or even abuse this concept.

Resolution 1674 (2006) only reaffirmed in principle the relevant statement as contained in the Summit Outcome, without any further elaboration. All sides should continue to abide by the relevant agreed elements of the Summit Outcome in interpreting or applying this concept. In that context, the Security Council cannot and should not take over the role of the General Assembly or make any prejudgment. (...)

**United States of America**  
**Ms. Wolcott Sanders**

(...) In April this year, the Council adopted a resolution recognizing the threats faced by civilians in armed conflict and condemning all acts of violence and human rights abuses committed against unarmed and vulnerable populations. Many of the peacekeeping operations mandated by the Council have as part of their mandate the protection of civilians under imminent threat of violence. (...)

The primary **responsibility for protecting** civilians lies with the parties to a conflict. In such situations of violent conflict, we must do everything appropriate to protect innocent civilians from the impact of armed conflict. In situations where a State is unable or unwilling to protect its civilians, the international community has a distinct role. We must also continue to focus our efforts on the prevention of conflict itself.

To help prevent conflict, we must focus on the critical signs that an unrepresentative and corrupt overnment is in place. These include demonstrated disregard for the rule of law, human rights and basic democratic values such

as freedom, equality, transparency and free and fair elections. When these conditions exist, political unrest may be festering. We all are aware of countries exhibiting those traits. What we as a Council choose to do about such situations in their earliest stages can make the difference between life and death for countless innocent civilians.

(...)The situation in Darfur illustrates clearly a situation in which the international community has a role to play in safeguarding civilians in armed conflict, including those who are internally displaced, since traditional means of protection have broken down. (...)

**Ghana**  
**Nana Effah-Apenteng:**

(...) Although General Assembly resolution 46/182 of 1991 entrusted Governments and States with the primary responsibility for the protection of civilians, parties embroiled in armed conflict are invariably unable to discharge their obligations owing to various inhibiting factors. It is for that reason that the international community, and especially the United Nations, has over the years been at the forefront of this critical humanitarian duty. Indeed, the pivotal role of the United Nations was recognized by world leaders in paragraphs 138 and 139 of the World Summit Outcome document, and subsequently reaffirmed by resolution 1674 (2006).

We must acknowledge that our Organization, and indeed the Security Council, have, since being seized of the matter, made laudable strides to rein in acts of impunity against unarmed

civilians, as demonstrated by the establishment of domestic and international bodies and judicial entities to specifically address the menace. While applauding those measures, we cannot but also stress that recent events in some conflict areas, such as Darfur and the Democratic Republic of the Congo, are indicative of pertinent gaps that need to be examined, with a view to adopting necessary remedial measures. That requires the total commitment of States to the Secretary-General's call for a culture of protection, through scrupulous adherence to the provisions of all multilateral agreements dealing with the protection of civilians in armed conflict. (...)

In that connection, the rapid deployment of United Nations peacekeepers in conflict areas is imperative. We recognize that any deployment should be in conformity with the Charter. That notwithstanding, the Security Council has a **moral duty to act** in dire situations to save civilians not only from genocide, ethnic cleansing, crimes against humanity and other grave violations of human rights abuses in line with the commitment made by our leaders last year.

It is also our view that the same sentiments underpin article 4 of the Constitutive Act of the African Union. We should stop paying lip service to the concept of the **responsibility to protect**, and have the political will to stand by the courage of our convictions. (...)

**Slovakia**  
**Mr. Burian**

(...)Despite the international community's growing commitment to

better address the tragic plight of civilians trapped in situations of armed conflict - including though the adoption of resolution 1674 (2006), which reaffirmed the **responsibility to protect** populations from genocide, war crimes, ethnic cleansing and crimes against humanity - we have witnessed the ongoing killing of civilians, sexual violence and attacks motivated by ethnic or religious hatred or political confrontation. (...)

The continually deteriorating situation in the Darfur region of the Sudan - where at least 200,000 people are estimated to have been killed as a result of the conflict between Government forces, allied militias and rebels seeking greater autonomy, and which has experienced an unprecedented forced displacement of about 2 million people, widespread sexual violence and total disrespect for human rights since 2003 - continues to be a cause of our deepest concern. Furthermore, the violence is increasingly spilling over from Darfur into neighbouring regions of the Central African Republic and Chad.

Unfortunately, since the Council's most recent deliberations on that topic in June, the international community has also been saddened by the number of civilian lives claimed by the renewed conflict in southern Lebanon and northern Israel, during which the civilian population, including women and children, faced deliberate missile attacks against towns, and women and children were often used as human shields by militias. The population on both sides continues to be endangered by unexploded ammunition and threatened by rocket attacks. (...)

## **France**

### **Mr. De La Sablière (spoke in French):**

(...) At this time last year, we found that the resolutions adopted by our Council in 1999 and 2000 did not go far enough and that their implementation left much to be desired. In March, at the initiative of the United Kingdom, the Council adopted the new and ambitious resolution 1674 (2006), whose full implementation we must now ensure. The resolution must be taken into account in the Council's activities, including in the definition and implementation of the mandates of peacekeeping operations. The Council's credibility is at stake therein.

I must stress that the **responsibility to protect** civilian populations falls first and foremost to the Governments concerned. Wherever populations are threatened, Governments must fully assume their **responsibilities to protect** them. The international community must ensure above all that they do not shirk those responsibilities. Regional organizations and the United Nations must encourage them and, if necessary, assume their own responsibilities. In a number of situations, such as in Darfur, the United Nations and regional organizations must work closely with one another. (...)

## **Greece**

### **Mr. Vassilakis**

(...) Only some months ago the Security Council adopted its latest resolution, 1647 (2006), on the protection of civilians in armed conflict, demonstrating its determination to enhance and improve its response to the

protection needs of civilians in armed conflict.

The resolution also reaffirms the **pledge** of the world leaders during the World Summit in September last year **to protect** their own citizens and the citizens of other States if the latter manifestly fail to do so. Today, given the deterioration of the humanitarian situation in many conflict situations, the resolution remains as timely as ever. We believe that this meeting offers a good opportunity to reaffirm our commitment to its full implementation. (...)

## **Japan**

### **Mr. Oshima:**

(...) We note and welcome some tangible progress made in the past years in establishing the normative standards and instruments for the protection of civilians in armed conflict, such as the adoption of the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel and of Security Council resolution 1674 (2006). They represent, among others, significant achievements in the arsenal of basic tools to help the international community deal more effectively with the protection of civilians. We must now pay greater attention to their implementation and to translating them into action and behaviour, so we can better assist people and thus make a difference on the ground in the protection and the delivery of needed services. (...)

In the Council's last open debate on the issue, at its 5476th meeting in June 2006, my delegation pointed out that a wide range of actors who are actively involved in the protection of civilians

needed a clearer understanding of their respective roles and responsibilities, or a better defined division of labour among them, in order to be effective. In that regard, the Aide Memoire adopted by the Council in 2002 provided a useful tool to assist the Council in formulating a peacekeeping mandate, as a checklist to properly address protection needs. However, as Under-Secretary-General Egeland noted in his statement to the Council in June - and my delegation agrees with his suggestion - the Aide Memoire needs to be reviewed and updated and put to better use.

Related to that, my delegation also suggested that some kind of a model matrix be developed to better define the respective roles and responsibilities of each actor involved in the protection of civilians. Such a matrix could include a time frame in which respective actors would begin and phase out their activities, as the situation allows. I urge Council members to reflect on that and to take appropriate action on the basis of recommendations that we should request the Secretariat to formulate.

(...) In this connection, Security Council resolution 1674 (2006) reaffirms the **responsibility to protect** populations. In the 2005 Summit Outcome document our leaders expressed preparedness to take collective action through the Council in this matter. Bearing that in mind, the Council needs to further discuss the role it should play in protecting civilians in armed conflict more energetically and in more depth. I have already mentioned as a practical measure the need to update the Aide Memoire and the possibility of developing some kind of model matrix.

Those would be useful first steps, but they are not enough. The Council will need to go further and discuss how it can best ensure conditions necessary for the protection of civilians in armed conflict, in general and in specific situations. In Darfur, for example, a serious gap remains between what the Government is able or willing to provide in terms of humanitarian access and safety of humanitarian personnel, and the real needs on the ground. Because of this crying gap, a countless number of people suffer or perish daily and the crisis intensifies despite the best intentions and efforts of the African Union through the deployment of its Mission in Sudan (AMIS). Additional urgent support to AMIS is essential as the least minimum, pending agreement on transition to United Nations peacekeeping operations. (...)

But in the end, as Under-Secretary-General Egeland noted, international protection, whether by peacekeepers or humanitarians, can be only an interim response - a band-aid, to use his term. Efforts to improve the humanitarian situation cannot be separated from efforts on the political front, namely, securing a durable cessation of hostilities, developing fully the political process and engaging in effective peacekeeping activity. And here, the Council's ability and credibility is truly being tested. (...)

## **Denmark**

### **Ms. Løj**

(...) Each individual State has the **responsibility to protect** its population from genocide, war crimes, ethnic cleansing and crimes against humanity. Unfortunately, in some cases, States

manifestly fail to provide the necessary protection - or the perpetrator is the State itself. In situations in which a State embarks on waging war against its own population, the **responsibility to protect** the civilians affected becomes that of the international community. We have a moral and political obligation not to turn our backs on the many civilians who suffer from attacks carried out by, or with the consent of, their own Governments.

Whether or not the concept of the **responsibility to protect** needs further consideration is, as such, irrelevant. Given the lack of action and engagement elsewhere, the basic political commitment not to allow another Rwanda or Srebrenica is the responsibility of all of us, including the Security Council, as well as of other United Nations bodies.

In that regard, Denmark welcomes the decision by the Human Rights Council to convene a special session on the human rights situation in Darfur. It is high time that all actors engage in a comprehensive and constructive dialogue on that unacceptable situation. That in turn must lead to prompt and decisive action to alleviate the suffering of the people of Darfur. (...)

**Peru**  
**Mr. Voto-Bernales (spoke in Spanish):**

(...)According to the information that Mr. Egeland provided, much work remains to be done if the United Nations is to be effective in protecting civilians in armed conflict. In view of the situations that he described, we must reaffirm the **responsibility** of the United Nations **to protect** human rights

throughout the world and the duty to prevent war crimes, genocide and ethnic cleansing. We must also reaffirm the importance of the task of ensuring humanitarian access to civilian populations affected by conflict and protecting the staff who provide such assistance, as well as all civilians involved. In that connection, Peru believes that the Security Council should continue to sponsor effective and feasible actions to ensure the protection of civilians who find themselves immersed in armed conflict. (...)

**United Republic of Tanzania:**  
**Mr. Mahiga**

(...)Enhancing the protection of civilians in armed conflict is a fundamental responsibility of States and of the international community; we cannot afford to fail in that respect. It is estimated that, of the hundreds of thousands of people who lose their lives due to the direct effects of war and low-intensity insurgency and to war-related famine and disease each year, almost 90 per cent are innocent non-combatants. Other violent acts include reprisals, forced recruitment, kidnapping, rape, sexual exploitation and gender-based violence. The protection of civilians ought to include protection for humanitarian workers involved with refugees and internally displaced persons (IDPs). (...)

Such insecurity is due to the presence or activities of armed groups and militias within and around camps and settlements. Governments need to be reminded of their **obligation to provide protection**. (...)

The greatest challenge to the Council and to the international community as a whole occurs when Governments not only **fail to protect** their citizens but are themselves the cause of insecurity to their citizens. How can we exercise our collective **responsibility to protect** under such circumstances? We should hold such Governments responsible and accountable for their actions. (...)

Equally challenging is the identification of existing gaps in the normative standards of international law and in their implementation by humanitarian actors, and the need to assist States that lack adequate capacity to protect various categories of affected civilians. (...)

**Russian Federation**  
**Mr. Shcherbak (spoke in Russian):**

(...) [W]e call for the greatest prudence when dealing with documents and concepts worked out without coordination with all United Nations Member States or without any general discussion in the United Nations. We urge that they not be promoted as being widely recognized under international standards.

In that context, it is to be expected that the concept of the **responsibility to protect** has not yet become a reality today specifically because in its present form it does not enjoy sufficiently broad support from Member States. In our view, it would be wiser to talk about the implementation of the more acceptable option enshrined in the 2005 Summit Outcome, namely, the **responsibility to protect** civilians from genocide, war crimes, ethnic cleansing and crimes against humanity. We would once again like to emphasize that, under this

concept, the primary responsibility lies with national Governments, whose efforts must be supported by the international community without undermining State sovereignty. We expect the Peacebuilding Commission to take specific steps to assist in the stabilization of postconflict situations. (...)

In the context of conflict settlement, we note the growing importance being given by the Security Council to problems affecting civilians as part of its responsibility to maintain international peace and security. Resolution 1674 (2006) was a further step in the Council's efforts in that regard. We are certain that, at this point, it is important to focus on the implementation of existing Council decisions to protect civilians, including those that highlight the subject of women and children, and not to dissipate our efforts by generating new documents in this area. The main goal should be to ensure the practical implementation of existing legal norms and the decisions already taken. (...)

In conclusion, we would be remiss if we were to fail to refer to the importance of preventing armed conflict, which calls for eradicating the root causes of conflict. In that connection, we fully agree with our Chinese colleagues. As a first step, it is important to at least avoid creating situations that are fraught with violence against civilians. (...)

**Finland**  
**Ms. Lintonen:**

(...)The protection of civilians in armed conflict is a complex challenge. Civilians, including women and children, continue to bear the brunt of

armed conflicts. The European Union welcomes the sustained attention paid by the Security Council to that important issue. At the 2005 World Summit, the heads of State and Government recognized that the protection of civilians in armed conflict is a key concern of the international community. The European Union reiterates its support for the historic Summit Outcome conclusion that each individual State has the **responsibility to protect** its population from genocide, war crimes, ethnic cleansing and crimes against humanity - a conclusion which was reaffirmed by resolution 1674 (2006).

The best way to protect civilians in armed conflicts is to prevent conflicts. The EU is pleased to note the strengthening of the culture of prevention across the United Nations and vigorously supports the continuation of this trend. The Security Council plays an important role in this regard. Timely and adequate briefings by the Special Advisor on the Prevention of Genocide, the High Commissioner for Human Rights, the Emergency Relief Coordinator and other relevant actors will help the Council to act sufficiently early on in conflict situations to effectively protect civilians at risk. (...)

**Canada**  
**Mr. McNee**

(...)Today, I would like to focus on three themes. First, the Security Council must demonstrate courageous leadership and unwavering political will to ensure that populations at risk have access to the greatest protection possible. Secondly, continued emphasis must be placed on ending impunity.

Perpetrators of attacks against civilians in violation of international law must be held accountable for their actions.

Thirdly, we all share in the **responsibility to advance a culture of protection**. The Council, the United Nations Secretariat and agencies and Member States must make advocacy, monitoring and capacity building watchwords for our efforts. (...)

(spoke in French) While the leadership of the Security Council is essential to strengthen the **protection of civilians**, it is a **responsibility** that must be shared by all of us: the Council, the Secretariat, United Nations agencies and Member States. (...)

Canada encourages the Secretariat and United Nations agencies to leave no room for ambiguity in their assessments, because previous resolutions have authorized them to indicate to Member States situations that require their attention to protect civilians. It is essential to provide the Council and other competent bodies with concrete advice and recommendations. (...)

**Lebanon**  
**Ms. Ziade**

(...)Between 12 July and 14 August 2006, Lebanon was the target of a ferocious Israeli aggression, considered disproportionate by international legal standards as well as by the international community. The scope and the scale of the destruction were massive: 1,191 civilians were killed and more than 4,000 were injured. Approximately 900,000 people - one quarter of the Lebanese population - were displaced; many of them are still homeless. (...)

Impunity cannot be tolerated. The twisting of reality and blatant violations of international humanitarian law cannot be accepted. The failure of the Security Council to take responsible action to ensure access to Lebanese civilians and to protect humanitarian convoys over a

three-week period should not be repeated. The Security Council has the **responsibility** to act swiftly **to protect** civilians. (...)

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