



FRANCE

Conseil de sécurité

Débat public sur la Protection des civils dans les conflits armés

Intervention prononcée par S.E.M. Jean-Marc de la Sablière
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(Vérifier au prononcé)

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Security Council

Public Debate On the Protection of civilians in armed conflicts

New York, 22 June 2007

Speech delivered by H.E. Mr. Jean-Marc de la Sablière
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(check upon delivery)

Mr. President,
Mr. Under-Secretary-General,
Colleagues,

I would like to thank our Council for the opportunity it gives us to discuss again the protection of civilians in armed conflict. We welcome the Secretariat's continued involvement in this question. I would also like to thank John Holmes for his introduction to our debate.

I would like to focus on four points in these remarks:

- one, respect for international humanitarian law;
- two, the need to pay particular attention to the situation of the most vulnerable populations: women, children, refugees and displaced persons, but also humanitarian personnel and journalists;
- three, access to humanitarian assistance for populations;
- four, lastly, the contribution of peacekeeping operations to the protection of civilians.

1/ Point one: respect for international humanitarian law

France is concerned that civilians continue to be the first victims in conflicts. Even more serious, they are now often targeted. Parties to conflicts show a growing disdain for international humanitarian law. Indiscriminate attacks on civilians and humanitarian actors carrying out their mission have become increasingly common. *Humanitarian space* is no longer a sanctuary. We consider this phenomenon disturbing. It is our duty to remind all parties that under no circumstances may they avoid compliance with international humanitarian law. There are four Geneva conventions on this, of course, but also two additional protocols to these conventions, whose 30th anniversary we have just celebrated. One hundred and sixty-seven States are party to these protocols. We invite States that have not yet ratified them to do so as soon as possible.

Compliance with international humanitarian law requires rigorous action against the impunity of violators. The Council emphasized in resolution 1674 of April 2006, *"the responsibility of States to comply with their relevant obligations to end impunity."* The Council recognized the relevance of *"the full range of justice and reconciliation mechanisms...including national, international and 'mixed' criminal courts."* The International Criminal Court has a preeminent role to play in trying those individuals responsible for the most serious crimes when national courts are not in a position to do so. The cooperation of States and the United Nations with the ICC is essential. The obligation to cooperate ensuing from the Rome Statute and the resolutions of our Council must be respected.

Lastly, I wish to recall that international humanitarian law also applies, of course, to the forces engaged in peacekeeping operations: France welcomes the zero tolerance policy with regard to sexual abuse; it further recalls the principle that people who find refuge with the United Nations may not be turned back.

2/ My second point concerns the protection of the most vulnerable populations.

Sexual violence is used regularly as a weapon of war. These are abominable crimes affecting millions of individuals. Such crimes must be prevented and punished. Resolution 1325 must be closely followed-up in this area.

The recruitment of children to serve in armed forces is equally unacceptable. On this front, however, some initial progress has been seen thanks to the Security Council's action in the context of resolution 1612: the Sudan Liberation Movement has just signed a plan of action committing it to the demobilization of children; other similar plans of action have already led to the release of several hundred child soldiers, particularly in Cote d'Ivoire. But the scourge of child soldiers still affects about 250,000 human-beings around the world. We call on all the States mentioned in the annex to the Secretary-General's report on this issue to fully commit to tangible cooperation with the Security Council, the Secretary-General's special representative and the inter-agency taskforces.

From Darfur to Iraq and Sri Lanka, millions of displaced people need protection. They are now more numerous than refugees. We must afford them the greater protection they need owing to their particular vulnerability, with due respect for the Charter and the right of voluntary return.

Lastly, we remain preoccupied by the number of humanitarian personnel who have been attacked. It is particularly shocking that those who come to help a population in distress should be targeted. We must ensure compliance with resolution 1502.

Likewise we are shocked to observe month after month that those who seek to shed light on situations of armed conflict, journalists, are being attacked while doing their job. At the initiative of France and Greece, the Security Council recalled, in resolution 1738, which was unanimously adopted, that journalists are civilians like others. The attacks against journalists must not go unpunished.

3/ Access to humanitarian assistance for vulnerable populations determines to a large extent their protection. This is my third point.

As the Under Secretary-General has just underlined, the question of access is central with respect to protection. Without access, nothing is possible. Full, unimpeded access of humanitarian personnel to civilians who need aid is a central demand which the Council made in resolution 1674. The Council needs to be informed of obstacles to humanitarian assistance. In this perspective, my country would see only advantages in seeing the Secretary-General's next report on the protection of civilians contain specific developments on this question, including in the form of an annex, if necessary.

4/ My fourth and last point deals with the contribution of peacekeeping operations to the protection of civilians.

In resolution 1674 adopted by consensus in March 2006, the Council "*reaffirms its practice of ensuring that the mandates of UN peacekeeping, political and peacebuilding missions include, where appropriate and on a case-by-case basis, provisions regarding (i) the protection of civilians, particularly those under imminent threat of physical danger within their zones of operation, (ii) the facilitation of the provision of humanitarian assistance, and (iii) the creation of conditions conducive to the voluntary...return of refugees and internally displaced persons.*" The Council stipulated in the same resolution that "*the protection of civilians [be] given priority in decisions about the use of available capacity and resources.*" It requests that "*protection mandates are implemented.*"

It is clear that the Council is making ambitious demands with regard to UN operations when they are assigned a protection mandate. How do we assure that these demands are met? There are several approaches:

- first, it seems useful to enhance the doctrine of peacekeeping with a debate on the protection of civilians in the context of PKOs; this must also lead to a debate on the rules of engagement;
- second, we think it is important to take into consideration, in the context of the regular reports to the Security Council on the implementation of PKO mandates, the civilian protection aspect when it appears in these mandates;
- lastly, it would probably be useful for the DPKO to contribute to the Secretary-General's general reports on the protection of civilians and be associated with the briefings the under secretary-general for humanitarian affairs makes to the Security Council.

These proposals are intended to give practical effect to the demands made in SCR 1674. They lead us to express our wish for still further cooperation between the OCHA and the DKPO. We would appreciate it if Mr. Holmes would report to us on the progress in this cooperation at this next Security Council briefing.

Thank you./.