



Permanent Mission of Japan to the United Nations

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Statement by Ambassador **Kenzo Oshima**
Permanent Representative of Japan
On Protection of Civilians in Armed Conflict

Security Council
28 June 2006

Madame President,

First, our appreciation to **USG** Jan Egeland for his updated briefing on the progress made and challenges that remain in the protection of civilians in armed conflict. Our deep respect also goes to all the peacekeepers, humanitarian agencies and workers, and other actors striving to assist people in need and protect those at risk, at times even risking their own lives.

During the past six years since the introduction of the protection agenda in the Security Council in **1999**, considerable progress has **been** achieved in the establishment of a framework of protection. These include three Security Council resolutions, including resolution **1674** adopted this April, several presidential statements, and an *aid-memoire*. Resolution **1674** is a cornerstone in setting up guidelines for action by the Security Council. While there is still scope for further work on the general framework of protection, clearly more and closer attention should now be paid, as suggested in the President's discussion paper, to the question of how we can ensure its steady implementation. Resolution **1674** and other framework documents have real value only when protection objectives, principles and guidelines are actually translated into action, and this is the challenge we face at present.

In this regard, the government of Canada has taken an excellent initiative to help OCHA organize a series of roundtables focusing on how protection of civilians is implemented on the ground in reference to specific PKO missions. Thus, a roundtable event was held with Council members in November last year which reviewed the implementation of the protection mandates of MONUC in DRC. Second in this series, another roundtable was held last month, to examine the implementation of the

protection elements of the peacekeeping mandate of the UN Mission in Cote d'Ivoire, UNOCI, and Japan was pleased to host it. The findings and recommendations from this meeting drawn from daily protection activities provide valuable insight into problems **and** challenges encountered in the implementation of protection mandate in PKO missions, and they are available in the report on the roundtable prepared by OCHA. Let me touch upon three of such **findings**, which we find are particularly relevant, together with our **own suggestions**.

First, it was pointed out that a wide range of actors involved in the protection of civilians need to have a clear understanding of their respective responsibilities and division of labor. The national government, civil society, peacekeeping mission and humanitarian actors all have important roles to play in ensuring the safety of the population. They must make efforts toward a common objective with a clearer understanding of the division of labor on the one hand, and closer collaboration on the other. The *aid-memoire* has set up key areas of activities in protection, which has been an important step forward, but it begs further precision and clarity as to who should **perform** each protection-related activity.

To address this issue, it would be worthwhile to develop, in order to help identify the roles of respective actors involved, a matrix outlining who should make efforts in which area of protection activities. Such a matrix could preferably include a timeframe in which respective actors begin their activities and phase out as the situation allows, for it to be realistic. It could be conceived and prepared as a model under the joint initiative of **OCHA** and **DPKO**, in consultation with other relevant departments, agencies and actors. Such a model, once developed, would need to be constantly modified and adapted according to specific cases, particularly with the engagement of the national governments and civil society of the state where peacekeeping missions are deployed. This exercise may involve complex and difficult task, but the process itself could contribute to identifying a clearer understanding of the roles and responsibilities of respective actors.

Second, the need to establish an effective information gathering system involving humanitarian actors and nongovernmental organizations was pointed out as an

important tool. Planning of **protection** activities requires **timely** and accurate information about the situation in which civilians are caught needing protection. Often NGOs deployed on the ground have firsthand information on the threat posed to civilians, with their far-reaching assistance activities. While this is so, caution must be taken to ensure that clear distinction is maintained between activities by humanitarian NGOs from those of peacekeepers in facilitating humanitarian activities, so as not to undermine the neutrality and independence of humanitarian activities. **However**, both peacekeepers and **humanitarian** actors share the **ultimate objective** of ensuring the safety and dignity of the population.

Keeping these in mind, we believe that there is still room to develop some kind of cooperation toward this common objective. **In** order to explore possibilities for further cooperation to this end, dialogue with non-governmental organizations needs to be intensified.

Third and finally, participants of the roundtable noted that, in peacekeeping missions with a protection mandate, this mandate is often differently interpreted according to battalions, giving rise on occasions to implementation problems. For example, Council resolutions sometimes authorize protection mandate for civilians under "imminent threat". But there is lack of clarity as to what constitutes "imminent threat". Can a situation of political tension, where protesting crowds are likely to lead to violence and in which civilians are likely to be subject to attack in turmoil, be considered as constituting "imminent threat"? While the Security Council must make sure that it gives clear mandates to peacekeeping operations, we must bear in mind also that even then it is likely still subject to interpretation when translated into action on the ground.

We believe that practical guidance on day-to-day activities of peacekeeping troops would be worth developing in the Secretariat, based on best practices. Such a guideline would be, in turn, also helpful for the Security Council in discussing the mandates of peacekeeping missions.

Madame President,

Security Council resolution 1674 marked a major achievement in our normative discussions. It is now time to develop practical arrangements to bring the resolution into action. Practical arrangements may sound too technical but we should pay due attention as they are the ones that make a difference on the ground. We hope that, by the time the Secretary-General's next report is out in October 2007, specific progress in practical terms will have been made to strengthen our protection efforts.

Thank you very much.