

Finland: Statement at the UNSC Debate on the protection of Civilians in Armed Conflicts

14 January 2009- Security Council Open Debate on the Protection of Civilians: Address by the Nordic Countries

Mr. President,

I have the honour of delivering the following statement on behalf of all five Nordic countries, Denmark, Iceland, Norway, Sweden and Finland

The Nordic countries welcome this six-monthly open debate and wish to thank the Presidency of the Security Council and the Secretary-General for organising the debate, as well as the Under-Secretary-General John Holmes for his topical briefing. Timely and adequate briefings to the Security Council by the High Commissioner for Human Rights, the Emergency Relief Co-ordinator, the Special Advisor on the Prevention of Genocide and by other relevant actors will help the Council to act sufficiently early on in conflict situations to effectively protect civilians at risk.

Protection of civilians in armed conflicts is a cornerstone of international humanitarian law. Regrettably, and in spite of the established status of the fundamental rule of distinction, called by the International Court of Justice as an intransgressible principle of international customary law,[1] civilians often fall victims to disregard shown by states and armed groups of their obligations. Even state signatories to the relevant instruments fail to abide by the provisions. The Nordic countries wish to emphasize that unarmed men, women and children must not be targeted. All necessary measures must be taken by the parties to the conflict to avoid civilian casualties.

The Nordic countries are deeply concerned of the escalation of violence in Gaza and the killing and injuries inflicted upon large numbers of non-combatants. The ceasefire decided by the Security Council must be given effect. Life-saving ambulances must be given unrestricted access to the wounded, medical personnel, hospitals and other medical units must be respected and protected. It is also worth recalling that disrespect of the rules by the other party to the conflict can never serve as a justification for deliberate targeting of civilians or civilian objects.

Mr. President,

It is essential to strengthen local capacities to protect civilians at risk of grave human rights violations. Through the Nordic Coordinated Arrangement for Military Peace Support (NORDCAPS), the Nordic countries have offered PSO training support to partners, inter alia, in the Western Balkans and Ukraine. Our additional focus is now on Africa, where we are examining potential Nordic projects to support the development of the African Peace and

Security Architecture.

In order to build sustainable peace and security there is a need for increased attention on women's equal and active participation in conflict prevention, peace negotiations, reconstruction and political participation. As women and children are vulnerable in conflicts, their situation should be addressed accordingly. Comprehensive implementation of the UN Security Council resolution 1325 is crucial. The Nordic countries are committed to do their share in the implementation process. A concrete case in point is that all five Nordic countries have drawn up national Action Plans on the implementation of resolution 1325.

The scope and brutality of sexual violence against women and children in the eastern parts of The Democratic Republic of Congo is particularly worrying. Hundreds of thousands of women in the region have been raped, and they continue to lack adequate protection from further sexual violence, despite the efforts by humanitarian actors, MONUC and others. Much more needs to be done in order to address these horrible crimes. In this context the UN Security Council resolution 1820 on sexual violence in armed conflict is crucial to implement.

Mr. President,

We support the need to enhance complementarity and coordination of national policies and strategies related to security, development, human rights and humanitarian issues. The International Humanitarian Law grants children special protection and sets a minimum age for participating in hostilities. The short-, medium- and long-term impacts of armed conflict on children, adolescents and young persons must be addressed in an effective, sustainable and comprehensive manner.

The Convention on the Rights of the Child clearly states that children have the right to express their opinion in matters that affect them. We have to expand opportunities for children's voices to be heard and given due weight in peacebuilding and reconciliation efforts. More attention needs to be paid to this aspect of the implementation of Security Council resolution 1612 on children and armed conflict. The Nordic countries wish to emphasize the need to mainstream the rights of the child into all activities in conflict and post-conflict situations.

The engagement of the Security Council has greatly elevated the relevance of child protection concerns within its international peace and security agenda and has allowed for opportunities to improve efforts and actions for the protection of children. While there has been progress in some field, there is an urgent need to address all grave violations, in particular sexual violence against children is a heinous consequence of war. We wish to join the call by the Special Rapporteur on Children and Armed Conflict that strong action should be also taken against those who sexually violate children.

Mr. President,

On a more positive note, the Nordic countries recall the establishment of the International Criminal Court as an achievement of historical significance. Now that the Statute is in force for 108 states, and the system laid down in the Rome Statute is fully operational and functioning, there is much reason to be confident of the Courts future. The ideas of justice and accountability

have been institutionally anchored at the international level and have been more broadly embraced than ever before. The first proceedings of the International Criminal Court highlight the duty to protect civilians in armed conflicts. The Nordic countries urge all States to ratify the Rome Statute and to fully implement its provisions in their national legislation.

We are also encouraged by the unequivocal statement by the UN Summit in 2005 of the **responsibility to protect** civilian populations from genocide, crimes against humanity, ethnic cleansing and war crimes. We are looking forward to the report of the Secretary-General on this notion, and believe it will provide a basis for further deepening the international consensus on the necessary steps to be taken by both states and international organizations to prevent humanitarian catastrophes. (...)

Let me conclude by ensuring that the Nordic countries will continue to be firmly committed on this issue of great importance.

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