

STATEMENT BY AMBASSADOR BAKI ILKIN
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SECURITY COUNCIL OPEN DEBATE
ON THE PROTECTION OF CIVILIANS IN ARMED CONFLICT
14 January 2009

Mr. President,

I would first of all like to thank Under-Secretary General John Holmes for his comprehensive briefing. I would also like to express my appreciation to the entire OCHA team for their valuable assistance in updating the Aide-Memoire which we expect to adopt today on issues pertaining to the protection of civilians in armed conflict.

It has been more than five years since we last revised the Aide-Memoire in 2003. Since then, the substance of the matter has not changed much, except that it has become more compelling for the international community to act in unison with a view to protecting civilians in an increasingly volatile security environment.

Indeed, it is extremely unfortunate and in fact unacceptable that the majority of casualties in armed conflicts continue to be civilians. As such, we condemn in the strongest possible terms all deliberate attacks on civilians and the deaths resulting from the indiscriminate and excessive use of force.

Actually, what is happening in Gaza today is a living example of the tragedy that the civilians suffer in such armed conflicts. Indeed, the crisis which entered its 19th day with more than 900 dead and over 4.000 injured, one third of which are children, consists of all the elements set out in the Aide-Memoire, ranging from misconduct of hostilities and the plight of the displaced people to lack of humanitarian access.

I am aware that this is not a specific debate on the tragic situation in Gaza. But it is absolutely relevant to what we are discussing today. So, allow me to express our strong appeal to all the parties involved to cease the hostilities without further delay and comply with the terms of the UN Security Council Resolution 1860.

Mr. President,

In view of the time constraint and the long list of speakers, I shall be brief.

First of all, I wish to underline that protection of civilians in armed conflicts is a common concern for us all and constitutes an issue of top priority for the entire international community. Of course, the best protection that can be offered to civilians is to prevent armed conflicts in the first place. However, we do not live in a perfect world. Therefore, in cases when prevention is not possible, protection of civilians in such armed conflicts is of utmost importance.

In this regard, there is no doubt that the primary obligation for protecting civilians lies with

states. However, the international community has also a shared responsibility to help protect civilians in situations where states fail to do so. Therefore, we need to build a collective awareness of the importance of this responsibility and must be able to agree on the fundamental guidelines.

The new Aide-Memoire which we expect to adopt today thus provides us with a convenient guide.

We now need to make best use of these guidelines in addressing the actual problems on the ground including our decisions on peacekeeping mandates. Because the real problem lies with implementation rather than norm-setting. For instance, we are pleased to see that the legal framework for the protection of civilians in armed conflicts is largely in place. Nevertheless, the implementation of international instruments continues to face serious challenges due to manifold reasons. We must thus be able to translate our legal commitments into practical deeds and action.

A case in point is related to the fight against terrorism. Indeed, terrorist organizations, whose primary aim is to inflict random violence on civilian and military targets alike, do not feel bound by any international legal framework. However, a number of members of the international community still fail to implement their commitments in the face of terrorist threats and acts too.

Therefore, we must also look into ways and means to further improve and coordinate our joint fight against this scourge, which is an integral part of our responsibility to protect. This is another area where individual endeavors of countries can only achieve limited objectives. It should thus be a collective effort where all members of the UN unite around common principles and goals. It is with this understanding that we join the Presidential Statement's condemnation of terrorism in all its forms and manifestations.

Mr. President, there are still many aspects of the responsibility to protect civilians in armed conflicts, which require further and careful elaboration, including the dire circumstances faced by the displaced people, children and women, as well as the issues of small arms and land mines.

But, even more importantly, we should approach the question of protecting civilians from a much wider angle. Ensuring continued stability and peace in conflict-ridden states, in particular through strengthening the rule of law, human rights, democracy and good governance is crucial for the long-term and lasting protection of civilians.

Likewise, we should ensure that the perpetrators of violence against civilians are held fully accountable for their actions. And they should be fully aware that they will face justice eventually. For sustainable prevention and protection would be impossible if there is impunity. The international community has a duty to do more in this direction through capacity building and technical assistance.

Mr. President, in closing, I should like to underline once again that the issue of protecting civilians in armed conflict is a cause that the international community must pursue with total determination. The next two reports of the Secretary General on Protection of Civilians and Sexual Violence are expected to be published in late May and June 2009 when Turkey will take over the presidency of the Security Council. Thus, protection issues are likely to be prominent on the Council's agenda during that period and we will do our best to contribute to the work of the Security Council on this topic. (...)

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