

Statement by Deputy Permanent Representative of Portugal, H. E. Ambassador João Maria Cabral, at the Security Council Open Debate on “Protection of Civilians in Armed Conflict” (New York, 05.10.2011)

Mr. President,

I would like to begin by thanking the Under-Secretary-General for Humanitarian Affairs, Valerie Amos, the Under-Secretary-General for Peacekeeping Operations Alain Le Roy and the Assistant Secretary General for Human Rights, Ivan Simonovic, for their respective briefings.

I also wish to thank you, Mr. President, for convening this open debate on protection of civilians in armed conflict, an issue to which Portugal attaches great importance.

(Portugal, obviously, shares the views that will be expressed by the EU later on regarding this issue but let me underline some aspects of particular significance to my country).

In the last months, civilians have been under attack in several parts of the world, as many of our briefers have, today, underlined. Civilians continue to be the majority of the victims of conflicts. They are not only affected by conflicts but very frequently deliberately targeted by the different parties: Women are -too often- subjected to sexual violence used as a tactic of war; children- too often too- are killed and maimed or used in armed conflicts. Widespread violations of human rights and international humanitarian law in times of war contribute to fuel instability, violence and conflict. Portugal condemns all attacks directed against civilians in Libya, in Côte d’Ivoire, in DRC -where the LRA regularly carries attacks against villages- in Afghanistan or Iraq where weapons and explosive devices cause so much civilian suffering or in Syria – where intense violence has resulted in over 500 people killed and thousands of others injured.

Learning from past situations like Rwanda or Srebrenica, it is clear that the SC must pay persistent attention to the plight of civilians in crises and that it must act promptly when indiscriminate attacks against the civilian population take place. When civilians are under threat, the United Nations - and the Security Council in particular- must respond.

We should recognize that the overall attention of the Security Council to protection of civilians’ issues has been increasing. The Security Council has the necessary normative framework and tools at hand to guide its action in this area in an effective and accountable manner. A number of peacekeeping missions have been established with strong protection mandates, specific training courses have been developed by DPKO to enhance the understanding of the concept of protection of civilians, local strategies and improved engagement with communities have been devised and all these tools have had a significant impact on enhancing the protection of civilian populations. In doing so, the Council has not only responded to the expectations of the international community but also the hopes of the civilians on the ground.

The Secretary-General, in the report presented to this Council last November, referred to the

need to identify new and innovative ways to address specific situations that are not in the agenda of the Council. We fully agree with that need and would point out that some steps have been made in that direction in recent months. When the protection of civilians is at stake, we have found creative ways to bring the issue to the attention of this body and to take action. Resolutions 1970 and 1973 are perhaps the most striking example of swift action by the Council to respond to a situation that was not formally in the agenda of the Council but where civilians were targeted. But more – and more consistently- can be done to convey effective political signals, using existing tools at the disposal of the Council such as press statements, presidential statements, resolutions, briefings and consultations.

Indeed, we need to be realistic. The international community does not have the resources and capabilities to act always and everywhere in a robust manner. Peacekeeping missions are indeed a remarkable tool but also a limited one that cannot be multiplied infinitely. And the prevention of conflicts is always the most effective way to protect civilians; that explains why reliable early warning information on protection threats to civilians is crucial. Preventive measures are core elements of resolution eighteen ninety four and important pillars of the responsibility to protect. In this regard, we would like to underline the value of practical but very effective preventive measures that are now in place in a number of peacekeeping missions to ensure timely action against potential threats to civilians. For example, the telephone hotlines to connect civilians and local authorities with the peacekeeping mission, a measure that can be replicated in several other missions to provide the much needed reassurance to local population. But other measures can be devised including measures to support the efforts of civilian populations to protect themselves, through education and training progress while engaging the State authorities who retain the primary responsibility for protection.

Another aspect that is crucial to the protection of civilians -and that is rightly examined in the last report of the Secretary General- is the need to enhance accountability for violations of humanitarian and human rights law. Countering impunity (either by the action of international institutions such as the ICC or by the action of national institutions) has a deterrent effect at the domestic, regional and international level and is a fundamental tool to prevent further violations. In this respect, Portugal would like to underline once again the important role of the ICC, in fighting impunity for the most serious crimes, and encourages all efforts to promote the universalization of the Rome Statute. We would also highlight the crucial role that the Human Rights Council is playing in the fight against impunity: two International Commissions of Inquiry on Cote d'Ivoire and on Libya have been recently dispatched to investigate human rights violations, to establish the facts and circumstances of these violations and, where possible, to identify those responsible, to make recommendations, in particular, on accountability measures. Another fact finding mission will be soon sent to Syria for the same purposes. The Council will certainly benefit from the work of these missions that will, hopefully, not only contribute to enhance accountability but also to promote peaceful solutions to existing crises.

Mr. President,

I wish, in conclusion, to underline that a Council better informed is also better prepared to take effective action. Hence, the need for real time information regarding threats to civilians. With sufficient, credible and early information, the Council will be more able to use preventive

diplomacy to influence parties to conflict to comply with international law and to make specific commitments regarding the civilian population. It is now up to us to seek such information and to ensure that the Security Council acts consistently and with resolve to send a political signal in demanding immediate compliance of international humanitarian law to protect all civilians – women, men and children –directly targeted or accidental victims of conflicts.

I thank you Mr. President.