

Security Council: Statement by Ambassador Wittig on Protection of Civilians in Armed Conflict

Jun 26, 2012

(Security Council: Statement as delivered by Ambassador Wittig in a debate on Protection of Civilians in Armed Conflict)

Mr. President,

I would like to thank the Secretary General for his latest report on Protection of Civilians in Armed Conflict and for his comprehensive briefing today. I also welcome the presence of Ms. Amos, Mr. Ivan Simonovic, and Mr. Spoerri and commend them for their invaluable and extensive work on the protection of civilians.)

Germany aligns itself with the statement to be made by the European Union later in the debate.

Mr. President,

Civilians continue to be victims of death, injury, sexual violence and forcible displacement or are subjected to conflict-induced increases in disease, hunger and malnutrition. The violent and tragic events in Syria and ongoing developments in, for example, Sudan, South Sudan, Mali and the Democratic Republic of Congo remind us of this worrying fact every day.

How can we get better at protecting civilians in armed conflict? The Secretary General has identified a number of challenges that need to be addressed, some of which I would like to touch upon.

First, there is a need to continue exploring ways of ensuring that those responsible for violations of International Humanitarian Law are held accountable, and that serious violations of International Humanitarian Law continue to carry not only a strong stigma - but consequences. Encouraging progress has been made since our last debate. The convictions of Charles Taylor by the Special Court for Sierra Leone, and of Thomas Lubanga by the ICC are significant steps forward. These judgements send a strong signal to the perpetrators of atrocities. Where national authorities fail to take the necessary steps to ensure accountability, the Council's role should be strengthened. We therefore welcome the SG's proposal to create a checklist to guide the Council's engagement with the ICC when it considers the possibility of referrals.

Second, we share the ICRC's view that attacks against and other interference with healthcare remains an under-recognized humanitarian issue and deserves increased attention, including by this Council. The recent decision by the World Health Assembly to mandate WHO to collect and report data on attacks on healthcare and this Council's resolution 1998 (2011) is an encouraging development. It ensures that perpetrators of attacks against hospitals and schools and related personnel are listed in the SG's annual report on Children and Armed Conflict, are encouraging developments. However, we support the SG's view that the Council must assume a more proactive approach to preventing and responding to such incidents.

Another central question is the application of the rule of distinction in today's military operations. Experiences from recent conflicts beg the question of how the principle of distinction is implemented in practice, in particular when conducting warfare within densely populated areas. The devastating humanitarian impact of explosive weapons in densely populated areas is a major concern in this regard. We agree with the ICRC that explosive weapons with a wide impact area should be avoided in densely populated areas. We welcome initiatives to address this issue in a more systematic and proactive way, including possible stronger engagement of the Security Council in this regard.

We share the SG's view that there is a need for greater and more systematic engagement with non-State armed groups on compliance with international humanitarian law, while bearing in mind that engagement does not constitute political recognition of these groups. In the context of the Council's engagement on Children and Armed Conflict, the conclusion of action plans with non-State armed groups by the UN to end the recruitment and use of children in armed conflict is a good example on how such engagement can successfully lead to improved compliance with International Humanitarian Law by non-State actors. The continued widespread sexual violence against women and children, but also men, demands our attention. The pursuit of justice and accountability for such crimes remains of utmost importance. We commend the continued efforts of the Secretariat and UN Missions on the ground in assisting national and local authorities in creating more protective environments by supporting the establishment of effective rule of law and security institutions and the building of local and national civilian capacity in this regard.

Germany continues to actively support such initiatives.

Mr. President,

I now come to my fifth and last point: International humanitarian law in its current state has proven to be the appropriate legal framework for the conduct of armed hostilities and the protection of the civilian population. These arms are all too often used to commit serious Human Rights violations on a massive scale. The International Community must act now to improve control of these weapons and use the dual opportunity presented by the upcoming negotiations on the Arms Trade Treaty and the Review Conference on the UN Programme of Action on Small Arms and Light Weapons. Germany strongly supports a strong, robust and effective Arms Trade Treaty that is comprehensive in scope and legally binding.

Mr. President,

In concluding, I would like to briefly mention a few country situations that are of great concern to us: We remain very concerned with regard to the humanitarian situation in South Kordofan and Blue Nile states of Sudan. The situation continues to deteriorate and people starve to death every day. Hundreds of refugees arrive every day in neighbouring South Sudan. We urge the government in Khartoum and the SPLA-North to accept the tripartite proposal of the UN, the AU and the Arab league that provides for humanitarian access and the presence of humanitarian relief workers.

In Eastern DRC, we are equally worried and appalled by the high numbers of killed and displaced civilians resulting from the mutiny and increased attacks by armed groups using the security void left by the Congolese armed forces in Eastern DRC. In this context, the sharp increase in the recruitment of children by armed groups and mutineers is of particular concern to us. Given the persisting violence in the region the protection of civilians needs to remain MONUSCO's first priority.

And lastly, the appalling violence in Syria may be the most blatant failure these days of a Government's responsibility to protect its own people. Not only does Damascus fail to protect the Syrian people - as the Commission of Inquiry established by the Human Rights Council has reported, the Syrian authorities have for months now committed systematic and gross human rights violations. We are particularly appalled and disgusted by recent reports that have indicated the use by the Syrian army of children as human shields. Opposition forces also commit abuses, which we condemn. They also must protect human rights, including those of children.

I thank you, Mr President.

© GermanyUN