



Permanent Mission of Japan to the United Nations

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Statements

2010 Statement

**Statement by H.E. Mr. Yukio Takasu
Permanent Representative of Japan to the United Nations
On Protection of Civilians in Armed Conflict
Security Council
7 July 2010**

Madam President,

I would like to express our gratitude to the Secretary-General, Under-Secretary-General John Holmes and High Commissioner for Human Rights Pillay for their statements. I pay special tribute to John Holmes for his service to the cause of humanity at the helm of OCHA for the past three and a half years.

Protection of civilians in conflict is a critically important agenda before the Council.

Last year, the Security Council adopted resolution 1894 after a comprehensive review of this issue. The Secretariat also took measures to improve protection on the ground in response to criticism against the performance of some peace keeping missions.

Yet as the three briefings today testify, we still face many challenges, and further concerted action is essential.

(Compliance with international humanitarian and human rights law)

First of all, in considering protection of civilians, standard setting and universalization of norms is of course important, but strict compliance with all international humanitarian, human rights, and refugee law is equally important, and enforcement is at the heart of any such action.

This means that the government authorities of a country in which a conflict occurs should act in accordance with the international norms, humanitarian law, and respect the provisions of resolutions adopted by the Security Council on this matter.

We simply cannot allow government troops or police forces to disregard protection of civilians or sometimes even to become a threat to civilians. To that end, the rule of law should be established through security sector reform (SSR), and judicial reform should bring an end to impunity. Zero tolerance policy has very little value unless it is enforced throughout the security establishment without regard to rank or position.

Another serious challenge is how to address violence against civilians and hindrance of humanitarian work committed by non-state armed groups. Calling for non-state armed groups to comply with humanitarian law, as we customarily do in the Security Council resolutions, is clearly inadequate.

Effective ways should be found to cope with the tactics of non-state armed groups such as the LRA. Peacekeeping missions may be able to provide logistical support for government forces fighting non-state armed groups, upon request, but such support should only be provided when clear and strict conditions are met so that it will not lead to violence against civilians.

The most effective step we can take is to promote the political process among the parties concerned through engaging non-state groups so as to achieve a ceasefire and also a peace agreement eventually.

If a political solution cannot be achieved, appropriate measures should be taken to keep the violence committed by non-state armed groups to a minimum. One way is targeted sanctions against those violators of humanitarian law. This method should be considered more strategically. Sanction regimes could be also utilized to prevent weapons flowing from outside the country. Controls over small arms should be strengthened at the regional level.

But, obviously, military or coercive measures alone cannot resolve conflicts. We should address root causes, such as protection of minorities, access to natural resources, food, or water. Comprehensive but also country-specific strategies should be developed for protecting civilians, and should involve all actors, including regional organizations.

(Effective implementation by PKOs of the mandate to protect civilians)

Half of the Peacekeeping operations now in the field have protection of civilians as a main mandate given by the Security Council. Despite some improvement in the last 18 months, there remains a noticeable gap between, on the one hand, mandate and expectation, on the other hand, implementation and action on the ground.

I would like to stress three steps that should be taken for Peacekeeping operation missions to more effectively implement the mandate.

First, within country-specific protection strategies which will translate the Council's mandate into concrete actions, the mandate of protection of civilians should be reflected in more specific terms, by identifying targets and means of protecting local populations, humanitarian workers, refugees, and IDPs. Also, the strategies and means of achieving the objective should be shared with the Council so that there is a common understanding on how the mandate is to be implemented, so there should be no gap of expectation.

Second, it is essential to ensure that there are adequate resources and capacity for effective implementation. To that end, resource implications should be provided to the Council at the launch of a new mission or a revised mission. Two key issues in protection of civilians are, first the mobility and training of units and, secondly, intelligence capacity, since troops often have to operate in vast and geographically diverse areas.

In particular, I would like to stress the shortage of utility helicopters, which has been emphasized so many times by the Secretary-General and his senior colleagues in the Secretariat. But a solution of meeting this challenge has not yet been found. I have personally tried to address this issue through the Working Group on Peacekeeping Operations, which is a subsidiary organ of the Security Council and thus supports the work of the Council, in connection with considering the capacity gap in implementation of the mandate. However, regrettably there is no consensus on what to do with this issue in the WG. I believe that this is a single most specific and concrete step the Council can take to contribute to protection of civilians. I appeal therefore to members of the Security Council to take a strong leadership in cooperation with the General Assembly. Because the responsibility is overlapping, therefore, it is difficult to find a solution. But in order to address and find a solution on this chronic and very critical issue as soon as possible. It would be helpful if the Secretary-General could submit a proposal which could serve as the basis of the work of the Security Council and General Assembly, respectively.

The third point is that strategies and guidance on the implementation of protection of civilians should be shared at different levels: the policy level, operational level and tactical level. The operational guideline, which has been developed by the DPKO, is useful as common guidance across missions. Any change in mandates decided by the Council should be kept updated on a mission-by-mission basis, so that the concept of operations can be immediately adjusted by troops on the ground.

I would like to emphasize the importance of close consultation in this connection among the Security Council, troop-contributing countries and police-contributing countries, and the Secretariat. It is also important to share

best practices among the missions. For example, what happened in the MONUC with the establishment of the Joint Protection Team (JPT) and its temporary base and the strengthening of communication with local populations are all useful and usefully followed by UNMIS.

Madam President,

I am pleased with the recent progress regarding women and children in conflict; the appointment of Ms. Wallstrom as SRSG on Sexual Violence in Conflict and adoption of the PRST last month to strengthen measures against persistent perpetrators of violence against children.

In closing, I would like to reiterate how relevant the human security approach can be as the basic rationale for efforts to protect and empower those who are most vulnerable-civilians. The multi-sectoral and human-centered approach focuses on both protection and empowerment at the individual and community levels. It is for this reason that Japan has been providing support, including through the UN Trust Fund for Human Security.

Japan is committed to extend every possible support to protection and empowerment of civilians.

