

Statement of Liechtenstein: Ninth Open Debate on the Protection of Civilians in  
Armed Conflict: 7 July 2010

**Mr. Wenaweser** (Liechtenstein): I would like to thank you, Madam President, for organizing today's open debate on the protection of civilians in armed conflict. I would also like to thank the Emergency Relief Coordinator, John Holmes, for his briefing and his dedication to advancing the work of the United Nations on this issue over the past three years. It was also a particular pleasure for us to see the High Commissioner for Human Rights in the Security Council.

We have seen significant progress in recent years on the topic under consideration, such as the establishment of an expert group on the protection of civilians, the updating of the aide-memoire (*see S/PRST/2009/1, annex*) and the appointment of a Special Representative on Sexual Violence in Conflict. Nevertheless, there continues to be a gap between the normative framework and the realities on the ground. Progress on the protection of civilians can only be made when Security Council members put their protection commitments before other interests and if issues relating to the protection of civilians are streamlined in the Security Council's consideration beyond this thematic debate.

Timely and unhindered access to civilians in armed conflict is vital to providing humanitarian assistance. Too often access is unsafe, granted too late or not granted at all. The Council must ensure that parties to a conflict comply with their obligations under international humanitarian law to facilitate humanitarian access. We therefore support the inclusion of an annex to the report of the Secretary-General to better analyze, monitor and respond to access restrictions. Restricting access to populations in need contributes to the vicious cycle of war economies, which tend to exacerbate and prolong conflicts. Against that background, we also welcome the announced partial lifting of the Gaza blockade as a first step in the right direction

Peacekeeping missions continue to suffer from a disconnection between mandates and the conditions on the ground. Mandates are often drafted in a vague manner and are subject to multiple interpretations. Future mandates should provide clear guidance, in particular to police and force commanders. In the meantime, we encourage the Department of Peacekeeping Operations to continue developing operational guidance on the implementation of mandates. In particular, the protection of civilians requires a holistic approach beyond solely military considerations. Mission-wide protection strategies must synergize all available components and resources, including the country team and the host nation.

The Council must ensure that mandates are backed up by the resources and capacities necessary to match reasonable expectations on the ground. To that end, we welcome the establishment of an expert group on the protection of civilians and commend the Council for adopting resolution 1894 (2009) as a crucial step to

improving the drafting of mandates of peacekeeping missions. We encourage the Council to continue to update the aide-memoire annually, as originally envisaged in the presidential statement of December 2002 (*S/PRST/2002/41*).

Efforts to uphold the authority of the core standards of international humanitarian law must be redoubled. The International Criminal Court (ICC) is at the centre of the fight against impunity at the international level, but it can only act as a court of last resort. We fully subscribe to the principle that national judicial authorities have the primary obligation to investigate and prosecute violations of international humanitarian law. However, many conflict and postconflict countries lack the capacity to conduct credible judicial proceedings and require comprehensive assistance. One conclusion of the recent stocktaking of international criminal justice, undertaken at the ICC Review Conference in Kampala, Uganda, was the need to significantly step up such efforts and to support them. We encourage all stakeholders to engage in new concerted efforts to this end.

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