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**Permanent Mission of Switzerland to the United
Nations in New York**

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Security Council

**Open Debate
on**

Protection of civilians in armed conflict

**Statement by
Mr Thomas Gürber
Chargé d'affaires a.i.**

New York, 7 July 2010

Madam President,

Thank you for organising this debate on the protection of civilians in armed conflict. I would also like to thank the Under-Secretary-General for Humanitarian Affairs, Sir John Holmes, for his work during the past three and a half years as head of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and as the UN Emergency Relief Coordinator. In a climate characterised by the ever-diminishing application of international humanitarian law, OCHA's role as advocate of the protection of civilians has never been more necessary.

The 10th anniversary last year of the Security Council debate on the protection of civilians was notable for the adoption of Resolution S/RES/1894 (2009). This resolution reiterated the fundamental aspects on which the action of States must focus to ensure the effective protection of civilians in situations of armed conflict. It should be implemented without reservation.

Madam President,

I would like to focus my remarks on the follow-up to three key aspects of this resolution: the links to the question of children in armed conflicts and to that of "gender"; the need to focus more attention on the protection of civilians in peacekeeping operations; and the question of respect for international law by non-state actors.

Firstly, concerning children in armed conflicts and the "gender" aspects, Switzerland considers the adoption of Resolution S/RES/1882 (2009) to be an important step forward. It is now necessary to consolidate efforts to ensure the effectiveness of the new provisions and to ensure effective implementation of Resolutions S/RES/1612 (2005) and S/RES/1882 (2009). In this context, Switzerland would like to recall the importance of strengthening the operational response which it considers to be essential for ensuring the effective protection and care of children who have fallen victim to serious violations, as well as for preventing further violations.

Moreover, we cannot discuss the protection of civilians without taking into consideration Security Council Resolution S/RES/1325 (2000) on Women, Peace and Security and the resolutions which have succeeded it. These point to the need to strengthen the participation of women in peacebuilding activities, the prevention of gender-based violence and the protection of the rights of women and girls in conflict and post-conflict situations. The

principles contained in these resolutions are relevant for the establishment of effective global strategies for the protection of civilians.

As a general rule, the Security Council should consider the question of the protection of civilians in situations of armed conflict through systematic referral to the resolutions on women, peace and security and to the resolutions on children in situations of armed conflict.

Secondly, I would like to draw the Council's attention to the growing recognition within the United Nations System of the challenges which the protection of civilians poses. Particularly worth noting is the C-34, whose efforts produced a number of concrete recommendations last spring for improving the operational implementation of the mandates for the protection of civilians. I invite the members of the Council as well as the Group of experts on the protection of civilians to bear these recommendations in mind in their work.

Thirdly, Switzerland wishes to underline the importance of the Security Council's appeals to all conflict parties to respect the provisions of international humanitarian law, human rights and refugee law with regard to civilians in armed conflict. Non-state armed groups are very present in most of the conflicts on the Council's agenda. It is important therefore to continue supporting the efforts to ensure that non-state armed groups make commitments to better respect civilians in conflict zones as well as the initiatives to record such cases. In this way, we will be able to determine new measures that will make it possible to ensure that non-state armed groups adhere to the existing norms. In this context, Switzerland welcomes the initiative of Geneva Call to organise in collaboration with OCHA a debate on this subject at the International Peace Institute (IPI) in New York on 20 July 2010.

Last but not least, combating impunity is an essential part of efforts to improve respect for the rights and needs of civilian populations. It is essential that investigations be made into all alleged violations of international humanitarian law whatever the context and whoever the alleged perpetrator. For this purpose Switzerland would like to recall the possibility of calling upon the International Humanitarian Fact-Finding Commission, created by the First Additional Protocol to the Geneva Conventions.

Thank you.