



SLOVAKIA

STATEMENT BY

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in the open debate of the United Nations Security Council
on Protection of civilians in armed conflict:
Follow-up and implementation of Security Council resolution 1674
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Madam President,

First of all, I would like to express gratitude of my delegation to Mr. Jan Egeland, the Under-Secretary-General for Humanitarian Affairs and UN Emergency Relief Coordinator, for his today's valuable briefing and to the Danish Presidency for organizing this important discussion on protection of civilians in armed conflict.

Slovakia fully associates itself with the statement that will be delivered later this morning by the Representative of Austria on behalf of the European Union.

Madam President,

We welcome the continuing endeavour of the Security Council as well as of the whole international community in strengthening protection of civilians in armed conflicts. Slovakia considers this topic a very important issue, which requires an increased amount of attention. We would like to stress some in our view important aspects.

The Security Council's resolutions 1265 (1999) and 1296 (2000) marked a significant milestone, reflecting the international community's growing commitment to better address the tragic plight of civilians trapped in situations of armed conflict. The adoption of the latest resolution on the protection of civilians in the armed conflicts (resolution 1674 (2006)), following the Report of the Secretary-General of 28 November 2005, has not only shown the urgency of the problem, but while reaffirming the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, it has also identified measures and actions the Security Council might take in order to make the response to needs of civilians in armed conflicts more effective.

Despite an increasing attention paid by the Security Council and the international community to the protection of civilians in armed conflicts, we still witness killing of civilians, sexual violence, attacks motivated by ethnic or religious hatred or political confrontation and other grave violations of international humanitarian law and human rights in conflict regions.

In this regard, let me highlight the situation in Darfur, where we have experienced one of the greatest crises of protection: civilian population has been subject of forced displacement on an unprecedented scale – about two million IDPs, as well as widespread physical and sexual violence. In this context, we would like to welcome the progress made by the Prosecutor of the International Criminal Court, who despite lasting insecurity in the region, continues in taking steps of investigation of the situation referred to him by the Security Council acting under Chapter VII of the Charter of the United Nations.

With regard to the special attention devoted to the protection of children, we would like to appreciate the current work of the International Criminal Court and the recent arrest of Thomas Lubanga Dyilo, a Congolese national and leader of the *Union des Patriotes Congolais*, alleged to have committed war crimes as set out in article 8 of the Rome Statute of the International Criminal Court, in particular conscripting and enlisting children under the age of fifteen and using them to participate actively in hostilities.

It is imperative that the grave violations of human rights, international humanitarian law, and other relevant provisions of international law be investigated in a timely and credible manner and that perpetrators of the worst crimes under international law be prosecuted and brought to justice. At this point, we would like to emphasise also a deterrence effect towards the possible perpetrators of such kind of crimes and the contribution of both already mentioned ICC-related investigations to prevention, fight

against impunity and restoration of the rule of law and establishing a secure and safe environment.

With regard to ending impunity of perpetrators of the worst crimes under international law in a general context, we would like to note other appropriate means within the broader range of justice and reconciliation mechanisms, including national, international and 'mixed' criminal courts and tribunals and truth and reconciliation commissions.

Furthermore, we would like to remind that the existing legal provisions regulating protection of civilians in armed conflicts provide for an important comprehensive framework for the complex range of issues that must be addressed to ensure respect for civilian status. All parties concerned should comply strictly with the obligations applicable to them under international law, in particular those contained in the Hague Conventions of 1899 and 1907 and in the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as all relevant documents of the Security Council.

All States that have not yet done so should consider ratification of the instruments of international humanitarian, human rights and refugee law. We consider it alarming that out of 26 countries, in which a total of 30 armed conflicts occurred in 2004, only 13 are parties to the Additional Protocol II to the Geneva Conventions, regulating internal armed conflicts.

Serious gaps remain in the implementation of legal documents the States are already bound by. Therefore, we call upon all Member States to further enhance the legal framework concerning the protection of civilians in armed conflicts in their domestic legal systems. Also, we would like to appeal on all parties to the Convention on the Safety of United Nations and Associated Personnel to fulfil their obligations arising

from this international instrument, in particular to allow access to humanitarian assistance and to take all necessary measures to guarantee the safety, security and freedom of movement of humanitarian personnel and the United Nations and its associated personnel. In addition, we urge all Member States to comply strictly with relevant rules and principles of international law, to implement the relevant Security Council's decisions and to co-operate fully with the United Nations missions.

With the aim to improve the protection capacity of peacekeeping operations we should consider a request for information on the on-the-ground implementation of provisions of resolution 1674 to be included to all Secretary General's reports on the UN country operations. It would help us to better tune the protection mandates. In order to have more professional and responsible security forces capable to provide adequate protection to civilians, we should focus our endeavour on long-term security sector reform and reform of the judiciary. This task should be among the priorities of UN country teams, host governments and donors.

We are aware of the strengthened role of regional organizations and other intergovernmental institutions, having the increasingly valuable role in the protection of civilians. In our view, a closer cooperation of the United Nations and Member States regional organizations, such as the African Union, should be enhanced and developed, since the regional organizations might often provide their own experience to effectively address protection concerns.

Thank you, Madam President.