Thirteenth Security Council Open Debate on the Protection of Civilians in Armed Conflict: 25 June 2012   On 25 June 2012, the United Nations Security Council (UNSC) held its thirteenth   open debate on the Protection of Civilians in Armed Conflict (POC)   . A thematic issue on the UNSC agenda since 1999, POC focuses on the duties of states and the role of the UNSC in addressing the needs of vulnerable populations including refugees, internally displaced persons, women and children. During this debate, Council Members were joined by other governments -45 Member States participated in total- as well as UN Secretary-General (UNSG)   Ban Ki-moon
, UN Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs Valerie Amos
, UN Assistant Security-General for Human Rights
Ivan Šimonović
, and Director for International Law and Cooperation at the International Committee of the Red Cross
Philip Spoerri
. Participants addressed the POC normative framework as well as relevant country cases, including those of Syria, Mali, Sudan, Democratic Republic of the Congo and Libya. Speakers looked in particular at challenges to protection articulated in the
June 2012 report on POC from the UNSG
, namely, enhanced compliance of disputing parties with international humanitarian and human rights law; consistent and effective engagement with non-state armed groups in order to improve compliance with the law; strengthened protection by United Nations (UN) peacekeeping and other relevant missions; improved humanitarian access; and the promotion of accountability for violations. Participants touched on a range of available tools for protection as well as the crucial role of actors at all levels. The
UNSG
noted the importance of peacekeepers, governments and local institutions in fulfilling the "fundamental responsibility to protect".
Šimonović
, speaking on behalf of UN High Commissioner for Human Rights Navi Pillay, reminded, "It is our responsibility to protect the lives of civilians using every tool available to us."

Member States reflect on the Responsibility to Protect, call for accurate distinction between two agendas

During the debate, many Member States took the opportunity to reaffirm their support for the Responsibility to Protect (RtoP, R2P), including
Guatemala
, who reminded that the government had "made no secret of our support for the norm of the responsibility to protect". Other Member States urged participants to accurately distinguish between the POC and RtoP frameworks, including
Sri Lanka
and the

European Union
, with the EU noting the fundamental differences between RtoP and POC, and furthermore stating, "they are both important and relevant, and it is necessary to enhance our collective understanding of both areas, and how they are related in their implementation."
Argentina
too expressed the need to distinguish between the protection of civilians and RtoP, and noted that prevention is key.
Armenia
noted that although "fundamental difference exist between POC and RtoP, the two concepts are connected in that they share the same legal foundation of being dramatically opposed to use of force."

Some Member States used the debate as an opportunity to voice their concern that RtoP may undermine state sovereignty, including
Venezuela
, who maintained that sovereign governments have the exclusive responsibility to protect their citizens, and warned against the misuse of RtoP as a vehicle for regime change and other political motives.
Russia
also warned that RtoP could lead to "interference in the internal affairs of sovereign states and to violent regime change."

"Responsibility while Protecting"

Brazil
took the opportunity to continue discussion on its proposed concept note,
"Responsibility while protecting: elements for the development and promotion of a concept"
(RwP), introduced to the Security Council at the twelfth open debate on POC held in November 2011. Brazil's statement reminded that the government had called on the international community, through RwP, to "demonstrate renewed commitment and strengthened confidence in its capacity to make use of the tools established by the UN Charter for the prevention of conflicts and the peaceful settlement of disputes." Additional support for the concept came from
South Africa
as well as
India
. The Indian delegation stated, "in the implementation of the Council's mandate for protecting civilians, there is the need to ensure the responsibility while protecting", and that, "the recent actions of some organizations and member-states have brought to the fore a considerable sense of unease about the manner in which the humanitarian imperative of protecting civilians has been interpreted for actual action on the ground."
Chile
welcomed "criteria for the use of force on the part of the Security Council either through the implementation of the principle of POC or R2P" and underscored the "need to ensure the criteria contained under R2P, as submitted by Brazil…to the council."

Discussion of SCR 1973 amid concerns around the implementation of protection measures

In discussing issues related to civilian protection, several Member States brought up the crisis in
Libya
, which began in 2011. The
European Union
credited the UNSC as having "acted upon its responsibility to protect civilians" in adopting
Resolution 1973
which authorized a no-fly zone in Libya in March 2011 in response to former Libyan leader, Muammar Gaddafi's threats to his population. Among others,
Libya
and the
United States
also reaffirmed its support for Resolution 1973, with the US stating, "the Council's response to the situation in Libya was decisive," and that, "these actions have given Libyans a well-deserved chance to chart a future where their sovereignty, dignity and human rights are respected." Other Member States criticized the implementation of military measures in response to the crisis in Libya as
Russia
noted "question marks hanging over the participants in the NATO operation in Libya regarding how in practice the relevant Security Council resolutions were implemented."
Iran
stated that in Libya "the extent of the mission went beyond the protection of civilians and thus raised concerns over member states."

Concern from participants over Syrian government's 'failure' to protect its population

Many participants included the ongoing crisis in
Syria
in their remarks, with
Germany
stating that "the appalling violence in Syria may be the most blatant failure these days of a Government's responsibility to protect its own people." The
United Kingdom
stated, "The Syrian regime has shamefully failed in its responsibility to protect its civilian population. Far worse, it has deliberately targeted its civilian population through the indiscriminate and disproportionate use of force." The
Nordic countries
condemned the Syrian government for the atrocities committed, and stated, "We are horrified by the continuous killings of civilians, the brutal executions of innocent children and the use of torture, including rape and sexual violence."
Libya

too expressed its deep concern for the crisis in Syria, stating that "the systematic and preemptive manner" in which atrocities had been carried out in Libya is now being carried out in Syria and "in an even worse manner."

Read the United Nations
summary
of the debate.
Full statements
can be viewed on the ICRtoP website as they become available. The Global Centre has provided
excerpts
of selected statements.

For more information on the POC framework and its relationship with RtoP, read the Global Centre for the Responsibility to Protect's
policy brief
.