

**Group of Friends of the Protection of Civilians in Armed Conflict**

Statement delivered by  
H. E. Mr. Jürg Lauber, Permanent Representative of Switzerland

I am pleased to take the floor on behalf of the members of the group of friends of the protection of civilians in armed conflict Australia, Austria, Belgium, Brazil, Canada, France, Germany, Italy, Japan, Liechtenstein, Luxembourg, Norway, Portugal, Switzerland, the United Kingdom and Uruguay. The group of friends thanks the Uruguayan presidency of the Security Council for organizing today's open debate, which is crucial to keeping the protection of civilians high on the agenda. We also thank the Deputy Secretary-General and the Vice-President of the ICRC for their briefings.

As noted by the Secretary-General and the President of the ICRC in their joint warning on 31 October 2015, the world is at a turning point and we must react vigorously to a growing lack of respect for International Humanitarian Law (IHL) and a disregard for the protection of civilians in many conflicts. We cannot be indifferent to the immense human suffering caused by armed conflicts and its consequences for international peace and security. The international community must reaffirm the principles related to the protection of civilians as enshrined in IHL, human rights and refugee law as well as in international criminal law. Parties to conflict must be reminded time and again that even wars have rules, and that these rules apply to all.

The latest report of the Secretary-General on the protection of civilians is a stark reminder that we need to continue our collective efforts to address the challenges posed to the protection of civilians in armed conflict. Indiscriminate attacks on civilians have become a recurrent feature in many contemporary conflicts. Schools and medical facilities are not spared. Complex and dynamic security environments as well as access restrictions for humanitarian workers impede the delivery of humanitarian assistance. A growing number of parties to armed conflicts openly disregard the validity of long-established rules of international humanitarian law. For example, respect for the obligations governing the conduct of hostilities, including distinction, proportionality and precaution, as well as the prohibition on deliberately targeting civilians and civilian objects is eroding, including in situations under the consideration of the Council.

All too often, this lack of respect for the most basic principles of humanity goes hand in hand with a pervasive climate of impunity and utter lack of redress for victims. We therefore must insist on bringing to justice those responsible for the most serious crimes of international concern. The Security Council is uniquely positioned to promote peace and justice. We call upon the Council to make use of its numerous options to promote and ensure accountability. This includes: standing up to reported atrocities; establishing facts and the truth about alleged violations; making referrals to the International Criminal Court and to follow-up thereto; staying firm on addressing accountability for past crimes in all situations; and tasking peacekeeping operations, within their respective mandates, to support the fight against impunity.

The Security Council must demonstrate its leadership and systematically and vigorously endeavour to uphold the core protection of civilians standards, whenever the need arises. In this regard, the group of friends welcomes the Council's

Presidential Statement on the protection of civilians (S/PRST/2015/23) which reaffirms its commitment regarding the protection of civilians and its intention to continue to review the issue regularly. The group of friends welcomes in particular the request to the Secretary-General to submit a report to the Council every 12 months, which is an important step towards more frequent reporting about the protection of civilians to the Council. The aide-mémoire contained in the annex to the PRST is an excellent instrument for the implementation of the protection of civilians and should be used in a more systematic manner by all relevant stakeholders.

Ensuring better respect for IHL remains the key challenge for the protection of civilians in armed conflict. At the 32<sup>nd</sup> International Conference of the Red Cross and Red Crescent of last December in Geneva, consensus was reached on a number of pressing issues and possible ways to address them. They include sexual and gender-based violence, the protection of the delivery of health care, the protection of persons deprived of their liberty, and compliance with IHL. With regard to the latter, we regret the lack of willingness to commit to a more expeditious and more resolute way forward. However, the International Conference recognized the gaps and weaknesses in the implementation of IHL and the need to address them. It paved the way for an intergovernmental process to find an agreement on the functions and features of a potential forum of States on IHL and ways to enhance the implementation of IHL using the potential of the International Conference and regional IHL forums. We expect all governments to engage constructively and in good faith in this intergovernmental process, to be co-facilitated by Switzerland and the ICRC.

The group of friends welcomes the recommendations of the Secretary-General contained in his report entitled “The future of United Nations Peace Operations: Implementation of the Recommendations of the High-Level Independent Panel on Peace Operations” (S/2015/682) and the recommendations of the report of the High-Level Independent Panel on Peace Operations (S/2015/446) with respect to the protection of civilians. The review presents a key opportunity to strengthen the capacity of UN peace operations to leverage all their components, including civil affairs, to effectively protect civilians and we look forward to engaging on how to achieve this end. Political engagement and support for political settlements should be seen as an integral part to this effort. The best way to protect civilians is by preventing armed conflict in the first instance and, failing that, by ending armed conflicts through a negotiated and inclusive settlement. The group of friends fully supports the call by the Secretary-General for the Council to bring its collective political leverage to bear on behalf of political solutions. The group of friends also takes note of the “Kigali Principles on Protection of Civilians” adopted last May, aiming at reinforcing the protection of civilians by TCCs and PCCs in the framework of peacekeeping operations.

The group of friends highlights the UN Secretary General’s zero tolerance policy on sexual exploitation and abuse as being ever more relevant in light of recent allegations, particularly in the Central African Republic. We welcome the Secretary General’s efforts to strengthen the UN’s response, and calls on Member States including troop and police contributing countries to do the same.

Next May, the world will gather for the first ever World Humanitarian Summit in Istanbul. The WHS should pave the way for more coherent and vigorous action for the protection of civilians in armed conflict. We call upon all Member States to seize this event as a unique opportunity to reaffirm the importance of ensuring respect for IHL, human rights and refugee law. We further call on Member States and relevant actors to continue their efforts to ensure the centrality of protection in humanitarian

action, including gender considerations and the protection of other vulnerable groups. This will require political commitment, strong leadership, effective coordination, extensive capacity-building efforts and systematic monitoring, reporting and follow-up of protection issues by us all.