

The Protection of Civilians in Armed Conflict
Security Council Open Debate
28 June 2006

On 28 June 2006, the Danish presidency of the Security Council (SC) convened an open debate on the protection of civilians in armed conflict. The Council, in a Presidential statement issued in December 2002, recognized the value of focusing on this issue every six months due to recommendations from the Secretary-General's report from 26 November 2002.

Prior to the debate, Under Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Jan Egeland, briefed the Council on the progress made to better protect civilians caught in conflict.

The theme of the debate focused on the implementation of SC Resolution 1674 adopted on 28 April 2006. Of the 23 states who spoke at the debate, 9 states made explicit reference to the ICC and/or Rome Statute: Slovakia, Ghana, Russia, Peru, Greece, Austria (made on behalf of the EU), Slovenia (made on behalf of the Human Security Network), Liechtenstein, and Uganda [in the order of their statements]. In addition, Liechtenstein voiced its disappointment on the removal of ICC supportive language from SC Resolution 1674.

Speaker / Country	Statement
Mr. Jan Egeland, Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator	“In the Democratic Republic of the Congo, serious attempts are being made to stem the violence and address impunity, with the surrender and imprisonment of prominent Mai-Mai and armed group leaders and the International Criminal Court’s indictment of a former commander of the Union des patriotes congolais for human rights violations. But in a context where hundreds of thousands of civilians continue to suffer from ongoing violence in areas such as Katanga, Ituri and the Kivus, the impact of those actions is limited. Nearly all serious violations committed against the civilian population by all parties still go unchecked.”
H.E. Mr. Peter Burian, Permanent Representative of Slovakia to the UN	“[W]e welcome the progress made by the Prosecutor of the International Criminal Court (ICC) who, despite lasting insecurity in the [Darfur] region, continues to take steps to investigate the situation referred to him by the Security Council. With regard to the special attention devoted to the protection of children, we would appreciate the current work of the International Criminal Court and the recent arrest of Thomas Lubanga Dyilo, a Congolese national and a leader of the Union des patriotes congolais alleged to have committed war crimes, in particular conscripting and enlisting children under the age of 15 and using them to participate actively in hostilities. [...] At this point, we would like also to emphasize a deterrent effect upon possible perpetrators of such crimes and the contributions made by the ICC-related investigations I have mentioned to prevention, the fight against impunity, the restoration of the rule of law and the establishment of a secure and safe environment.”
H.E. Mr. Leslie Kojo Christian, Deputy Representative of Ghana to the UN	“With the support of the international community, the International Criminal Court could contribute immensely towards containing and combating crimes against innocent populations in conflict areas. Indicted persons seeking sanctuary in various countries must be apprehended and handed over to the International Criminal Court for prosecution. The arrest

	and handing over of the former Liberian leader, Charles Taylor, to the Special Court of Sierra Leone is worthy of emulation.”
H.E. Mr. Igor Shcherbak, Chargé d’Affaires A.I. of the Permanent Mission of the Russian Federation to the UN	“In the context of preventing violence, we attach great importance to preventing impunity and to bringing to justice all of those who are guilty of crimes against civilians including sexual violence. [...] Here, we would also like to stress the role of the International Criminal Court.”
H.E. Mr Oswaldo De Rivero, Representative of Peru to the UN	“Finally, we would like to stress that the Security Council must also continue to support the activities of the Office of the Prosecutor of the International Criminal Court; its investigation will help to put an end to the sense of impunity that currently prevails in Darfur.”
Mrs. Maria Telalian, Deputy Representative of Greece to the UN	“[W]e would also like to underline the crucial role of international justice and reconciliation mechanisms, in particular, the International Criminal Court (ICC), in the pursuit of peace and justice. We reiterate our call on the Security Council to fully support the ICC in the accomplishment of its difficult mission in Darfur.”
Mr. Helfried Carl, Councillor of Austria to the UN	“Impunity needs to be addressed more forcefully. The restoration of law and order to prevent further violence and tackle impunity should be a priority for the States concerned, for the Security Council and for all peacekeeping and peacebuilding missions. Together with the Secretary-General, we urge Member States that have not yet done so to ratify or accede to the Rome Statute, as well as to the treaties of international humanitarian, human rights and refugee law, and to take all appropriate measures to fully implement those treaties within national systems, including ensuring proper investigation and prosecution of any violations of the relevant rules.”
H.E. Mr. Roman Kirn Permanent Representative of Slovenia to the UN	“Furthermore, the work of international or mixed tribunals and, in particular, of the International Criminal Court, is proving to be valuable when justice cannot be achieved at the national level. It is of the utmost importance that national and international criminal justice institutions receive all necessary support on the ground. [...] It is a significant development in combating sexual violence as a method of warfare that rape, sexual slavery, enforced prostitution and forced pregnancy have been included in the definition of crimes against humanity and war crimes in the Rome Statute of the International Criminal Court. But more must be done.”
H.E. Mr. Christian Wenaweser, Permanent Representative of Liechtenstein to the UN	“While the Council acknowledged that there are a number of national and international justice and reconciliation mechanisms that can be instrumental in ending impunity, we were disappointed to note that the resolution does not contain a reference to the vital role that the International Criminal Court is playing in this respect. Such a reference would have updated and strengthened the resolution in a manner that would have taken into account the major relevant developments since 2000, including the referral of a situation to the International Criminal Court by the Council itself.”
H.E. Mr. Francis K. Butagira Permanent Representative of Uganda to the UN	“For a long time, the people of northern Uganda have been the victims of vicious attacks perpetrated by the so-called Lord’s Resistance Army. [...] Under their leader, Joseph Kony, they have cut off people’s limbs and lips, abducted and defiled children, and committed all manner of atrocities. For some time, they were regarded as a Ugandan affair, until recently when they started committing the same atrocities in the southern Sudan. Because of military pressure by Uganda’s armed forces, with the cooperation of the Government of the Sudan, most of them have been flushed out of the

	<p>Sudan and have relocated to Garamba National Park in the Democratic Republic of the Congo. [...] [B]ut unless something is done to arrest and disarm them in the Democratic Republic of the Congo, they may regroup and pose a threat again. The United Nations, together with the countries of the region concerned, should act to arrest especially those who have been indicted by the International Criminal Court. The rest could be encouraged to take advantage of the amnesty which is in place in Uganda.”</p>
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