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Statement by Ambassador Susan E. Rice, US Permanent Representative, on Respect for International Humanitarian Law, in the Security Council, January 29, 2009

Mr. President, thank you for your kind words of welcome.

As this is my first appearance in the Security Council, allow me to start by saying it is a deep honor to represent the United States at the United Nations. I look forward to working with all Security Council members on the full range of challenges and opportunities that confront us.

President Obama is committed to building strong international partnerships to tackle global challenges – in particular, enhancing global peace and security; combating terrorism and proliferation; addressing climate change; preventing genocide; alleviating poverty and promoting sustainable development; and supporting respect for human rights, democracy and human dignity.

These are shared challenges that no single nation can successfully tackle alone.

They require common action based on a common purpose and a vision of shared security, even when we have differences.

The United Nations is indispensable for advancing these goals and making our world a better, safer place.

Mr. President, I want to thank you for hosting this important meeting. And, I want to thank today's speakers for their briefings to the Security Council and more importantly for the work they do every day to promote adherence to international humanitarian law and the protection of civilians.

The challenge I want to focus on is how the United Nations can better protect the millions of vulnerable civilians who are caught in the crossfire of conflicts worldwide.

Mr. President, the United States is deeply committed to supporting and advancing international humanitarian law – both as a matter of national policy and as a basic precept for the entire international community.

In his inaugural address, President Obama rejected the false choice between our security and our values. He acted quickly, and in his first week in office signed Executive Orders to close

the Guantanamo detention facility within one year, to ensure compliance with the treaty obligations of the United States, including the Geneva Conventions, and to guarantee the safe, lawful, and humane treatment of individuals in custody during armed conflicts, including by providing access to all detainees by the International Committee of the Red Cross. He ordered the CIA to close all existing detention facilities. President Obama has made clear that the United States will work with the international community to defeat violence and terrorism in a manner consistent with our values and ideals.

Civilian protection is not just a moral duty; it must be a core element of military operations. The United States government understands that protection of civilians is a vital priority – indeed that it must be an essential part of our missions. In Afghanistan, an international coalition continues to combat Taliban forces that deliberately employ tactics designed to increase the number of innocent civilian deaths. U.S. forces serving in Afghanistan operate under rules and orders designed to prevent such casualties, and we will continue to review them to improve their effectiveness.

The United States is deeply concerned Mr. President about the loss of Palestinian and Israeli life in recent weeks and the tragic suffering of Palestinian civilians, who require urgent humanitarian and reconstruction assistance. Violations of international humanitarian law have been perpetrated by Hamas through its rocket attacks against Israeli civilians in southern Israel and the use of civilian facilities to provide protection for its terrorist attacks. There have also been numerous allegations made against Israel some of which are deliberately designed to inflame. We expect Israel will meet its international obligations to investigate and we also call upon all members of the international community to refrain from politicizing these important issues.

Mr. President, we must find more effective means to protect innocent civilians around the world.

In the Democratic Republic of the Congo, the fighting rages on and is reported to have resulted directly or indirectly in more than 5 million deaths, as well as countless rapes, sexual assaults, recruitment of child soldiers, and other major human rights violations.

The Uganda Lord's Resistance Army has for many years terrorized civilian populations and is responsible for a major humanitarian crisis today in the region. In Sudan, the genocide in Darfur continues. More than two and a half million persons have fled their homes and hundreds of thousands have died in the conflict to date. Recent fighting between rebels and government forces have put countless civilian lives at risk and the

Government of Sudan continues its campaign of bombing innocent civilians. In both the Congo and Sudan, all parties to the conflict must stop the killing and abide by their obligations under international humanitarian law.

The United States is determined to act to prevent such violations of international humanitarian law. This means, in practical terms, preventing conflicts in the first place, keeping existing conflicts from escalating to mass atrocities, acting early and decisively when they occur, and ensuring that peacebuilding and post-conflict assistance consolidates peace durably once conflict ends. As agreed to by member states in 2005 and by the Security Council in 2006, the international community has a responsibility to protect civilian populations from violations of international humanitarian law when states are unwilling or unable to do so. But this commitment is only as effective as the willingness of all nations, large and small, to take concrete action.

The United States takes this responsibility seriously, and I look forward to the General Assembly's upcoming discussion of the Secretary-General's report on the responsibility to protect.

Mr. President, the United Nations is at the center of our collective efforts to promote respect for international humanitarian law.

Through peacekeeping, the United Nations protects vulnerable populations and helps to end violent conflict. Through the promotion of accountability, the United Nations helps to end impunity. Through the provision of humanitarian assistance, the United Nations reduces human suffering.

Yet, more needs to be done to clarify the role of UN peacekeepers with regard to civilian protection, to ensure that they have the resources necessary to accomplish their mandates and to accelerate their effective deployment in times of urgent need.

Furthermore, UN peacekeepers must respect international humanitarian law themselves and abide by the highest standards of conduct.

The United States supports the efforts the Secretariat has taken to address the problem of sexual exploitation and abuse by peacekeepers, but additional work is required to develop doctrine, standards, and training for peacekeepers so they adhere to and promote the highest standards of international humanitarian law and conduct in all missions, and in all their activities. Anything less is unacceptable.

The ad hoc war crimes tribunals for the Former Yugoslavia and Rwanda, and the hybrid tribunals in Sierra Leone and Cambodia, are actively prosecuting crimes involving violations of international humanitarian law. The International Criminal Court, which has started its first trial this week, looks to become an important and credible instrument for trying to hold accountable the senior leadership responsible for atrocities committed in the Congo, Uganda, and Darfur.

UN humanitarian agencies, such as OCHA, UNHCR, WFP and UNICEF, are performing vital and life-saving services for the most vulnerable populations. Similarly, the International Committee of the Red Cross has been active in providing assistance and protection to victims of conflict, often in places where other humanitarian actors are unable to operate.

The United States has long been a leading supporter of the ICRC's efforts to promote and strengthen international humanitarian law in countries around the world. We are proud to be the largest financial contributor to its essential work.

Mr. President, we call on all parties and all governments to live up to their commitments under international humanitarian law, abide by all Security Council resolutions, and cooperate with international investigations to end impunity for war crimes and crimes against humanity.

The United States is steadfast in its commitment to safeguard human rights and end violations of international humanitarian law, both in conjunction with the United Nations, and through our other efforts throughout the world. Beyond this commitment, however, is a pledge by the United States to work together with the United Nations and international organizations such as the ICRC, in a new era in support for international humanitarian law. It is in this spirit of cooperation and determination that we will seek to use this body of international law to minimize human suffering and protect vulnerable populations.

Thank you Mr. President.