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## Security Council

Open debate

### **The Protection of Civilians in Armed Conflict**

New York, 19 August 2013

Statement by Mr. Thomas Gürber, Chargé d'Affaires a.i., Permanent Mission of Switzerland,  
on behalf of the Group of Friends on the Protection of Civilians

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Madam President,

I am pleased to take the floor in my capacity as chair of the Group of friends on the protection of civilians in armed conflict and speak on behalf of the delegations of Australia, Austria, Belgium, Brazil, France, Germany, Italy, Japan, Liechtenstein, Norway, Portugal, Switzerland, the United Kingdom and Uruguay.

Ensuring the protection of civilians in armed conflict is a task which requires our constant attention. Unfortunately, the core challenges identified in the last three reports of the Secretary-General have not been addressed sufficiently. Parties to conflict too often fail to comply with their obligations under international humanitarian law, which requires all parties to conflict to spare the civilian population from the effects of hostilities. In particular, increasing numbers of humanitarian workers, including medical personnel, have been deliberately harmed or even killed recently; there is thus a clear need to find ways to improve their safety and security, while at the same time humanitarian access to reach those in most need must be maintained and negotiated with all relevant parties. Parties to conflict must allow and facilitate rapid and unimpeded passage and distribution of humanitarian relief for civilians in need, in full compliance with the guiding principles of humanitarian assistance enshrined in A/RES/46/182. We therefore deem progress on the question of access a highly urgent matter, as the imposition of constraints is often done in an arbitrary manner. More must be done, within the framework of the UN Charter, to ensure accountability but also prevent grave instances of deliberate delays or denials of access for humanitarian operations, as well as attacks against humanitarian workers. In this regard, we recall that attacks on humanitarian workers constitute a war crime under article 8 e iii) of the Rome Statute of the ICC and that accountability and legal protection are therefore stronger with an increasing membership in the ICC.

There is a lot to discuss and the fact that this is the third open debate under this agenda item this year so far is encouraging; I therefore wish to thank the US presidency for holding the Protection of Journalists debate last month, as well as the current Argentinean presidency for keeping the protection of civilians high on the Security Council's agenda. To ensure a meaningful discussion on the protection of civilians, a comprehensive humanitarian and human rights perspective is essential and we welcome the diversity of expertise around the table today. This is of particular importance at a time of internal review processes that aim at strengthening the protection architecture of the United Nations. With a view to keeping the momentum, we very much look forward to having a further substantive debate on the basis of the next Report of the Secretary-General, which is due in November.

Thank you.