

**Statement of Ambassador Munir Akram, Permanent Representative of Pakistan to the United Nations, in the Open Debate on “Protection of Civilians in Armed Conflict” Security Council, December 14, 2004.**

**Mr. President,**

We thank the Algerian Presidency for organizing this open debate on the protection of civilians in armed conflict and warmly welcome your personal participation Mr. Foreign Minister, to preside over this important debate. We are also thankful to Under-Secretary-General Jan Egeland for his comprehensive briefing and review of various conflict situations in the context of the ten-point platform. We also particularly welcome the participation of the Secretary-General in our meeting today.

2. About five years ago, the United Nations began to systematically approach the protection of civilians in armed conflict. Stark and disturbing evidence makes clear that civilians, particularly the vulnerable groups like women and children, continue to bear the brunt of armed conflict and remain the prime victim in such situations.

3. I would like to make 8 points:

- i. The most important problem is to ensure full respect for international humanitarian law. In situations of foreign occupation, human rights organizations have extensively documented the incidence of harassment, extortion, abduction, search-and-cordon operations, unlawful detentions, and arbitrary and extra-judicial killings. Rape has frequently been used as an instrument of war, to dehumanize women and humiliate the communities they belong to. Such crimes are committed without any accountability for the perpetrators. There are no possibilities of justice for the victims. The Secretary-General has rightly stressed in his report of May 2004 (S/2004/431) that “compliance by all parties to conflict with international humanitarian, human rights, refugee and criminal law is critical in all of these situations, whether they are situations of armed conflict, occupation or transition.” Article 48 of the Geneva Convention stipulates that “In order to ensure respect for and protection of the civilian population, the parties to the conflict shall at all times distinguish between the civilians and combatants.” Unfortunately, however, the disproportionate use of force, excessive rules of engagement,

indiscriminate deployment of high yield weapons, and ill-treatment of prisoners have rendered such injunctions largely meaningless. Resolute action on the part of the international community is required to reverse these unacceptable trends including through national and international criminal prosecution.

- ii. Bringing an end to the culture of impunity is imperative. Parties guilty of harming civilians must be identified and the perpetrators brought to justice swiftly. All available legal mechanisms must be fully utilized to investigate, prosecute and punish the culprits.
- iii. Immediate, safe and unhindered humanitarian access to civilians in all conflict situations is critical to saving lives. No party should be allowed to deny or obstruct such access in any phase of the conflict.
- iv. Provision of emergency relief assistance to civilian victims of conflict is vital. Besides mobilizing resources through voluntary contributions, consideration should be given to provide funding through the regular budget as well.
- v. Deliberate violence against humanitarian and UN personnel are unacceptable and relatively recent phenomena. Measures should be taken to hold those accountable in line with the Security Council resolution 1502 (2003).
- vi. Sexual violence and other abuses against women and children are inexcusable. Consideration should be given to the adoption of a Declaration that targeting of women and use of rape as an instrument of war would constitute a “war crime.” Concrete steps must also be taken to bring the abominable use of child soldiers to an end. We welcome the Secretary General’s efforts to address the problems of sexual violence by the UN Peacekeepers or civilian personnel.
- vii. A coherent and integrated approach by all actors is essential. Closer coordination must be guaranteed among the national players, ICRC, the United Nations, regional and sub-regional arrangements, and humanitarian organizations providing protection and relief assistance to civilians in armed conflict.

- viii. Regular monitoring and consistent and objective reporting by the UN system across all conflict situations must be ensured, with a view to encouraging necessary response from the international community. There should neither be any “neglected emergencies,” nor any ignored conflicts.

**Mr. President,**

4. Strengthening the framework for the protection of civilians in conflict situations -- characterized by increasingly challenging environment and diversity of actors -- is not an easy undertaking. The Security Council would need to remain focused and keep individual civilian victims of conflict at the center of attention. But this must also be done within a larger framework that puts equal premium on conflict prevention, conflict resolution, addressing the root causes, and providing long-term assistance to tackle the development and reconstruction challenges of states affected by, or likely to be engulfed by, conflict. As the Secretary-General has stressed, our efforts for the promotion of a culture of protection can achieve moral authority and credibility only through principled, consistent and effective practice.

**I thank you, Mr. President.**