

**Statement by Mr. Jingree on the Protection of civilians in armed
conflict - 10 December 2002**

Let me first express my delegation's joy in seeing you, Madam Minister, preside over our deliberations today. Your presence is a testimony to the importance which you and your country attach to the Security Council and my delegation wishes to pay tribute to your very able team, led by the distinguished Ambassador Valdivieso, for the very positive contribution it has made in the work of the Council.

We also welcome Mr. Helgesen, Deputy Minister for Foreign Affairs of Norway, in today's meeting.

I wish to join other speakers in thanking the Secretary-General for his introductory message and for the very comprehensive report before us. Our thanks go also to Mr. Kenzo Oshima, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, for introducing the report of the Secretary-General, and to the Director-General of the International Committee of the Red Cross (ICRC) for his presentation.

The question of protection of civilians in armed conflicts has taken on an altogether new dimension in the world today and constitutes a serious challenge to the international community. During conventional wars, civilians, especially women and children, enjoyed a certain measure of safety and protection in the sense that the scene of battle was confined to well known and defined areas and every effort was made to avoid civilian casualties, in accordance with international humanitarian laws. Such wars were mostly fought between State actors which, in one way or another, subscribed to international treaties.

In today's armed conflicts, which have become mostly intra-State conflicts, civilians not only lack any protection, they are in fact, the first and very often direct victims of the fighting. In many cases, civilians are specifically used as targets to attract attention, while in other cases they are used as human shields to avoid attacks. Most of these conflicts are led by non-State actors, rebels and warlords who do not feel bound by any humanitarian treaty.

The recent terrorist attacks in New York, Washington, Bali and Kenya, which have aimed principally at causing the greatest loss of civilian lives, have shown that new instruments need to be devised to ensure the protection of civilians in these circumstances. In this context, we fully support the recommendations of the Secretary-General relating to the elaboration of an appropriate roadmap to address these issues. My delegation believes that priority should be given to the following areas.

It has been established that the proliferation and trafficking of small arms and light weapons represent a major cause which continue to fuel armed conflicts throughout the world, with their devastating effects on civilians. Likewise, the incomplete disarmament, demobilization and reintegration programmes in many regions, especially in those where there is great mobility of former combatants and rebels groups, continue to pose a serious threat, not only to civilians, but also to overall peace and stability. For example, numerous anti-personnel landmines in several countries, many of them in Africa, remain a serious danger to millions of innocent civilians, especially women and children.

In all these cases, it is imperative that we take a comprehensive and regional, if not a global approach towards addressing these issues. Unless we do so, conflicts will continue and civilians will continue to be affected. My delegation, therefore, urges the international community to devote more resources to such issues and elaborate concrete measures to address them.

The presence of armed groups and sometimes their blending with the civilian population result in situations where civilians become innocent targets of raids and reprisals by opposing factions or even by Government forces. Numerous civilian casualties have been caused by Israeli forces, for example, in their attempts to pursue suspected leaders of suicide bomb attacks in the Middle East. In other places, such as in Democratic Republic of the Congo, the rebels mingle among the refugees. It is, therefore, important that those armed elements are separated from ordinary civilians. More efforts need to be made in the screening of refugees to ensure that rebels and other armed elements are not allowed into refugee camps. Since most refugee camps are located near the borders, such elements use those camps as their base both to benefit from refugee services and to carry out their rebel activities.

The situation of internally displaced persons during armed conflicts is also of great concern. Between 25 million and 30 million internally displaced persons, half of whom are children, have lost their homes owing to internal conflicts. Statistics show that the number of the world's internally displaced is larger now than it has been at any time in the past five years. Though the primary responsibility for protecting that group of civilians rests with Governments, the United Nations and other international agencies have a shared responsibility to protect and assist the internally displaced, in particular, during conflicts.

The problem of access by international aid workers to affected areas also needs particular attention. In many conflicts, safe and unhindered access to vulnerable civilian populations by relief workers is granted only sporadically, if at all. Access is often denied, and to make matters worse, aid workers themselves are attacked, kidnapped or harassed. My delegation unequivocally condemns such behaviour, which we consider totally unacceptable. We pay tribute to the scores of international aid workers, particularly those of the International Committee of the Red Cross (ICRC), whose Director-General's presence in the Chamber today we acknowledge, for their courage and dedication in bringing relief to affected civilian populations. It is imperative that armed groups, irrespective of the cause for which they are fighting, understand that they have to ensure the safety of civilians and provide unimpeded access to international aid workers. We, therefore, support the proposal that conditions for humanitarian access need to be included in all framework agreements signed between State and non-State actors.

Unarmed civilians, including children, are regularly being killed in cold blood during armed conflicts involving non-State actors. Such criminal acts cannot remain unpunished. The perpetrators of those heinous acts against innocent civilians must be brought to justice through either national or international courts. With the entry into force of the Rome Statute of the International Criminal Court (ICC), the perpetrators need to understand that they are no longer beyond the law. We are pleased to note that attacks intentionally directed against personnel involved in humanitarian assistance or peacekeeping missions have also been categorized as war crimes by the ICC Rome Statute and that the Court will be able to bring to justice those responsible for serious violations of humanitarian law.

Finally, we look forward to contributing constructively to the presidential statement that the representative of Colombia will soon make. Such an important issue should be kept high on the Council's agenda.