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## **STATEMENT**

**BY**

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**DEPUTY PERMANENT REPRESENTATIVE**

**AT**

**THE SECURITY COUNCIL MEETING**  
**ON**  
**“PROTECTION OF CIVILIANS IN ARMED CONFLICT”**

**NEW YORK**  
**19 AUGUST 2013**

I thank you, Madam President, and your country Argentina for organizing the open debate on this important issue of "Protection of Civilians in armed conflict". I would also like to thank the Secretary-General for his informative briefing, as well as Ms. Navi Pillay, UN High Commissioner for Human Rights, Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator and Dr. Philip Spoerri, Director for International Law and Cooperation of the International Committee of the Red Cross for their valued contributions and briefings. They all made persuasive presentations on the numerous challenges and risks which civilians face in conflicts and in which they are victims.

Madam President,

The protection of civilians in armed conflict can be strengthened by the strict adherence with the elements highlighted by the reports of the Secretary General, which are: enhancing compliance by parties to conflict with international law, enhancing compliance by non-State armed groups; enhancing protection by United Nations peacekeeping and other relevant missions; improving humanitarian access; and enhancing accountability for violations of international humanitarian law.

The Namibian delegation appreciates that since adopting resolution 1265 (1999) the Security Council has been addressing the issue of the protection of civilians in

conflict and adopted a number of resolutions [1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009)].

The international community has long had in place instruments of international law which provide the legal framework for the protection of civilian populations in armed conflicts. They notably include the following: International Humanitarian Law, and in particular the Fourth Geneva Convention of 1949 and the two Additional Protocols of 1977 which establish basic rules of conduct during hostilities and the need for making fundamental distinction between the civilian population and combatants. These instruments include the prohibition of torture. Protection of particularly vulnerable groups; notably women, the elderly, children and internally displaced persons are essential elements in protecting civilians in armed conflict.

It is more often women and girls who are disproportionately affected in conflict because in many cases they have been subjected to rape and other forms of sexual violence.

Madam President,

The preamble to the Charter of the United Nations opens with a firm determination by Member States to save succeeding generations from the scourge of war. Therefore, it is our shared responsibility to protect civilians and vulnerable groups in conflict situations.

However, the protection of civilians in conflict situations should not be motivated by other factors, other than purely humanitarian consideration. Also double standards and selectivity send wrong signals to perpetrators of crimes against civilians in armed conflict and not only make a mockery of justice, but contradict that noble pledge of the preamble to the UN Charter.

While the primarily responsibility to protect the civilian population lies with the concerned governments, in some conflict situations, it may happen that governments are unable to act on this responsibility. If the inability is due to lack of capacity, then international community should offer its assistance. It is for this reason that at the World Summit in 2005, the Heads of State and Government adopted the global norm known as Responsibility to Protect (R2P).

However, those assuming the responsibility to protect, in particular under Pillar III of R2P, should take extra precautions that civilians do not become statistics of the so-called collateral damage due to the negligence of those assuming responsibility to protect them. Hence, Namibia rejects the usage or deployment of robots or drones as inappropriate for the purpose of protecting civilians in conflict.

In most cases, the use of these unmanned robots results in the death of innocent civilians. Therefore enhancing compliance with international humanitarian law, human

rights law and refugee law is an obligation which requires strict adherence by all warring parties, including those forces assuming the responsibility to protect civilians. Those who have been identified and proven to have committed or tolerate acts of war crimes should be held accountable for their crimes.

Madam President,

With the intention of meeting the challenges mentioned above, international humanitarian law has been integrated into the training programs of the Namibian Defense Force as well as the Namibian Police Force so that when deployed in peacekeeping missions or on any other operation, they will abide by international humanitarian law and effectively assume the responsibility of protecting civilians in conflict.

In conclusion, Madam President, I wish to reaffirm the strong commitment of Namibia to meet its international obligations, particularly under international humanitarian and human rights laws. In doing so, we strive to contribute to the attainment of the noble ideals of "reaffirm(ing) faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women.." to live in peace and freedom.

I thank you!