

**Statement delivered by the Minister of Foreign Affairs of the Republic of Poland Mr. Jacek Czaputowicz at the Security Council on 22<sup>nd</sup> May, 2018: „Open debate on the Protection of Civilians in Armed Conflicts”**

*Mr. Secretary General,*

*Excellencies,*

*Ladies and Gentlemen,*

I would like to begin by thanking Secretary-General António Guterres, Mr. Yves Daccord and Ms. Hanaa Edwar for their comprehensive briefings. I want to underline the importance of the messages they have conveyed to the Council today. They show that violations of international humanitarian and human rights law continue to have an enormous, negative impact on civilians.

*Ladies and Gentlemen,*

Poland welcomes the Report of the Secretary-General on the protection of civilians in armed conflict covering the year 2017, in particular the Report's well-founded and accurate recommendations aimed at solving the global protection crisis. It reveals a particularly appalling image of suffering and pain affecting millions of women, children and men who have been victims of deliberate or indiscriminate attacks by parties to conflicts all over the world.

The report also underscores that as of 2017 more than 50 million people have been affected by conflict in urban areas. Those who are particularly vulnerable in conflict situations are women, children, persons with disabilities and detainees.

Civilian objects such as schools, hospitals, markets and places of worship are often the targets of attacks. The number of persons missing in armed conflicts is equally concerning, as it is constantly growing. While the responsibility to prevent disappearances and provide answers to relatives lies with the state authorities, together with the International Committee of the Red Cross and other aid organizations, we should all take part in explaining their circumstances.

*Ladies and Gentlemen,*

I would like to focus now on three main areas where we should act together to ensure effective protection in conflict situations: prevention, protection and accountability.

We should spare no effort to make conflict prevention an overarching priority of the United Nations. As the Secretary General rightly stated in his Report, dialogue and inclusive peace processes combined with holistic approach to address the root causes of conflicts are essential elements of preventive action.

If an armed conflict breaks out, our focus must be directed at the highest standard of protection provided to civilians. This responsibility lies primarily on the parties to the conflict, both states and non-state actors, but also on the international community as a whole. It is of utmost importance to develop and promote good practices by parties to conflict that would prevent and mitigate harm to civilians.

We should also pay special attention to humanitarian challenges to the protection of civilians such as the inhumane impact of improvised explosive devices and illicit flows of small arms and weapons. Both have the same degrading, socio-economic impact on affected communities. The United Nations has the proper reach and effective means to deal with such issues.

In this context, the existing disarmament machinery within the United Nations should be used effectively. In particular, I would like to stress the importance of the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, as well as the Chemical Weapons Convention. Another important instrument is the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons and its Protocols, which addresses valid inhumane effects of the present and emerging weapons systems.

*Ladies and Gentlemen,*

In recent years, numerous countries around the world have been severely affected by armed conflicts, including Afghanistan, the Central African Republic, Chad, the Democratic Republic of Congo, Iraq, Libya, Mali, Myanmar, Niger, Nigeria, South Sudan, Somalia, Syria and Yemen.

As far as European countries are concerned, Ukraine has been witnessing continued military aggression and unlawful occupation of its territories. Despite many efforts undertaken by the international community, the ceasefire in Ukraine is far from being achieved. The number of casualties is particularly alarming. According to the United Nations' recent reports, 2,830 civilians died and 25 thousand were wounded as a result of this protracted armed conflict. There were also 1,5 million

internally displaced persons in Ukraine. Every month more than 1 million people is forced to cross the front line to receive humanitarian aid and basic services.

This case clearly shows that civilians are the ones who often pay the highest price for conflict situations.

Poland believes that respect for international humanitarian law and international human rights law must be enhanced. It is important that all States and non-State parties to the conflicts comply with their legal obligations.

Moreover, it is crucial to implement good practices in this field. An example of such good practices is the “Intragovernmental Commission on International Humanitarian Law”, which Poland established, like several other countries, in order to ensure that international humanitarian law is implemented throughout the whole judicial system. The Commission, tasked with the dissemination of the norms of international humanitarian law, is composed of representatives of relevant ministries and meets twice a year. It conducts reviews and analyses of international agreements related to international humanitarian law, and formulates opinions on the legislative, organizational and educational measures which should be undertaken to ensure full implementation of international humanitarian law into Polish legal system. It also drafts national reports on the implementation and dissemination of international humanitarian law in Poland.

*Ladies and Gentlemen,*

Impunity for any violation of international humanitarian law should be ended or at least substantially diminished. It is necessary to ensure accountability no matter who the perpetrator of a given crime or abuse is.

The International Criminal Court should play the leading role in holding parties to the conflict accountable and restoring a sense of justice on the international stage. The Security Council should refer flagrant violations of fundamental international law standards to the International Criminal Court more frequently. We also support initiatives aimed at limiting the use of veto by the Council in cases related to war crimes, crimes against humanity and genocide, one of the most horrific war atrocities against civilians. This year marks the 70<sup>th</sup> anniversary of the adoption of *the Convention on the Prevention and Punishment of the Crime of Genocide* by the United Nations.

Sadly, despite the adoption of the Convention, humanity committed the crime of genocide again. One of the most dramatic cases of this crime is the genocide against the Tutsis in Rwanda, where close to one million people were killed in 1994.

Poland welcomed with satisfaction and supported the Code of Conduct regarding the Security Council's action against crime of genocide.

We encourage States that have not yet expressed their support for the Code of Conduct, in particular those who are members of the Security Council, to consider doing so. I also encourage the 116 states who supported the Code of Conduct to enhance their commitment to the Security Council's actions against genocide, crimes against humanity and war crimes.

*Ladies and Gentlemen,*

Since the adoption of the Security Council landmark resolution 2286 in 2016, dedicated entirely to the protection of medical care in armed conflict, at least once a week medical aid personnel experience some sort of hostility. It is the duty and responsibility of the international community to take practical measures to prevent this from happening. At the forefront of those efforts is the International Committee of the Red Cross which delivers aid to victims of conflict. Let me refer in this context to the valuable initiative Health Care in Danger, which aims to address the issue of targeting medical personnel and to protect those who provide aid.

We endorsed the Kigali Principles presented in 2015. They set out critical benchmarks for Member States and address the most relevant aspects of peacekeeping, including the pre- and post-deployment training on the protection of civilians. We strongly encourage strict implementation of the zero-tolerance policy with regard to sexual exploitation and abuse by peacekeeping personnel. The Blue Helmets should make us proud of their activities instead of making us ashamed.

*Mr. Secretary General,*

*Excellencies,*

*Ladies and Gentlemen,*

The next year marks the 20<sup>th</sup> anniversary of placing protection of civilians on the Security Council's agenda. It is worthwhile noticing that some progress on the protection of civilians has been made. In this context it is important to commend the initiative of the World Health Organization to develop a surveillance system for attacks on healthcare, as well as effort of the International Committee of the Red Cross aimed at adopting laws on protecting healthcare. Despite many achievements in the field, much more needs to be done globally. The Secretary's General words pronounced a year ago in this chamber on the occasion of the annual debate on the protection of civilians still remain valid today:

*“What is needed now is action that will turn words into reality.” (end of quote)*

It is hard not to agree. I look forward to the discussion to come.