



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

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SECURITY COUNCIL - PROTECTION OF CIVILIANS IN ARMED CONFLICT: INDISPENSABLE CIVILIAN
OBJECTS

STATEMENT ATTRIBUTABLE TO GEORG SPARBER, CHARGÉ D’AFFAIRES A.I.
PERMANENT MISSION OF THE PRINCIPALITY OF LIECHTENSTEIN TO THE UNITED NATIONS

Mr. President,

Liechtenstein is grateful to Vietnam for organizing this debate and recognizes the importance of the topic to the Security Council’s work, as well as to the Protection of Civilians agenda as a whole. Notably, the destruction of objects indispensable for the survival of the civilian population, such as food, crops, livestock and water, is not only an outcome of conflict, but is also a root cause, as people are increasingly brought into conflict with one another over dwindling resources to sustain life. Attacks that result in the destruction of such objects heighten the insecurity of people, often for a long time, and at times with the specific intention of the perpetrators, in which case they amount to war crimes. The Security Council has at its disposal the necessary tools to deter such action by ensuring accountability. It must take a long-term and comprehensive perspective on security with human security at the center of its work. It should also consider further the contribution that the protection of civilians can make to the prevention of future conflicts, or the perpetuation of ongoing ones.

Mr. President,

The most effective way to protect civilians is by avoiding armed conflict in the first place – and indeed the goal to prevent armed conflict was the driving idea behind the creation of the United Nations. The United Nations Charter is clear that the use of force is in fact illegal except in

narrowly defined exceptional cases. We view the deterrent effect of the criminalization of illegal war-making as an essential part of the Protection of Civilians agenda. The activation of the jurisdiction of the International Criminal Court over the crime of aggression on 17 July 2018 was therefore an important step forward. We encourage all States to ratify the Kampala amendments to the Rome Statute on the Crime of Aggression. And, we remind Council members that the possibility of referring aggression situations to the ICC is a powerful new tool that it has at its disposal. In the context of protection of civilians *after* an armed conflict is triggered, the Rome Statute provides that “‘conditions of life’ may include, but is not necessarily restricted to, deliberate deprivation of resources indispensable for survival, such as food or medical services, or systematic expulsion from homes.”¹ We therefore very much welcome the decision by the ASP in 2019 to fill a gap in the Rome Statute by adding the starvation of civilians in non-international armed conflict to article 8 of the Statute, upon the initiative from Switzerland. Given the rapidly changing nature of warfare, it is important to also consider the relevance of cyber-operations in this discussion. To that end Liechtenstein together with 10 other ICC States Parties has created a Council of Advisers of eminent experts of international law to discuss how the Rome Statute, including its elements on the deliberate deprivation of resources indispensable for survival, applies in the context of cyber-operations. We are thankful to our partners who have joined this endeavor and look forward to forthcoming report of the Council of Advisers on the Application of the Rome Statute to cyberwarfare.

Mr. President,

Let me briefly mention some situations in which this topic is particularly relevant to the Council’s work and should meet with the corresponding disposition of the Council to act. In Syria, the Alouk water pump – the main water supply for 460,000 people – had its supply cut around 20 times in 2020. This led to some parts of the region going without water for over a week. Cuts to water supplies, which are self-evidently indispensable to survival, are extremely concerning and

¹ Elements of Crimes, Rome Statute

Liechtenstein recalls that ultimately it is the Council's responsibility to ensure that access is consistently maintained. Syrian government forces have destroyed vital humanitarian aid supplies intended for its own people for many years, including as recently as last month in an airstrike on an NGO-supported warehouse, and systematically attacked medical facilities over 400 times since the beginning of the war. Meanwhile, the ongoing threat by some veto-wielding members of the Security Council to end the mandate for the final border crossing at Bab al-Hawa is a direct threat to the survival of 2.8 million civilians in need in Syria's northwest. This is one of many, albeit a particularly blatant, instance of how the constant threat and use of the veto prevents the Security Council from taking vital action. It is also a grave violation of the ACT Code of Conduct enshrining the expectation of 122 States for the Council to do better in precisely those situations. The situation in Yemen and in the Tigray region of Ethiopia are also of grave concern. While Liechtenstein welcomes the agreement between the World Food Programme and the government of Ethiopia on humanitarian access, the situation is clearly nowhere close to ensuring that the people receive the necessary humanitarian assistance. Liechtenstein welcomes the Council's recent agreement of a Press Statement on the situation in Tigray – an overdue reaction by the Council that we hope will soon be followed up. It should be in the primary interest of the Security Council to prevent a worsening of the humanitarian crisis, and the worst-case scenario of a famine in the region.

I thank you.