



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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SECURITY COUNCIL – OPEN DEBATE

PROTECTION OF CIVILIANS

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Liechtenstein aligns itself with the statement by Switzerland on behalf of the Friends of the Protection of Civilians and wishes to make the following additional points:

The joint warning issued by the SG and the President of the ICRC on 31 October 2015 leaves no doubt: the disrespect for the well-being of civilians in armed conflict has reached unprecedented levels, in some parts of the world reminiscent of the Dark Ages. Families starving in besieged towns, patients killed by bombs in their hospital beds, unprecedented levels of sexual violence, targeted attacks on humanitarian workers – these are not just clear violations of International Humanitarian Law (IHL), but simply barbarities. Shockingly, not all of these acts and strategies can be ascribed to extremists, rebels and other non-State actors; some of them fall squarely within the responsibility of States. How can we expect non-State actors to comply with at least the basic tenets of IHL, when even States Parties to the Geneva Conventions fail to do so? The discrepancy between the success of the Geneva Conventions on paper and the dramatic erosion of their respect in practice has become intolerable.

Discussions about IHL sometimes get stuck in arguments about its relevance in light of the technological advances of the arms industry. Yet looking at today's battlefields, much of the suffering of innocent civilians stems from rather old-fashioned forms of military action. In all too many cases, there is no need to resort to sophisticated legal arguments to conclude that a certain act amounted to a serious violation of IHL. Clearly, the lack of compliance with IHL's most basic rules is its greatest problem today. We therefore regret that the recent 32nd International Conference of the Red Cross and Red Crescent was not able to agree on more concrete measures to improve compliance. The proposals on the table were already extremely modest and designed to accommodate the concerns of some opposing States. We therefore encourage Switzerland and the ICRC, as co-facilitators of the continuing process, to remain steadfast in their search for an agreement. We can, however, not afford to wait another four years in the current situation of acute crisis. Complementary steps for enhancing compliance have to be considered urgently, both in this Council and outside. We also hope that the World Humanitarian Summit in May will give a strong boost to our efforts to do better in this respect.

In any armed conflict, the protection of civilians is first and foremost the responsibility – indeed the legal obligation – of parties to a conflict, and thus primarily of States as well as non-State actors. At the same time, the UN Security Council, and in particular UN peace operations on the ground, have an important role as well. We generally support the recommendations of the High-Level Independent Panel on Peace Operations, but we were surprised that the report stayed clear of one important dimension – accountability.¹ Bringing perpetrators of war crimes and other serious violations of IHL to justice is crucial to help deter future crimes, end cycles of impunity and address the rights of victims. UN peace operations can do much in the fight against impunity, including by supporting domestic, hybrid or international accountability and truth-finding mechanisms. In particular, UN peace operations could do more to support the work of the International Criminal Court, and to create synergies between the UN and the ICC

¹ Liechtenstein submitted a letter on behalf of 44 Member States to the High-level Independent Panel on Peace Operations, which called for better support for the International Criminal Court through peace operations.

as independent, but complementary organizations committed to the same values. This will also require greater commitment by the Security Council itself to the fight against impunity, and more principled, concrete action – for example by referring situations such as those in Syria or the DPRK to the ICC, and by ensuring the necessary follow-up.

Finally, I would like to take this opportunity to remind Council members, as well as non-members, that they are invited to join the *Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes*.² 109 States have already done so, including eight current members of the Council. The Code is a strong expression of commitment by the supporting States to actively contribute to timely and decisive Security Council action to prevent or end mass atrocities. We are strongly encouraged by the positive response of the membership to this initiative and are confident that the list of supporters will continue to grow steadily. The Code also reflects the conviction that the protection of civilians is not just another thematic issue for the Council to deal with, but indeed a core responsibility of the Council. We therefore call on all Council members to deploy much greater efforts, and to engage with a greater spirit of cooperation, to live up to this responsibility – for the sake of innocent, men, women and children trapped in conflict everywhere.

² A/70/621 - S/2015/978