



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

NEW YORK, 22 MAY 2018
SECURITY COUNCIL – OPEN DEBATE
PROTECTION OF CIVILIANS
STATEMENT BY H.E. MR. CHRISTIAN WENAWESER
AMBASSADOR, PERMANENT REPRESENTATIVE

Madam President,

Protecting civilians in armed conflict is a universal obligation under international humanitarian law – not a policy decision by States or other actors in armed conflict. Targeting civilians, healthcare providers, schools or other protected persons or facilities are crimes, irrespective of considerations of military necessity. Nevertheless, we have been witnessing a gradual and dramatic erosion of respect for the most basic rules of warfare. It is our collective responsibility to reverse this trend – with a special role given to the Security Council, which has the protection of civilians at the core of its mandate.

Madam President,

The large-scale suffering of civilian populations continues in many ongoing conflicts - such as in Syria, Yemen, Myanmar and the Central African Republic. The many violations include starvation, sexual and gender-based violence as a method of warfare – often also committed against men and boys, such as in the Central African Republic – and attacks on medical workers

and facilities which continue to show an alarming increase, despite strong condemnation by the Security Council in resolution 2286. The continued lack of implementation of this resolution should be a call for action to the Security Council, and the membership as a whole, as the erosion of the international rule of law is of concern to all of us.

Madam President,

Preventing mass atrocities from occurring in the first place is the most effective way to protect of civilians. We are encouraged by the fact that 116 States have joined the ACT Code of Conduct on mass atrocity crimes. We hope that more States will subscribe to this important political commitment soon – especially those who are interested in serving on the Security Council. And we will continue working towards its consistent application, by asking for action by the Council and by engaging with the UN system to this end. We encourage the Secretary-General to continue to bring situations to the attention of the Council, where atrocities are committed or where an outbreak of violence is likely, in line with the powers of his office under the Charter.

Madam President,

The situation of the Rohingya in Myanmar is among the most pressing examples of such situations. We welcome the recent visit of the Council to Myanmar and Bangladesh. At the same time, the visit has not inspired a sense of urgency in the Council's actions. There is little indication that the Council will address the accountability dimension of the ongoing crisis. But it is clear that ensuring justice is part of the conditions necessary to allow for the safe and voluntary return of the forcibly displaced Rohingya population. It is precisely for these types of situations that the International Criminal Court was created twenty years ago. We commend the ICC Prosecutor for exploring the option of investigating the forced displacement of the

Rohingya as a crime against humanity. But we also continue to believe that the Security Council should use its competence to refer the situation – and thus all crimes committed in the conflict – to the Court. The Council has so far shown an unfortunate inclination to separate the justice dimension from the humanitarian crisis – when it is clear that the latter cannot be addressed without the former. This, in our view, will not work. This situation remains a prime illustration that the Council needs to address mass atrocities not only in order to protect civilians, but to do its work effectively.

Madam President

We wish to join the Secretary-General in his call on States to give full support to the ICC – and the many who have called in this debate for universal ratification of the Rome Statute. We also wish to remind this Council that it is armed conflict itself that poses the greatest risk for civilians. Starting on 17 July, the 20th anniversary of the adoption of the Rome Statute, the Court will have jurisdiction over an additional crime – the most serious forms of the illegal use of force. We therefore also call on all States to ratify the Kampala Amendments on the crime of aggression.

I thank you.