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Security Council

Open debate (VTC)

Protection of objects indispensable to the survival of the civilian population

New York, 27 April 2021

Statement by Switzerland on behalf of members of
the Group of Friends of the Protection of Civilians in Armed Conflict

Mr. President,

I am honored to take the floor on behalf of members of the Group of Friends of the Protection of Civilians in armed conflict (PoC): Australia, Austria, Bangladesh, Belgium, Brazil, Canada, Dominican Republic, France, Germany, Ireland, Italy, Ivory Coast, Japan, Kuwait, Liechtenstein, Luxembourg, Netherlands, Norway, Poland, Portugal, Spain, Sweden, United Kingdom, Ukraine, Uruguay and Switzerland.

We thank the Permanent Mission of the Socialist Republic of Viet Nam for organizing today's discussion and the briefers for their insightful comments. We appreciate the guiding questions in the concept note and would like to make three points in response.

First, we would like to emphasize that international humanitarian law (IHL) obligations in relation to objects indispensable to the survival of the civilian population are intrinsically linked with the protection of this very same civilian population using the objects. IHL, notably its principles of distinction, proportionality as well as precaution in attack, imposes important limitations for the conduct of hostilities during armed conflict, and prohibits attacks on civilian objects and objects indispensable for the survival of the civilian population. Ensuring respect for these fundamental norms by all parties to armed conflicts is of paramount importance.

Second, in addition to the direct and immediate effects that may result from the acts of parties to armed conflicts, there may be long-term and indirect effects. These can result in food insecurity, as well as the deterioration of infrastructure and service systems in protracted conflicts due to – for example – the lack of access and maintenance. Entire health or educational systems collapse, depriving generations of children of their futures. This has to be countered by a holistic approach by Member States, parties to armed conflict, the Security Council, and the wider UN system, which addresses the root causes of

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armed conflict, underscores respect for international humanitarian law, mitigates the consequences of the destruction of objects indispensable to the survival of civilian population, and includes preventive measures to avoid destruction in the future.

Third, the Group of Friends emphasizes the fundamental importance of accountability in deterring perpetrators of violations and in securing justice for victims. In December 2019, the Rome Statute of the International Criminal Court was amended to include the war crime of intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including willfully impeding relief supplies in non-international armed conflict. The Council can now refer to the Court situations of international and non-international armed conflict where this crime appears to have been committed. The Group of Friends encourages States Parties to the Rome Statute to consider the ratification of this amendment. It also calls on Member States to address these acts in their national legislation as appropriate and investigate them, in line with Security Council Resolution 2417 on conflict and hunger.

Thank you.