

Ambassadors of UN Missions

2 December 2003

Dear Ambassador:

We are writing to you as Representatives of Amnesty International, CARE International, Human Rights Watch, Oxfam International, International Save the Children Alliance, the Watchlist on Children and Armed Conflict and World Vision International on the occasion of the forthcoming important debate in the Security Council on 9 December 2003 on the protection of civilians in armed conflict. The Council will have before it a revised Aide-Memoire and the Roadmap on Protection of Civilians in Armed Conflict prepared by OCHA. Important work has already been done. However, to further strengthen the effective protection of civilians, we urge you to use the forthcoming debate in the Council on 9 December as an opportunity to raise the following points:

- to call for the adoption of the revised Aide-Memoire on the protection of civilians in armed conflict and its endorsement in a Presidential Statement of the Security Council. The revised Aide-Memoire should become a vital checklist for the Security Council in applying best practices in new resolutions on the protection of civilians in armed conflict;
- to ensure that a Presidential Statement also welcomes the Roadmap as an important step towards more effective implementation of UN resolutions and other relevant international obligations, and calls on Member States to actively participate in its further development to include the necessary actions required by all Member States to ensure effective implementation of these obligations;
- to be more consistent and systematic in applying the valuable tools at its disposal. Specifically, the Council should systematically apply the key resolutions it has adopted on the protection of civilians, including of women, children and humanitarian workers in all its country-specific resolutions. These are: Resolutions 1265 and 1296 on the protection of Civilians in Armed Conflict, Resolution 1325 on Women and Peace and Security, Resolution 1502 on the Protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones as well as Resolutions 1261, 1314, 1379 and 1460 on Children and Armed Conflict which form the basis to promote the most effective protection of children in such situations, bearing in mind the special needs of children, particularly girls. In respect of children, the Council should ensure their participation in the design of disarmament, de-mobilisation and re-integration programmes (DDR) and make the de-mobilisation of children, when safe, an urgent priority even outside formal peace agreements and DDR processes. The Council should be reminded that if it prioritises the delivery and distribution of food aid rations to affected populations, especially separated children, it will substantially help prevent children experiencing sexual exploitation;
- to use, systematically, the specific tools of the OCHA Aide-Memoire, last adopted by the Security Council (S/PRST/2002/6), the OCHA Roadmap on Protection of Civilians and

Armed Conflict as well as the UN Guiding Principles on Internal Displacement, whenever it considers specific country situations;

- to ensure that new UN peace-keeping operations are provided with strong and unambiguous mandates and adequate resources to protect civilians, which includes protecting them from gender-based violence and trafficking, and to ensure that UN personnel and humanitarian organizations should have unimpeded access to civilians in need;
- to demonstrate the Council's commitment to protect civilians by enhancing its responses to the humanitarian situation in conflict situations it is addressing, in particular: Afghanistan, the Democratic Republic of Congo, the Occupied Palestinian Territories, the Sudan and Uganda;
- to commit itself to periodically assessing the effectiveness of its actions to protect civilians in country situations by introducing mid-term or periodic assessments to identify areas that require further action;
- to promote further ratification of major human rights treaties (including the Optional Protocols to the Convention on the Rights of the Child, especially on the involvement of children in armed conflict) as well as instruments in international humanitarian law and refugee law;
- to incorporate a human rights assessment in its debates on all conflicts and provide that all conflict-related country resolutions will include a call on states and, where appropriate on non-state actors, to adhere to international human rights, humanitarian and refugee law, particularly calling on states to invariably observe the human rights from which no derogation can ever be made (listed in Article 4 of the International Covenant on Civil and Political Rights);
- to reinforce that there will be no impunity for genocide, war crimes and crimes against humanity, to call on all states to adopt effective laws for the investigation and prosecution of such crimes, to call for further ratifications of the Rome Statute of the International Criminal Court (ICC) with effective implementing legislation and, whenever dealing with a matter under Chapter VII of the UN Charter, to consider referring appropriate situations to the ICC;
- to ensure that UN peace-keeping operations have a strong and well resourced human rights monitoring, protection and promotion component with high level components focussing on children and gender as well as calling for a human rights analysis in all reports from the UN Secretary-General on such operations, analysing also the root causes of the conflict and the level of compliance by various parties with their human rights and humanitarian obligations;
- to increase its interaction with the High Commissioner for Human Rights and the UN's country and thematic human rights mechanisms, especially for purposes of early warning

and conflict prevention, by using their reports routinely and by regularly inviting to briefings on country situations on the Council's agenda.

We hope these suggestions will be useful in considering your contribution to the Security Council debate.

Signed,

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