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<u>Security Council Strongly Condemns Attacks against Critical Civilian Infrastructure, Unanimously Adopting Resolution 2573</u> (2021)

The Security Council strongly condemned today attacks in situations of armed conflicts directed against civilians and other protected persons that deprive them of objects indispensable to their survival.

Unanimously adopting <u>resolution 2573 (2021)</u> — "Protection of Objects Indispensable to the Survival of the Civilian Population" — the Council also strongly condemned the starvation of civilians as a method of warfare, which may constitute a war crime.

The Council also condemned acts of violence in conflict areas, whether deliberate or not, that threaten or harm civilian populations and essential infrastructure. Describing such acts as flagrant violations of international humanitarian law, the Council demanded that all parties to armed conflict immediately end such practices. It further demanded that all parties comply fully with their obligations under international humanitarian law.

It urged all parties to protect civilian infrastructure and reiterated its demand that they immediately enact a durable humanitarian pause to facilitate assistance, including equitable, safe and unhindered delivery and distribution of COVID-19 vaccinations in conflict-affected areas.

Briefing the Council earlier, Mark Lowcock, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, said the world is "grappling with the biggest battle of our lifetime" in COVID-19, making the present moment the one to end all other conflicts. The last 30 years have witnessed some progress in terms of compliance with international humanitarian law to protect civilians and the things upon which they rely to survive, such as food, medicines, hospitals and water installations, he added.

"But it has not been enough," he emphasized. Citing the emergence of transnational terrorist groups using "nihilistic ideologies to justify unspeakable violence", he said they do not even pretend to subscribe to international norms and regard civilians, including aid workers, as legitimate targets. At the same time, major Powers are reorienting their military planning and spending to defeat enemy States, which other States, as well as non-State actors, then see as an invitation to do the same. Expressing concern over the direct impact of conflict on food security, including the destruction of stocks and agricultural assets, he recalled an attack against a rice farm on the outskirts of Maiduguri, north-east Nigeria, in which more than 110 farmers were killed.

South Sudan and Yemen have been victimized by the pillaging of livestock and air strikes against fishing boats, respectively, he continued, stressing: "Any attacks on food supplies and food infrastructure are unacceptable." He warned of the looming risk of famine in Yemen, South Sudan, north-east Nigeria and elsewhere unless urgent action is taken. Water supplies have been targeted in Syria, with Islamic State in Iraq and the Levant (ISIL/Da'esh) cutting off supplies and affecting 2 million people in Aleppo, he said, underlining that even a day's disruption of water supply can bring on the risk of cholera.

Meanwhile, violence, attacks and threats against medical care significantly weaken the ability of health systems to function, he said, adding that it is "particularly hard to stomach" the systematic attacks against such facilities. The World Health Organization (WHO) counted 250 attacks between 2018 and 2020 alone, with 1,000 health-care workers killed over the past decade, he noted, warning that such attacks also threaten the COVID-19 response, with quarantine centres targeted and medical staff fleeing and leaving millions without access to health care. Only half of the 113 hospitals in Syria were functioning fully at the last check, he said.

Condemning the use of rape and sexual violence in pursuit of military goals, he said he will never forget stories told by Myanmar's Rohingya people of systematically organized rape by men in uniform, in front of families and children. Other egregious tactics include the use of explosive weapons in populated areas, which devastate essential services and result in 88 per cent civilian injuries and fatalities, and cyberattacks that disrupt electrical grids and jeopardize health-care services, even in developed States.

Turning to potential solutions, he called for increased compliance with international law by improving the identification of indispensable objects and regularly updating "no-strike" lists. Political dialogue, sanctions and decisions on arms transfers must also be leveraged, as must adherence to the Secretary-General's repeated call to avoid using explosive weapons in populated areas. Citing progress on "good practices" in Afghanistan and Somalia, he nonetheless stressed that without accountability, miscreants draw the lesson that crime pays. The power of the United Nations is "the power of persuasion, but we cannot order countries to do what they must do", he said. That requires the political will on the part of Member States to respect the rules and do the right thing, he added.

Echoing those concerns, Peter Maurer, President of the International Committee of the Red Cross (ICRC), warned that without urgent action to protect essential services in conflict zones, there will be a humanitarian disaster on a vast scale. The ICRC has become too familiar with the severe effects of conflict-damaged essential services on civilian populations, from Aden to Mosul and beyond, he said, emphasizing that vulnerable populations are most affected. In protracted conflicts, children under the age of five are 20 times more likely to die from diseases linked to unsafe water and sanitation than from violence, he pointed out.

Recalling the ICRC's efforts to reduce suffering during the long years of war when political solutions are absent, he said the Committee is working to prevent critical infrastructure that is "too big to fail" from collapsing and forcing millions into crisis. That requires repair and rehabilitation of infrastructure, providing parts, training and building the capacity of local service providers, with the ICRC seeking to mitigate humanitarian consequences, strengthen the resilience of essential services, and prevent reversal of the Sustainable Development Goals, he explained.

Calling upon the Council to take action, he highlighted five areas: ensuring all parties better respect international humanitarian law; adopting an "avoidance policy" regarding the use of heavy explosive weapons in populated areas; ensuring that sanctions and counter-terrorism measures are in compliance with international humanitarian law; adopting policies that minimize the impact of military operations on the environment and dependent civilians; and adopting measures to ensure health care and interconnected services such as water, sanitation and electricity are protected to safeguard against public health risks.

He said the ICRC has developed a body of practice-based knowledge to support its expertise in the law. While humanitarian organizations are adept at directing assistance towards the most vulnerable, it is alarming that an entire population could be in need if an essential service system fails, he added, cautioning that in such a case, the scale of consequences far exceeds what can be addressed by humanitarian action alone. Recognizing the need to respond at scale has led ICRC to forge new relationships, including with such development actors as the World Bank and the United Nations Children's Fund (UNICEF), he said. "In the face of this urgent situation, my call is for us to work together, and critically, for the Council to show leadership so that the suffering of the women, men and children who have already lived through the horrors of wars is not compounded."

In similar vein, Kevin Rudd, Chair of the Board of Directors of the International Peace Institute, said it is "a shocking indictment on us all" that deliberate and inadvertent attacks against vital human infrastructure remain a daily reality, despite the Council repeatedly recalling the obligation to protect it, including its adoption of <u>resolution 2565 (2021)</u> on access to COVID-19 vaccines.

Citing repeated attacks against medical facilities and water infrastructure in Yemen and in the central Sahel, theft of cattle and destruction of sanitation projects in South Sudan, and the cutting of water supplies in Somalia, he noted that attacks are not confined to a single context or perpetrator. Rather, they occur in international and national conflicts, urban and rural settings, disrupting access to essential goods and services.

In 2021, he continued, the World Health Organization (WHO) has recorded more than 160 attacks against health care — more than an attack a day. In Yemen, more than 40 attacks between 2018 and 2020 have damaged water infrastructure, potentially restricting supplies for 185,000 households and exposing the population, especially children, to preventable disease and possible

malnutrition. "Humanitarian crises turn into development crises", requiring reconstruction and rehabilitation of infrastructure, he emphasized. However, in places like Afghanistan and Syria, protracted armed violence constrains the scope for rebuilding and attacks on vital infrastructure render the Sustainable Development Goals unattainable for millions. He also cautioned that membership in armed groups sometimes provides the best local livelihood opportunities.

He emphasized, however, that the United Nations system can take action in several areas, beginning with prevention. The Council could further request that the Secretariat consider systematic monitoring of attacks against all types of essential infrastructure, medical facilities, humanitarian workers and schools, he suggested, saying that such a repository of data would enable Member States to learn from the failure of military operations and to document atrocities. The United Nations should also continue to work with international, regional and national partners to coordinate a holistic approach to rehabilitation and reconstruction, with its agencies, funds and programmes building a comprehensive picture of the direct and indirect consequences of disruptions to essential human infrastructure and natural resources.

In the ensuing debate, several speakers echoed calls for urgent action in relation to the ongoing conflicts in Africa and the Middle East, with Niger's representative citing the resurgence of "cowardly and gratuitous attacks" on civilian populations in Yemen, Syria and elsewhere. Simon Coveney, Ireland's Minister for Foreign Affairs and Defence, said it is a damning indictment when the Council has to remind parties to conflict of the strictures of international law and plead with them not to deprive populations of basic infrastructure required for daily existence. Eva-Maria Liimets, Estonia's Minister for Foreign Affairs, declared: "We are not doing enough."

Bui Thank Son, Minister for Foreign Affairs of <u>Viet Nam</u> and Council President for April, spoke in his national capacity, saying that the consequence of conflicts is often measured in the numbers of direct victims of violence, but the indirect and longerterm impacts of widespread damage to basic infrastructure are equally destructive. Viet Nam has first-hand knowledge because decades of war left little intact, he added. While noting that civilian protection has been at the forefront of the Council's work, he said its discussions have often focused on protecting the people while paying little attention to securing the means of their survival. The Council must develop a holistic and comprehensive strategy to effectively protect the infrastructure that is critical for the survival of civilians in armed conflict. It must also emphasize the importance of compliance with the fundamental principles of the Charter of the United Nations and international law on the part of all parties to conflict, he said. Since basic infrastructures are interlinked, by nature, the Council must ensure the establishment of related protection measures, he stressed. Cooperation and partnership remain key in supporting recovery and building the resilience of civilians in armed conflict, and the Council should encourage and facilitate closer coordination between Member States, international organizations and humanitarian and development partners in post-conflict peacebuilding, he said, underlining that the best way to protect civilians is to prevent conflict and address its root causes. He went on to state that peace may mean many different things, but for civilians, it takes shape in the most fundamental things — food, water, health care and education. "It is time the global community, beginning with the Security Council, brings our efforts closer to the needs of those stranded in the devastation of wars," he emphasized.

Simon Coveney, Minister for Foreign Affairs and Defence of <u>Ireland</u>, said it is a damning indictment of the world that the Council has to remind parties to conflict that international law has long prohibited attacks against objects indispensable to the survival of civilian populations, and to have to plead with them not to deprive populations of basic infrastructure required for daily existence. Going forward, support for food systems and food security is essential, as reflected in resolution 2417 (2018), because starvation of civilians as a method of combat is prohibited, he emphasized. As for the obscene practice of attacking medical facilities and personnel, including cyberoperations targeting critical infrastructure, he called for a redoubling of efforts to prevent the destruction of schools and hospitals in conflict settings, noting that such protracted conflicts as those in Syria and Yemen have seen a generation of children deprived of education. Pointing out that civilians make up 90 per cent of people killed or injured by the use of explosive weapons in populated areas, he said such attacks have devastating effects on infrastructure that is vital to meeting immediate humanitarian needs and to post-conflict development. Ireland is leading negotiations in Geneva on a political declaration to address the humanitarian consequences arising from the use of explosive weapons in populated areas, he said, emphasizing that the Council has a role in calling out States and actors who are failing to live up to their obligations and responsibilities. "When we do not, we too must be ready to accept that their failure is ours," he stressed.

Eva-Maria Liimets, Minister for Foreign Affairs of <u>Estonia</u>, said the rules-based international order and compliance with international law are at the centre of her delegation's work in the Security Council. However, the normative framework for the protection of civilians is too often not held up in real life, she said, noting that cases of non-compliance are exacerbated by the

pandemic, thereby adding a new layer of risk. Reiterating the Secretary-General's call for a global ceasefire and the unanimously adopted Council resolution 2565 (2021), she declared: "We are not doing enough." She also expressed concern about the forced displacement of millions of people in Sudan, Syria and Ukraine, and about the use of starving civilians as a tool of war. Due attention must be paid to such new elements as the increasing urbanization of armed conflict, climate change and the environmental consequences of armed conflict, she emphasized. New technologies can help in finding ways to improve humanitarian assistance, in light of malicious cyber activities targeting critical civilian infrastructure, she said, stressing that existing international law also applies in cyberspace. Indeed, building back better after the pandemic depends on strengthening the resilience of both indispensable objects and essential services, with cybersecurity being part of both conflict prevention and resolution, she added. States must strengthen capacities to more effectively protect civilian victims of war, with national and United Nations staff undergoing training in international humanitarian law, she said. No one is above the law, and no perpetrator should escape justice, she said, emphasizing the responsibility of States to exercise criminal jurisdiction over those responsible for international crimes and to adopt related national legislation. Where States fail in that responsibility, the international community and the Council must step in and fulfil its mandate to stop atrocities and restore justice, she said. Inaction in such situations speaks loudly, she added, urging the Council to make use of referrals to the International Criminal Court, if called for.

The representative of the <u>United States</u> said that while every person in the world relies on civilian infrastructure systems, far too often they are targeted by armed actors, with civilians forced to leave homes to find electricity, running water and food supplies. She noted that fighting in Ethiopia's Tigray region has resulted in the decimation of civilian communications systems, failing electrical grids, looting and destruction of protected hospitals. People are forced to travel long distances while facing threats, particularly that of sexual and gender-based violence, she said, calling for an immediate cessation of hostilities. In Syria, she continued, the Assad regime — with documented help from Russia — has devastated civilian infrastructure and "displaced over half the population through its campaign of atrocities". The regime attacked and destroyed protected schools, places of worship and hospitals, including on 21 March, when the Al-Atareb Surgical Hospital in Aleppo was destroyed, she said, adding that the attack left 16 people, mostly medical staff, injured and one child dead. In Yemen, WHO documented 142 attacks on health-care facilities between March 2015 and March 2020. "We must protect civilians by demonstrating that we will hold bad actors to account when they violate international humanitarian law," she emphasized.

Sergey Vershinin, Deputy Minister for Foreign Affairs of the <u>Russian Federation</u>, said the international community must work to restore infrastructure and extend assistance to countries that have suffered hostilities, but that assistance can only be provided under invitation by the host State. He cited Syria as a clear example of the need for urgent assistance, without politicization or preconditions, in a humanitarian situation that has deteriorated dangerously. Unilateral sanctions applied by the United States and European Union have led to the generation of electrical energy dropping by 70 per cent, water availability by 30 per cent, and irrigation by 50 per cent, he pointed out. Citing the destructive effect of sanctions on specialized agencies, including those involved in health care, he recalled that Syria used to export medication to 23 countries before the war, but is now fully dependent on external supplies. Some 90 per cent of Syrians are living below the poverty line and 70 per cent are without access to food, he said. However, Western sanctions do not extend to Idlib Governorate, which is known to be a terrorist stronghold, he added.

Jens Frølich Holte, Deputy Minister for Foreign Affairs of <u>Norway</u>, raised several concerns, including the devastating effects of conflict and climate change, saying they can cripple food security and affect a large number of people in war-torn nations. Indeed, food security must be the focus of future action in terms of protection. Noting that the International Committee of the Red Cross (ICRC) has identified a package of responses to the challenge, he said the Security Council, for its part, must hold further discussions to address that critical issue in full. Emphasizing that intentionally starving civilians is a war crime, he urged signatories to the Rome Statute to take action in that regard. Cybercrimes affecting civilian infrastructure also have serious consequences, he pointed out, saying international humanitarian law must be applied in such cases. Stressing that impunity for rights violations must end, he urged States to take action in their respective jurisdictions to hold perpetrators responsible. Saying he anticipates today's discussion resulting in a joint declaration, he emphasized that strengthening the protection of civilians is part of broader efforts to realize the Sustainable Development Goals. Quoting the Secretary-General, he said that only if protection succeeds can peace succeed.

Keisal M. Peters, Minister of State with the Responsibility for Foreign Affairs and Foreign Trade of <u>Saint Vincent and the</u> <u>Grenadines</u>, said military objectives should never take precedence over protecting civilians and civilian infrastructure, while noting that, too often, both State and non-State actors have violated the laws of armed conflict. On the other hand, sanctions and illdesigned counter-terrorism measures continue to stymie development and humanitarian access in many places, causing untold suffering in an attempt to achieve narrow political objectives. Spotlighting the socioeconomic impact of armed conflict, she pointed to Yemen, where the crippled health system has left the country ill-equipped to combat the COVID-19 pandemic. Similarly, the ravages of war have left more than 13 million Syrians in need of multidimensional humanitarian assistance, she said, adding that in Somalia, water and sanitation infrastructure have been destroyed, reducing access to clean water and increasing the risk of preventable diseases, such as cholera. She called upon all parties to conflict to safeguard health-care facilities and essential infrastructure and encouraged the international community to help restore already devastated facilities in countries affected by armed conflict.

The representative of <u>Kenya</u> said the deliberate targeting of civilian infrastructure not only causes immediate suffering but leads to long-lasting devastation of economies and livelihoods. Emphasizing that the international community must not lose sight of dangerous actors, including the terrorist groups Al-Qaida and Islamic State in Iraq and the Levant (ISIL/Da'esh), he warned that they are entrenching themselves in multiple countries and regions, using the population to generate finances and recruiting from traumatized refugees. He stressed that not enough is being done to deter their impact in prolonging conflicts and weakening peacekeeping operations and called upon the Council to embed protection-of-civilian infrastructure into its decisions, including the imposition of sanctions on individuals and groups who exploit the humanitarian space as a key part of their strategy. Solutions should emphasize resilience-based humanitarian support comprising reconstruction of civilian infrastructure, restoring essential services and providing modern equipment, he said.

The representative of <u>France</u> highlighted the devastating impact of armed conflict on hospitals and medical infrastructure, water and electrical installations, pointing out that civilians in Syria, Yemen, the Sahel and the Lake Chad basin area pay the price every day. Some parties to conflict have knowingly incorporated violations of international humanitarian law into their military strategies, which is unacceptable, and up to the Council to reaffirm, he emphasized. "Even war has rules," he said, adding that there is a collective responsibility to find operational means to ensure that international law is respected. That forms the basis of the Call for Humanitarian Action launched by France and Germany in 2019 and endorsed by 47 Member States and the European Union, he recalled, saying it identifies concrete actions that States can take. Calling upon countries that have not done so to ratify the additional protocols to the Geneva Convention, he stressed that the international community must collectively fight impunity. Armed actors using recourse to famine as an instrument of war or targeting medical infrastructure are committing war crimes, he said, underlining the need for more systematic sanctions against serious violators.

The representative of <u>China</u>, expressing support for the draft resolution discussed today, said the international community should adhere to an approach that considers the elements that trigger conflicts, adding that development for peace is the way out of the conundrum of war, with the 2030 Agenda a path towards tackling conflict's root causes. The international community must seize the opportunity to support dialogue and intensify diplomatic interventions to avoid conflict, he emphasized, urging all parties to respond positively to the Secretary-General's call for a global ceasefire. The Governments of affected countries must assume their primary responsibility to protect infrastructure and civilian installations while prioritizing the needs of vulnerable groups, with the international community providing necessary support, he said. China, for its part, is helping developing countries and those in conflict to build their development and civilian-protection capacities, he added.

The representative of <u>Tunisia</u> noted that the reality of rampant humanitarian crises, especially in the Arab and African domains, has become more complex, exacerbating vulnerabilities and leaving a grave impact on civilian structures. The effectiveness of systems in providing vital services in the context of armed conflict and humanitarian response are more at stake today than at any previous time in light of the COVID challenge, he said, adding that the situation calls for the international community, and the Security Council in particular, to work towards a more coherent approach. Offering suggestions, he emphasized the urgent need to stabilize the foundations of peace through political settlements and to activate peaceful methods to limit the outbreak or renewal of conflict. There is also a need to limit the disruption of basic services by applying the concepts of protection and the best interests of vulnerable groups, he said. A new approach must go beyond the frameworks and shortcomings of continuous, traditional and short-term management of basic service problems to include reducing vulnerabilities, preserving dignity and changing people's lives, he stressed.

The representative of <u>Mexico</u> expressed alarm at the persistence of attacks against indispensable civilian infrastructure despite prohibitions under the Geneva Convention relative to the Protection of Civilian Persons in Time of War. Recalling that the Council added the protection of civilians in armed conflict to its agenda in 1999, he emphasized that it remains necessary to

broaden the spectrum of that protection. Mexico joined in co-sponsoring the resolution proposed by the Viet Nam presidency, he added. Addressing the added constraints imposed by the coronavirus, he said they reinforce the link between access to water and health. He went on to condemn the use of starvation as a method of warfare. Expressing concern that women, girls and indigenous people are disproportionately affected by damage to infrastructure, especially schools, he stressed that their safety must be respected without exception. Member States bear a collective responsibility to ensure protection and full compliance with international law in any Council pronouncement, he said.

The representative of <u>Niger</u> said the resurgence of cowardly and gratuitous attacks on civilians in Yemen, Syria and other conflict-affected areas means the time has come for the Council to strengthen its commitment protecting them. The destruction of infrastructure renders civilian life unbearable in the short term, resulting in deprivations, water-borne diseases and disruption of basic services, he noted. The subsequent road to reconstruction is long, with the damage of war delaying social development and condemning countries to prolonged post-conflict debt, he said. The Group of Five for the Sahel, which includes Niger, he noted, is implementing national policies to protect civilians and essential services. With 6 of the 10 largest United Nations peace operations in areas impacted by climate change, Niger, Ireland and the United Nations Group of Friends on Climate and Security are addressing that issue, he added. Calling for concrete action to silence the guns and end their proliferation in Africa, he said the Council should address the role that certain States play in allowing firearms to circulate in the Sahel.

The representative of India, while reiterating that primary responsibility for meeting protection needs rests with national Governments, said that over decades of practice shaped by the searing experience of destructive wars, a set of international principles and jurisprudence places equal responsibility on the aggressor to ensure that civilians and civilian infrastructure are not targeted during armed conflict. Whereas targeted attacks against civilians and infrastructure have been used as legitimate methods of war across history, efforts like the Marshall Plan have guided reconstruction initiatives, he recalled. Although the United Nations and the vast array of international civilian-protection laws sprang out of past world wars, parties to armed conflicts still seem to consider civilian populations and infrastructure almost as legitimate targets, he said, pointing out that countries with rich historical and cultural heritage, like Syria and Afghanistan, have seen their people, indispensable infrastructure and historical sites devastated. Condemning the use of oppressive violence against civilians, he highlighted such recent trends as cyberattacks, targeted strikes against cities and peacekeepers, and support from Member States for armed groups used as proxies. He reaffirmed India's support for effective peacekeeping mandates and the provision of adequate equipment and training alongside post-conflict initiatives such as reconstruction of civilian infrastructure and restoration of essential services, he said. After the end of the armed conflict in 2009, he recalled, India helped the Government of Sri Lanka restore basic and essential civilian infrastructure, deployed emergency demining teams and contributed extensively to the rebuilding houses for internally displaced persons. India stands ready to support efforts to strengthen the normative architecture for protecting indispensable civilian objects and provide humanitarian assistance during armed conflict as part of a broader endeavour, he said, pointing to its \$3 billion development portfolio in Afghanistan.

The representative of the <u>United Kingdom</u> said the Council often hears of the devastation of attacks and their impact on civilians, but each represents a failure, as members are not taking the action needed to prevent conflict. Accountability is required to hold perpetrators responsible for their actions, he said, adding that the draft resolution under discussion encompasses that and related concerns. Pointing out that the United Kingdom provides specialist training for the armed forces of other States with the aim of building knowledge and compliance, he emphasized that the Council must act when perpetrators attack civilian objects. Too often, those who attack civilian infrastructure act with impunity, even though States have the obligation to respect and implement related conventions and treaties, he noted. Steps to protect civilian objects and lives entail improved reporting evidence and ensuring the effective use of United Nations mechanisms to inform the Council's decision-making, he said, stressing that the Council must then act on reported cases, including the use of starvation as a method of warfare. "We have the means, but no action has taken place," he said, adding that concerns in South Sudan, Yemen and elsewhere must be addressed. Calling for full investigations of attacks against indispensable civilian infrastructure, he said the Council should also impose sanctions on the perpetrators. Recalled that the United Kingdom published a report on the domestic implementation of international humanitarian law in March 2019, he called upon other States to do the same. No State should tell the Council it respects international humanitarian law unless it is ready to take the necessary steps to end attacks on civilian infrastructure and hold perpetrators accountable, he said.

The Council then unanimously adopted draft resolution 2573 (2021), in accordance with a written agreement set out in a letter from the Council President dated 27 March 2020 (document $\underline{S/2020/253}$).

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