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President: (France) Members: China..... Mr. Dai Bing Estonia..... Mr. Jürgenson Mr. Shringla Mr. Flynn Ms. Omamo Kenya..... Mr. Casaubón Mexico..... Mr. Abarry Ms. Juul Mr. Kuzmin Ms. King Tunisia..... Mr. Jerandi United Kingdom of Great Britain and Northern Ireland . . Dame Barbara Woodward United States of America..... Mrs. Thomas-Greenfield Mr. Dang

Agenda

Protection of civilians in armed conflict

Preserving humanitarian space

Letter dated 1 July 2021 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (S/2021/618)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflict

Preserving humanitarian space

Letter dated 1 July 2021 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (S/2021/618)

The President (spoke in French): I wish to warmly welcome the Deputy Secretary-General, the Ministers and the other representatives present in the Security Council Chamber. Their presence today underscores the importance of the subject matter under discussion.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite the following brieferstoparticipate in this meeting: Mr. Robert Mardini, Director-General of the International Committee of the Red Cross; and Ms. Lucile Grosjean, Delegate Director for Advocacy at Action Against Hunger.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2021/618, which contains the text of a letter dated 1 July 2021 from the Permanent Representative of France to the United Nations addressed to the Secretary-General, transmitting a concept note on the item under consideration.

I now give the floor to the Deputy Secretary-General.

The Deputy Secretary-General: I would like to bring greetings from the Secretary-General, on whose behalf I am delivering these remarks today.

We are facing a bloody surge in humanitarian crises around the world. Civilians in conflict zones are paying the highest price. From the Tigray region of Ethiopia we have heard credible reports in the past few months of executions of civilians, arbitrary arrests and detentions, sexual violence against children and forced displacement on a massive scale.

In Afghanistan, brutal attacks killed at least 24 civilians, including five health workers during just one week in June. Civilian casualties in the first quarter of

this year increased by 29 per cent as compared to last year. The increase for women was 37 per cent.

In Yemen, on average at least five civilians are killed or injured each day. Twenty million people are in dire need of humanitarian assistance and 5 million are face-to-face with famine. Schools and hospitals, which should be safe havens, are not spared. Scores of Afghan schoolgirls were killed or injured in one of this year's most heartbreaking attacks. Last month's attack on Al-Shifa hospital, one of the largest in northern Syria, killed 19 civilians, including three children. One missile reportedly hit the emergency room, while another landed in the delivery ward.

We are in uncharted waters. The sheer scale of humanitarian needs has never been greater. This year alone, the United Nations and our partners are seeking to reach 160 million people with assistance — the highest figure ever. This hurricane of humanitarian crises is compounded by a relentless wave of attacks on humanitarian and medical workers and the imposition of ever-narrower constraints on humanitarian space. The Secretary-General urges the Council to take strong and immediate action to support its numerous resolutions on the protection of civilians, humanitarian and health-care workers and humanitarian space.

Three weeks ago, humanitarian aid workers Yohannes Halefom, María Hernández and Tedros Gebremariam were brutally killed in Tigray while working for Médecins sans Frontières. That was just the latest in a string of attacks that have killed 12 aid workers in Tigray since the start of the conflict in November 2020. Many more have been intimidated, harassed and detained.

Around the world security incidents affecting humanitarian organizations have increased tenfold since 2001. Such incidents include shootings, bodily and sexual assault, kidnappings and raids.

In the five years since the Council's landmark resolution 2286 (2016) calling for an end to impunity for attacks on health-care systems, workers and patients have suffered thousands of attacks. The World Health Organization has recorded 568 incidents affecting the delivery of medical care in 14 conflict zones so far in 2021. That has caused 114 deaths of health-care workers and patients. Such attacks include shootings, shellings, threats, the removal of equipment and the militarization of medical facilities.

Meanwhile, it is becoming ever-more difficult to provide desperately needed humanitarian aid to people in need. Since late June, just one convoy of aid has been able to enter Tigray, where an estimated 2 million people are displaced and 5.2 million need humanitarian assistance. A second convoy is now on its way.

In Afghanistan, aid workers, particularly women, face increased attacks, harassment and interference in their work.

In Yemen, there were more than 350 incidents involving restrictions on humanitarian organizations, personnel and goods in just two months earlier this year.

Our humanitarian agencies often negotiate with Governments or parties to conflict that undermine or completely reject their work. We are all too familiar with many of the strategies that they use, from restrictions on the movements of humanitarian staff and supplies to long visa and customs procedures, delays at checkpoints and high taxes and fees on humanitarian supplies.

While Governments may create systems around the delivery of humanitarian aid, it is essential that those systems support aid rather than blocking it.

Likewise, every country needs to take action against terrorism. But every country also has the responsibility to make sure that its counter-terrorism efforts do not undermine humanitarian operations. Humanitarian organizations report ever more frequent attempts to interfere in their selection of beneficiaries or partners. There are growing pressures on organizations that negotiate with non-State armed groups, an essential element of impartial humanitarian operations. Some counter-terrorist legislation may even criminalize humanitarian and medical activities. Conversely, political and military actors may portray humanitarian assistance as part of the counter-terrorism agenda. All of those practices politicize humanitarian action, eroding the trust of communities and parties to conflict and, ultimately, curtailing the ability of humanitarian organizations to deliver aid.

The best way to protect humanitarian space is by ending violence and conflict. That was the thinking behind the Secretary-General's call for a global ceasefire to focus on our common enemy: the coronavirus disease (COVID-19) pandemic. The United Nations is engaged around the world in difficult negotiations to produce lasting ceasefires and build sustainable peace. In the meantime, life-saving humanitarian aid

needs to continue, and humanitarian organizations are making remarkable efforts to protect humanitarian space. They strengthen security systems and improve due diligence to reduce the risk that aid is stolen or diverted. They invest in conflict analysis to improve humanitarian access, and they are negotiating with parties to conflict to ensure equitable access to those in need. They improve training for their personnel, and they have a strong focus on local outreach and community engagement.

All of those efforts work. Humanitarian assistance has never reached so many people so quickly. Humanitarian agencies and their donors deserve enormous credit for that. But even so, humanitarian needs are outpacing our capacity to meet them, turbocharged by the COVID-19 pandemic.

Members of the Security Council have a responsibility to do everything in their power to end attacks on humanitarian personnel and assets, to ensure and promote respect for international humanitarian law and to seek accountability for serious violations in line with the numerous resolutions on the protection of civilians, medical care, and humanitarian and United Nations personnel.

The Secretary-General sees four main areas for action.

First, there are practical tools available within and outside the Council to foster greater respect for international humanitarian law. When those tools are used systematically, we see results: examples including training national militaries, developing national policy frameworks and applying diplomatic pressure. The Security Council has the power to impose sanctions when there are no other remedies.

Preserving humanitarian space also requires that we do not blur the lines between military operations, political objectives and humanitarian efforts. Upholding the principles of humanitarian action — humanity, impartiality, neutrality and independence — is essential to building trust with political, military, security and non-State armed groups and others.

Secondly, investigation and accountability are essential to preventing attacks on aid workers. National authorities are in the lead, but when they are unable or unwilling to act, the international community, including the Council, can and must use all available mechanisms. Attacks on humanitarian workers are

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completely unacceptable and may constitute war crimes. They should be investigated and prosecuted accordingly. What goes unpunished will be repeated.

Thirdly, all Governments must protect humanitarian organizations' ability to engage with all parties to a conflict, including non-State armed groups. Humanitarian agencies that engage with such groups are better able to negotiate access and establish humanitarian pauses or even ceasefires. Their personnel are safer, and they can deliver aid more effectively. When humanitarian agencies are perceived as part of a political agenda, that creates enormous risks for their personnel and reduces their effectiveness.

Fourthly, counter-terrorism measures should include clear provisions to preserve humanitarian space, minimize the impact on humanitarian operations and ensure that humanitarian and health-care personnel are not punished for doing their jobs. Several Member States have passed legislation to that effect in line with resolutions 2462 (2019) and 2482 (2019). The Council has included humanitarian exemptions in its Somalia sanctions regime. The Secretary-General urges others to emulate those good practices.

Fifthly, the Security Council must use its influence to ensure that attacks against schools and hospitals cease immediately and that such facilities and their personnel are protected. The unprecedented health-care emergency caused by the COVID-19 pandemic makes the protection of medical facilities and workers more critical than ever. Member States should review and revise military policy and practice to ensure the protection of medical care and schools. They should refrain from and condemn the use schools for military purposes.

The Secretary-General further urges Member States to endorse and implement the Safe Schools Declaration, which aims to protect all educational institutions from the worst effects of armed conflict. He also calls on Member States to support the Health Care in Danger initiative of the Red Cross and Red Crescent Movement aimed at preventing and ending violence against patients, health-care workers, facilities and vehicles and ensuring safe access to health care in armed conflict and other emergencies.

In recognition of the enormous challenges faced by the humanitarian agencies, the Secretary-General has asked his incoming Under-Secretary-General for Humanitarian Affairs to appoint a special adviser on the preservation of humanitarian space and access and to strengthen humanitarian negotiations in that context. Ultimately, most of our work on protecting humanitarian space is done by humanitarian aid workers on the ground and in dialogue with parties to conflict, Governments and the communities affected. The international community owes humanitarian agencies and health-care and humanitarian workers its full and unwavering support in their difficult and often dangerous work.

The President (*spoke in French*): I thank the Deputy Secretary-General for her briefing.

I now give the floor to Mr. Mardini.

Mr. Mardini: It is an honour to be able to address the Council in person on a topic that is a major preoccupation of the International Committee of the Red Cross (ICRC). We welcome the considerable efforts by France, the European Union

and other States to shine a much-needed spotlight on the protection of humanitarian space and humanitarian workers.

When we talk about humanitarian space, we are not talking about an abstract concept. Humanitarian space is tangible: it is a prison, a hospital, a water network, a camp. But it is also normative: it is rooted in international humanitarian law and principles and aims to have an effective and sustainable impact.

The Geneva Conventions, and international humanitarian law more broadly, mandate a license to carry out impartial humanitarian action. That puts the onus squarely on parties to armed conflict to provide rapid and unimpeded access to people in need.

Access is more than allowing humanitarians to work. It is about ensuring that conflict-affected people and communities can obtain what they need in a safe and dignified way. That requires us to stay as close to them as possible. Access is not static and cannot be binary. It is negotiated by humanitarians with proximity on the ground. It can even be refused out of military necessity.

Proximity to people in need is not just key for access; it is key for trust. We know from experience that working in a neutral and independent way is needed to build trust and acceptance across front lines. That helps facilitate agreements between the parties on practical measures such as evacuation of the wounded or the transfer of human remains, for example.

While there may be different views on what humanitarian space is, there can be little doubt about what happens when there is no humanitarian space. My fellow briefers and I have certainly all seen that close up, and, believe me, it is ugly. It is a dire lack of protection and assistance for those who need it most. It is humanitarian workers, including our own colleagues, in mortal danger, far too many of them traumatized, missing, maimed or even killed. That really is the bottom line. Humanitarian space, or spaces, must be protected without exception. That is where some of our most pressing concerns lie. I would like to highlight just three.

The first, which comes as no surprise, is the politicization and manipulation of humanitarian aid. All too often, aid is used to justify, legitimize or help both States and non-State armed groups to further their particular objectives — be they political, military or economic. It puts humanitarian organizations under pressure and effectively holds civilian populations ransom. Humanitarian space is created and upheld by respecting the law to which States have already agreed by consensus. It is not about abusing the law to make a political point.

The second issue of concern relates to resorting to armed escorts. When States insist on armed escorts to ensure the safety and security of those delivering humanitarian aid, the result is often the exact opposite — less safety and more security incidents. It is critical that neutral and impartial humanitarian organizations be allowed to do independent needs assessments and aid delivery. Access must not be unlawfully denied or withheld, especially when people's basic needs are not being met. As we have said before, the divisions within the Council, notably with regard to access to populations in need, are increasing suffering on the front lines and the ground.

The third issue of concern is the growing negative impact of sanctions and counter-terrorism measures on humanitarian aid. Such measures come in many forms. In the absence of essential safeguards, the humanitarian impact is the same — preventing or restricting the ability of conflict-affected people to access the protection and assistance they need, which the parties owe them. For the ICRC, such measures may curtail its personnel's ability to visit persons being detained by listed groups, recover dead bodies, train armed groups in international humanitarian law and facilitate mutual detainee swaps. While the precise impact of that

may be hard to measure, there is no doubt that people suffer just when international humanitarian law should protect them. We see a clear trend of States and donors transferring the risks associated with operating in fragile or conflict environments to humanitarian and local actors. That is simply unsustainable and wrong.

Those are some of our top concerns. In terms of how they can be resolved, we have three clear asks for States, including Council members.

The first is to ensure that humanitarian organizations are able to maintain close physical proximity to affected populations and sustained engagement with parties to conflict. Protecting the humanitarian space in physical, digital and normative terms means accounting for the specific risks and responsibilities facing local humanitarian workers. When they lose their capacity to be first responders or volunteers, civilians suffer more and the space shrinks. We would like to take this opportunity to pay tribute to the relentless work and sacrifices of the millions of Red Cross and Red Crescent volunteers worldwide.

The second is to renew consensus around the key tenets of international humanitarian law and ensure that they are respected and implemented. That means ensuring that all the words spoken here in New York are translated into reality when they really matter — at checkpoints and on the front lines in armed conflicts around the globe. To that end, we must understand patterns of harm and patterns of influence and find new entry points to influence those who are engaged in fighting and innovative ways to incentivise better behaviour on the part of States' and Council members' own armed forces, as well as allies, partners and proxies. Appropriate training in international humanitarian law and accountability are just part of that.

The third is to consider and mitigate the humanitarian impact of counter-terrorism measures by putting in place well-crafted standing humanitarian exemptions. In future resolutions, the Council should explicitly require States to adopt concrete practical measures to facilitate the work of impartial humanitarian organizations. It should carve out similar protections in sanctions regimes, as the Council did in the case of Somalia. We know that it can be done. In the past few years, Switzerland, the Philippines, Chad, the European Union and many others have adopted more protective language, contributing to improved safeguards for humanitarian action.

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We stand ready to guide and support States and other stakeholders to take practical measures to achieve those goals. Decisive and bold action in those three areas would demonstrate the much-needed political will to protect and serve the people who need humanitarian action and those who provide it. And it would help turn words about our commitment to humankind into meaningful deeds.

The President (*spoke in French*): I thank Mr. Mardini for his briefing.

I now give the floor to Ms. Grosjean

Ms. Grosjean (spoke in French): Action Against Hunger and its 17 signatory organizations thank you, Sir, for organizing the discussion today on an issue that is more critical than ever. We hope that it will enable the Security Council to take concrete action in ramping up the protection of humanitarian space, as well as to react meaningfully when the latter is threatened.

Current humanitarian needs are unprecedented. The confluence of the effects of conflicts, environmental and climate crises, social inequalities the coronavirus disease (COVID-19) pandemic are affecting those most in need disproportionately and are leading to a veritable hunger pandemic. In the face of that, humanitarian work is more vital than ever, which involves working to save people's lives and guaranteeing their protection and dignity, which is their fundamental right.

We, as humanitarian organizations that abide by the principles of impartiality, neutrality, independence and humanity, are facing an unprecedented decrease in humanitarian space, in which we provide protection and critical aid. Let us be clear. The causes of that shrinkage are well known — widespread disdain for international humanitarian law by all, in particular warring parties, and the blatant instrumentalization of aid, which is increasingly threatening our work.

The Security Council has so far been unable to prevent or reverse the narrowing of humanitarian space. The failure to act and deadlocks within this organ are putting in jeopardy the lives of vulnerable people and the humanitarian workers helping them. It was only when the number of 10 million people infected by COVID-19 had been reached that the Council finally agreed to call for a global ceasefire in order to facilitate humanitarian work.

Furthermore, certain conflicts have been on the Council's agenda for years. However, sparse concrete action has been taken, effectively imperilling humanitarian space. The words "we are concerned" are not enough. We require firm, rapid and unambiguous condemnations followed by ambitious measures when respect for humanitarian space is flouted. We nevertheless welcome the historic progress represented by the adoption of resolutions 1325 (2000), 1502 (2003), 2175 (2014) 2286 (2016), 2417 (2018) and, most recently, 2573 (2021).

At the same time, those resolutions seem to remain without effect. They are disregarded by States and parties in conflict, as they are convinced that the Security Council will not follow up on their implementation. That inconsistency endangers human lives and the work of the humanitarian workers and undermines the credibility of the Council.

The Security Council continues to adopt resolutions while failing to take into account the potentially harmful and extremely serious consequences that they may have for humanitarian activities and humanitarian and medical workers. I would mention in particular certain counter-terrorism measures and sanctions regimes. Such a lack of consistency encourages States and parties in conflict to ignore their obligations concerning humanitarian space.

In conflict areas, State and non-State armed actors prevent access and instrumentalize assistance. In the same areas, a number of States criminalize assisting our workers, prevent dialogue with parties to the conflict and gradually erode our neutrality and that space. With regard to donors, their interpretation of sanctions regimes and counter-terrorism measures are also threatening our operations. One of the most striking examples involves the obligatory screening of those who benefit from our work, which is an absolute red line for humanitarian organizations, as it compromises in every situation our ability to provide impartial aid based solely on need. Such measures undermine our standing and the people's trust in us and put our staff at risk.

Everywhere, widespread impunity related to the blatant violation of international humanitarian law is resulting in further attacks against civilian populations, humanitarian workers and their property. Unfortunately, too many incidents allow me to illustrate this last point.

Next month will mark 15 years since the Muthur massacre in Sri Lanka. That day, although not identified as such, 17 humanitarian workers from

Action Against Hunger were lined up, forced to kneel and executed, one by one, in our offices. Even today, the Sri Lankan authorities continue to oppose any judicial investigation. Two years ago, in Nigeria, five of our counterparts were killed and one of our colleagues, Grace Taku, was kidnapped. Grace continues to be held captive. We again call for her immediate release.

The tragic spate of attacks on humanitarian staff appears to be never-ending — Médecins sans Frontières in Tigray, People in Need in Afghanistan and ACTED in the Niger. Some 191 humanitarian workers have been killed, injured or kidnapped since the beginning of this year. The majority of them are national humanitarian workers, who are more exposed to risks as they work on the front lines. Often, local non-governmental organizations are present in areas that are extremely hard to reach. It is vital that they receive the same international support provided to others so that they can overcome the risks they encounter.

Our appeal is clear — the Security Council must take action and put an end to this deadly spiral. We call on the members of the Council to reaffirm their unequivocal support to provide assistance based on humanitarian principles, while ensuring that their decisions do not block the humanitarian space. We again call on the Council to adopt a systematic humanitarian exemption, thereby excluding impartial humanitarian work from the scope of sanctions and counter-terrorism measures. Such exemptions are crucial as they enable us to continue to safely provide essential services and engage in dialogue with all parties to a conflict without the fear of being prosecuted, in line with humanitarian principles. We urge the Council to collectively and systematically condemn crimes against civilians and medical and humanitarian workers. Violations of international humanitarian law cannot be ignored. They must be addressed here in the Council, as well as at the highest level by each Member State.

Combating impunity for crimes perpetrated against medical and humanitarian workers must be a genuine priority for the Security Council. The Council must systematically demand and support national and international inquiries to ensure that such crimes do not go unpunished.

Lastly, we welcome the Secretary-General's announcement of the appointment of a Special Adviser for the Protection and Strengthening of the Humanitarian Space. We are ready to work with that individual to

reverse the disastrous trends I just mentioned. The Security Council has demonstrated that, when there is collective will, progress is possible. Millions of people throughout the world are in need of an unprecedented level of humanitarian protection and assistance. It is up to the Council to take decisive measures to protect the humanitarian space and uphold the basic principles of our collective humanity.

The President (*spoke in French*): I thank Ms. Grosjean for her briefing.

I shall now make a statement in my capacity as the Minister for Europe and Foreign Affairs of France.

All three briefers just painted an extremely worrisome picture — an unprecedented shrinkage of the humanitarian space to the extent that respect for international humanitarian law is being undermined, and an increase in the number of attacks of all kinds perpetrated against humanitarian and medical workers. The briefers recalled that civilians in crisis zones pay the price. That is particularly worrisome as we have never before been in such dire need of international solidarity, given the upsurge in the number of crises and the disastrous situation across the world, which continues to deteriorate.

That is why it is incumbent upon us to take action — first and foremost to raise awareness of and ensure respect for international humanitarian law. The Security Council has a major role to play to remind armed forces and non-State groups involved in conflicts of the principles of international humanitarian law. We must also ensure that the troops engaged in peacekeeping operations receive the right training. Each one of us can and should support those efforts by extending those duties to national armed forces and their partners.

France, which is already engaged in the Sahel, just adopted a new international humanitarian law training plan to be implemented in partnership with French Government stakeholders working to address such issues and with our partners — armed forces, parliamentarians, non-governmental organizations (NGOs) and French companies interested in the effort.

Taking action also means mobilizing so that impartial humanitarian workers are not prosecuted or convicted solely because they have conducted humanitarian work in line with international humanitarian law and humanitarian principles.

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Humanitarian medical personnel should not be selective in treating the wounded for reasons that are foreign to medicine. That attitude would be at variance with their professional ethics. They should not be imprisoned for treating people and allegedly "assisting combatants". Similarly, the funding of humanitarian operations, in line with international humanitarian law, should not be undermined by excessive compliance by banks, which could, de facto, deprive humanitarian workers of the possibility of conducting their work. We paved the way for that with the adoption of resolution 2462 (2019).

We should continue to strive to better incorporate those specific concerns into the texts we adopt. The recent review of the sanctions regime concerning the Democratic Republic of the Congo has led to considerable progress without undermining the usefulness of the regime. France is again of the view that action is also required at the national level. We therefore established a direct communication channel in France between banks and NGOs in order to build a dialogue of trust to ensure that the two sectors can learn to better understand and engage with each other. To develop good practices, the guidelines were updated for banks and NGOs.

Under the auspices of the French Justice Minister, we have also prepared a circular that encourages the Public Prosecutor's Office to take into consideration the special nature of the work conducted by humanitarian workers when applying anti-terrorist criminal legislation. The text stipulates that simply providing impartial medical or humanitarian assistance to civilians in areas where terrorist groups are present cannot be punished. We have also expressed our unequivocal support for the principle of non-discrimination against the intended final beneficiaries of humanitarian aid provided by humanitarian NGOs, in line with international humanitarian law and humanitarian principles. We are currently assessing the legal impact of those principles.

Taking action also involves protecting humanitarian workers. We must be resolute in our fight against impunity for crimes and attacks against humanitarian workers in order to deter such attacks. We must punish more frequently the perpetrators of and those who orchestrated attacks on humanitarian and medical workers. That presupposes that sanctions regimes can target those responsible for crimes against humanitarian workers. The Council just introduced that criterion in the regime concerning the Democratic Republic of the

Congo, which I mentioned earlier. It should be extended to other regimes.

At the national level, we must open investigations and start prosecutions. In France, the Public Prosecutor's Office will be encouraged to seek the most severe penalty for the crimes they prosecute. We are prepared to strengthen our international judicial cooperation with our partners on the issue.

The path to international criminal justice must also be forged, as crimes against humanitarian workers are within the jurisdiction of the International Criminal Court. It conveys a strong message.

Lastly, taking action also involves strengthening the warning system and preserving the humanitarian space from within the United Nations by enhancing the crucial efforts of the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees in the Near East. I would therefore like to thank the Deputy Secretary-General for announcing the forthcoming appointment of a Special Adviser for the Preservation and Strengthening of the Humanitarian Space. We very much look forward to working very closely as soon as possible with that person.

The Council can count on France to continue the fight. We are proud to be able to contribute by promoting the Humanitarian Call to Action, which I launched with my German counterpart in 2019 and now includes 50 signatories. I hope that all Council members will join that appeal. This will be a key issue for France during our presidency of the European Union in the first half of next year, as Europe, the primary humanitarian donor in the world, has a special responsibility on the issue. We take this opportunity to announce that we will organize a European humanitarian conference, together with the European Commission, in the first half of 2022.

I now resume my functions as President of the Council.

I shall now give the floor to those members of the Council who wish to make statements.

I call on the Minister for Foreign Affairs of Mexico.

Mr. Casaubón (Mexico) (spoke in Spanish): I thank France for convening this timely meeting, as well as Deputy Secretary-General Amina Mohammed, Mr. Robert Mardini and Ms. Lucile Grosjean for their

briefings. I also acknowledge the presence of other ministers and high-level officials.

The work of humanitarian workers worldwide is vital to ensure that millions of people in conflict situations receive medical, food and psychosocial assistance. Their work is not only admirable but also necessary and indeed indispensable for peacebuilding. Ensuring unhindered humanitarian access is therefore critical. That has become even more evident during the current pandemic, which is not yet over. While today's topic is very broad, I will focus on three points.

The first is the importance of unrestricted respect for the rules of international humanitarian law and accountability. The protection of the lives of those who are not participating in hostilities in the context of armed conflicts is the main objective of international humanitarian law. Yet attacks against humanitarian personnel persist and have even increased in some regions. That was the case both in Afghanistan, among the demining workers of the HALO Trust, and in Tigray, against the staff of Médecins Sans Frontières.

Mexico condemns in the strongest terms the fact that medical and humanitarian personnel, as well as infrastructure and essential services for civilians, such as schools, hospitals and water treatment plants, are targets of intimidation and deliberate attacks by any actor under any circumstances. Those actions are undoubtedly violations of international humanitarian law and constitute war crimes, which must therefore be investigated and those responsible punished as matter of priority.

That responsibility lies primarily with national jurisdictions. However, if necessary and based on the principle of complementarity, the Security Council should consider whether some situations should be referred to the jurisdiction of the International Criminal Court, as provided for in the Rome Statute.

The second point I would like to address is the effect of widespread sanctions and counter-terrorism measures on humanitarian action. It is clear that those measures have a negative impact on the delivery of humanitarian assistance. It is therefore essential to understand in greater detail the scope of sanctions, especially in terms of unintended consequences.

For example, financial institutions that provide services to humanitarian organizations and operate in countries considered to be at risk avoid providing them in order to avoid being directly or indirectly subject to sanctions, thereby directly affecting their operations and the people who most need their services. In other cases, humanitarian actors face restrictions on the import of goods needed to carry out their work and even face risks of fines and criminalization.

Those potential consequences have a so-called "chilling effect" and inhibit humanitarian action. It is therefore essential that measures be taken to mitigate such impacts and efforts be sustained to ensure that new sanctions do not directly or indirectly affect the operations of humanitarian organizations.

Mexico recognizes, however, that the sanctions approved by the Security Council against individuals who attack medical or humanitarian personnel can be deterrents. In that regard, we recognize the progress achieved through resolution 2582 (2021), on the Democratic Republic of the Congo.

My third point pertains to implementation at the national level. As Mexico has pointed out in different forums, the main challenge for the protection of humanitarian space is not the lack of norms but their implementation in practice.

In that sense, the Humanitarian Call to Action launched by France and Germany in 2019, following up the earlier initiative of Switzerland, Germany and Mexico, is pertinent because it reinforces the political commitment that States undertook when they joined international humanitarian law instruments. In that way, Mexico honours its obligation to respect and ensure respect for international humanitarian law and invites States that have not yet done so to join that initiative.

It must be borne in mind that national actions must be developed first and foremost in times of peace. In Mexico, the Intersecretarial Commission on International Humanitarian Law, established in 2009, studies and conducts ongoing reviews of national legislation to bring it into line with developments in international humanitarian law. The Commission also conducts specialized courses to disseminate our country's obligations under international humanitarian law.

In conclusion, I would like to reiterate Mexico's support for the Secretary-General's call for the global ceasefire to be respected and underscore my country's commitment to continue promoting the protection of humanitarian space as a key element in guaranteeing

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international security, while fostering peacebuilding. Humanitarian assistance cannot and should not be held hostage to political considerations, since what is at stake is people's lives and well-being.

The President (spoke in French): I now call on the Cabinet Secretary for Foreign Affairs of the Republic of Kenya.

Ms. Omamo (Kenya): I am honoured to join you this morning, Your Excellency Mr. Jean-Yves Le Drian. I thank you, Sir, for convening this important debate. I also thank the Deputy Secretary-General, Her Excellency Ms. Amina Mohammed, participating on behalf of the Secretary-General. I acknowledge the briefings offered to us by the Director-General of the International Committee of the Red Cross, Mr. Robert Mardini, and by Ms. Lucile Grosjean, Delegate Director for Advocacy at Action Against Hunger, and the important information they provided. I acknowledge the presence of our colleagues the Ministers for Foreign Affairs of Tunisia and Mexico at this meeting.

We pay tribute to every humanitarian worker. Some have paid the ultimate price in the course of duty. We honour their memory and offer our profound thanks to those who have served.

We are close to a dangerous tipping point, if we have not in fact already gone beyond it. Humanitarian crises are proliferating, as is the number of people needing assistance. Moreover, humanitarian crises and conflicts are lasting for prolonged periods without resolution. Countries hosting major refugee populations are bearing long-term security and environmental costs that are unsustainable and dangerous to their stability. Meanwhile, financial resources from donors lag even further behind humanitarian needs. Finally, humanitarian workers are increasingly under threat of violence and harm as they discharge their important duties in many theatres across the world. We must change course if the multilateral system is to be fit for purpose and not stretched to breaking point. Please allow me to share four recommendations by the Kenyan delegation for members' consideration.

First, all parties to conflict must comply with the fundamental humanitarian obligations agreed in the 1949 Geneva Convention and articulated in multiple Security Council resolutions.

Secondly, humanitarian intervention should be temporary, rather than an almost permanent outcome of conflicts. The Security Council has been accorded the mandate and the powers to encourage, inspire and enforce political settlements that deliver ceasefires, dialogue, reconciliation and post-conflict reconstruction in an expeditious manner. The Council needs to work a lot harder to collaborate with active and engaged regional organizations such as the African Union. That collaboration should extend to its peacekeeping mandates, sanctions and statements so that they are realistic, achievable and responsive to specific political contexts.

Thirdly, all States have humanitarian obligations but only a few are bearing the bulk of the burden of humanitarian crises. That is particularly true for States hosting major refugee populations. Very often, those countries into which desperate and suffering refugees flee are themselves politically and economically fragile as well as environmentally weak, with weak governance. If they are to fulfil their humanitarian obligations, many of those States may therefore be strained to the breaking point.

We must therefore develop a new global infrastructure of burden- and responsibility-sharing in order to protect the humanitarian space. As a country that has hosted one of the largest refugee populations in the world for decades, we appreciate the financial aid humanitarian organizations receive. But it is time that burden-sharing went beyond financial means only.

We are seeking the real sharing of responsibilities, including collaborative solutions or the physical hosting of refugee populations among many States. We are also thinking about third-party solutions for refugees, accelerating political efforts for the expeditious resolution of conflicts and concerted efforts to establish safe havens for refugees in their countries of origin in order to enable them to return home safely and to carry on with their productive lives. We need new thinking in this area.

Fourthly, the humanitarian community and its network of multilateral, national and civil-society institutions must also do more to protect the humanitarian space. Humanitarian actors have consistently expressed concerns about the implications of counter-terrorism measures for humanitarian operations in some contexts, fearing to incur criminal liability by coming into contact or engaging with non-State armed actors listed as terrorist entities. Although the Security Council has made efforts to minimize the impact of its counter-

terrorism and sanctions resolutions on humanitarian action, tensions persist.

The more the humanitarian space is used to raise funds, disguise operatives, recruit fighters and utilize human shields, the more attention it will attract the attention of security agencies. It is critical that humanitarian actors actively find new ways for effective cooperation with security agencies.

Infinancial networks and across many other domains, compliance with critical security needs is becoming a normal part of doing business. Humanitarian actors can be more innovative and ambitious in protecting their supply chains and processes from penetration and exploitation — by terrorists in particular. When exploited by terrorists, the humanitarian assistance that is desperately needed for relief can become a major source of human suffering.

Finally, over the past few decades of deregulation and market-driven outsourcing, we have seen higher economic growth rates. But we have also seen States that are less resilient and less capable of facing major crises. What is certain is that there are many unknown and unpredictable dangers ahead. The greater those dangers, the more that will be demanded of States' capabilities, abilities and resources. States will need to be prepared and resilient and to collaborate. That means that we must do more than simply pursue good governance. I look forward to the United Nations leading a vibrant conversation on how to initiate a new global paradigm, seeking more capable States so that we can have political responsibility derived from the strength of those States.

The status quo is not sustainable. If everyone agrees with that assessment, then we are well on our way to addressing it. I welcome one and all to work with Kenya and other countries and institutions outside the Security Council in order to develop a new architecture of burden-sharing and shared responsibility to ensure that the humanitarian space that we duly seek is preserved for the good of all.

The President (spoke in French): I now call on the Minister for Foreign Affairs, Migration and Tunisians Abroad of Tunisia.

Mr. Jerandi (Tunisia) (*spoke in Arabic*): At the outset, I would like to welcome my friend Mr. Le Drian and, through him, to thank the French Republic for taking the initiative to convene this important and

special meeting on the preservation of the humanitarian space. This is a new step forward in fulfilling the 2019 Humanitarian Call for Action — a joint initiative of France and Germany that Tunisia and 50 other States have joined and to which we are thankful.

I would like also to thank Deputy Secretary-General Amina Mohammed, Mr. Mardini, Director-General of the International Committee of the Red Cross, as well as Ms. Lucile Grosjean, Delegate Director for Advocacy at Action Against Hunger, for their valuable briefings. I would like to welcome as well Ms. Raychelle Omamo, Cabinet Secretary for Foreign Affairs of Kenya, and the Minister for Foreign Affairs of Mexico, who are participating in this important meeting.

Decades-long wars and conflicts have depleted people's capacities and resilience, especially in Arab and African regions. In recent years, many regions have seen unprecedented humanitarian crises. The Global Humanitarian Overview 2021 reports a new record of 235 million people in 56 countries around the world who need urgent humanitarian assistance and protection, compared to 168 million people reported in 2020. We should be aware of these figures. The same reports attribute this increase to the repercussions of the coronavirus disease pandemic (COVID-19), exacerbating climate impacts and many other humanitarian impediments, in addition to the entry of new countries into cycles of tension and conflicts.

Given the increase in the humanitarian suffering of millions of people, we also see that the humanitarian space is being targeted and restrictions are being imposed on humanitarian workers, be they from governmental or non-governmental organizations. This has multiplied the challenges and increased the number of those in need of humanitarian assistance. In this context, there is an urgent need for humanitarian workers to be able to fully carry out their role in relief, rescue and assistance operations amid the current health crisis. However, we also see that they have become the targets of attacks and grave violations, including premeditated killings, violence, kidnapping, detention and forced disappearances. These are blatant violations of the provisions of international humanitarian law and international human rights law. All these acts of aggression are condemned under legal and moral criteria. They are crimes that rise to the level of war crimes and require justice and accountability. I stress in this regard the need to ensure the safety of medical

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and humanitarian workers, in line with the relevant Security Council resolutions.

The humanitarian space is neither just for humanitarian workers, nor is it a space within areas of conflict and humanitarian intervention. Rather, it is a space that represents our joint humanitarian values, and protecting it is a collective responsibility. We need to pool our efforts to address the humanitarian tragedies that we are facing while addressing their root causes, foremost among which is the need to bring conflicts to an end and advance peaceful settlements.

Tunisia once again calls for ensuring a permanent global ceasefire in response to the call of the Secretary-General and in line with resolution 2532 (2020). In that context, we emphasize the need to intensify our efforts to end various conflicts and address tension hot spots in the African continent, in particular, and the world in general.

Ending the Israeli occupation of Palestinian territories remains a cornerstone of peace and respect of international humanitarian law.

The protection of humanitarian space also requires the preservation of the principles and rules of humanitarian work, including the principles of humanity, independence, neutrality, impartiality and humanitarian responsibility. These should constitute a joint code of conduct for all organizations and humanitarian workers, enabling them to address all crises and all parties to conflict, including non-governmental parties.

If humanitarian organizations are to be more effective, it is important to define their prerogatives, areas of work and responsibilities within the framework of complete complementarity and coordination among them. Indeed, in the context of irregular migration, we are seeing duplication of effort that reduces the effectiveness of humanitarian work, especially in migration and asylum. This sometimes causes security, economic and social challenges for host or transit countries, and reflects negatively on humanitarian efforts.

In conclusion, we reiterate the fact that the protection of humanitarian space requires all Governments, governmental and non-governmental organizations and civil society to demonstrate more solidarity and effective coordination to help humanitarian workers to fully carry out their role, and to ensure full compliance with the provisions of international humanitarian law at all national and international levels.

Mrs. Thomas-Greenfield (United States of America): I thank the French presidency for bringing us together to discuss this pressing issue. I also would like to thank Deputy Secretary-General Amina J. Mohammed, Director General Mardini and Delegate Director Grosjean for their compelling remarks.

A new and sickening trend has emerged: the deliberate targeting of humanitarian workers. We have heard with horror today from briefers the prevalence of such attacks: attacks against doctors, aid workers, drivers and people delivering food, clean water and medicines, as well as attacks against hospitals and against schools.

Humanitarian workers are the world's superheroes. They go into war zones unarmed. They do not support any side to any conflict. They voluntarily risk life and limb purely to save lives and alleviate suffering.

I have spent my career supporting their work, visiting refugee camps, meeting with humanitarian workers and seeing their life-saving work in action. Personally, I can only imagine how stressful it must be to do this difficult and dangerous work, day in and day out. The world owes humanitarian workers our unending gratitude.

And yet, somehow, perversely, these heroes are being attacked, kidnapped and sometimes killed. These appalling incidents are far too common. Just last month mine clearers from the HALO Trust in Afghanistan were attacked, and three Doctors Without Borders aid workers in Tigray were killed. And we heard so many other examples today.

Again, these humanitarian actors are not armed. Their security depends on host nations, parties to armed conflict, peacekeepers, communities and Member States. It is our collective duty to ensure these impartial actors are protected. And it is our responsibility to listen to local and national aid workers, actively solicit their input and implement real solutions for their security.

We therefore call on Member States and all parties to conflicts to comply with their obligations under international humanitarian law and respect and protect the independence and neutrality of humanitarian organizations. It is time to give aid workers the protection and the security they deserve so that they

can do the world most important work, namely, saving lives and creating livelihoods.

Beyond the danger faced by aid workers, humanitarian access is too often restricted in other ways. In Syria, one of the worst humanitarian crises, the Al-Assad regime has put far too many conditions and limitations on the ability to deliver aid.

In Venezuela, one in three people is food insecure and, for far too long, the World Food Programme was not able to reach desperately hungry people. We are greatly relieved it is finally able to begin operations, which represents a major breakthrough in humanitarian access. Now it is time to press forward. We call on others to join the United States in urging the Maduro regime to work with the United Nations so that the Organization can again publish an independent humanitarian-needs assessment to support the humanitarian response.

And in the Tigray region of Ethiopia, access by road and by air, along with electricity, telecoms, banking, activity and fuel supplies essential to aid delivery, are being denied. This is unconscionable, especially in the very place that woke the modern world up to the scourge of hunger. Aid workers must be permitted to provide unhindered humanitarian assistance in this region and stave off terrible famine.

In every humanitarian crisis around the world, the coronavirus disease has created more need and more difficult working conditions for aid workers. That is why we support the Secretary-General's statement and the Security Council's resolve in resolution 2532 (2020) calling for a global ceasefire, while continuing to conduct legitimate counter-terrorism operations.

Finally, as noted by the briefers, policies addressing humanitarian assistance, sanctions and counterterrorism issues are often intertwined. We must make sure that those policies are not conflicting, but mutually reinforcing and do not compromise security. We therefore support discussions on how to facilitate humanitarian assistance in contexts where there are applicable Security Council sanctions, while seeking to ensure that Member States are fully complying with their international obligations under international humanitarian law.

Humanitarian workers represent the best of us, and they deserve our protection — and, as Mr. Mardini said, without exceptions. Today let us therefore recommit ourselves to protecting them, to holding those who

threaten them accountable and to ensuring that they have the space and the resources that they need to serve the world.

Mr. Shringla (India) (spoke in French): I would like to begin by thanking the delegation of France for having taken the initiative to organize this meeting on an important issue. France is a key advocate for the protection of humanitarian space, and this timely initiative deserves our appreciation.

(spoke in English)

I thank Ms. Amina Mohammed, Deputy Secretary-General, and Mr. Robert Mardini, Director-General of the International Committee of the Red Cross, for their comprehensive briefings. I also thank Ms. Lucile Grosjean of Action Against Hunger for sharing her insights. I would also like to welcome the presence of the Foreign Ministers of Kenya, Mexico and Tunisia at today's meeting.

The world today is engulfed in a range of humanitarian crises. Most of those are caused by armed conflicts, which severely impact the lives of millions of innocent civilians. The coronavirus disease pandemic has further exacerbated that situation.

While international humanitarian law, as we see it today, has its genesis in the recent past, civilizations and cultures throughout history have developed rules of warfare for the protection of non-combatants and civilian populations.

The humanitarian law principles found their existence in India long before modern humanitarian jurisprudence evolved. India has followed the path of Dharma, or righteous conduct, and provided refuge to persecuted people over centuries. The Dharma-based norms for armed conflict in ancient India were founded on the principles of humanity and humanitarian norms and had many rules protecting civilians during conflict. High importance was attached to distinguishing between combatants and non-combatants during armed conflicts. In a Dharma-yuddha, or righteous war, civilians were not attacked; on the contrary, they had to be protected. In that regard, we condemn the killing yesterday of an Indian photo journalist, Danish Sidiqui, while he was on a reporting assignment in Kandahar, Afghanistan. I extend our sincerest condolences to his bereaved family.

The complex nature of humanitarian situations around the world today demands the urgent attention of

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the Council. We believe that the primary responsibility for providing protection and assistance in a humanitarian crisis lies with the country concerned and its national Government. However, international humanitarian assistance, when provided, must be given impartially, in accordance with the guiding principles outlined in General Assembly resolution 46/182 and other relevant resolutions. India remains committed to preserving the principles of humanity, neutrality, impartiality and independence in responding to all humanitarian situations. Being party to all four Geneva Conventions, India's legal framework is fully aligned with supporting the principles of international humanitarian law and its implementation.

We also believe that respect for the principles of the Charter of the United Nations, including the sovereignty, political independence and territorial integrity of Member States, should remain the basis for all humanitarian actions taken by the Council. The Council must avoid the politicization of humanitarian work and of humanitarian actors involved in conflict. Humanitarian action should not be used as a ploy to undermine the territorial integrity of States. Too often we have seen humanitarian assistance being linked to coercive measures by external players in order to force outcomes desired by them. Such actions run the risk of being counter-productive in achieving a resolution of the conflict itself and could further shrink the necessary space for much-needed humanitarian action or assistance.

Violence against humanitarian workers in situations of armed conflict remains a matter of serious concern. I extend condolences to the families of the 99 humanitarian workers who were reported to be killed over the past year. We strongly condemn attacks against humanitarian personnel. Member States must take all measures to implement resolutions 2175 (2014) and 2286 (2016) to ensure the protection of humanitarian personnel and actors.

Ensuring accountability for serious violations of international humanitarian law remains one of the key challenges before us. States must accord a high priority to addressing that issue. We must assist national authorities in developing capabilities and capacities to strengthen their national legal frameworks and related structures to investigate and prosecute the perpetrators.

Terrorism further compounds the twin problems of violence against humanitarian personnel and

lack of accountability. Access to new and emerging technologies has enhanced the capacities of terrorist groups to obstruct humanitarian action, including safe and unhindered access for medical and humanitarian agencies. There needs to be zero tolerance for terrorism.

Sanctioning individuals and entities perpetrating serious violations of international humanitarian law, especially attacks on humanitarian and medical personnel, is an effective tool for the Council to check and cease violations. We believe that such measures should have wider regional and international support, in the absence of which there may be further deterioration of the humanitarian crisis and shrinking of humanitarian space. For example, in the context of Syria, both the Secretary-General and the Office for the Coordination of Humanitarian Affairs have repeatedly spoken about the worsening impact of such measures on humanitarian operations on the ground.

To conclude, we call upon all States to respect and adhere to the Charter of the United Nations, international humanitarian law and humanitarian principles. That alone will prevent any further shrinkage of the humanitarian space. India remains committed to working with the international community to address the global humanitarian challenges in an effective and comprehensive manner.

Dame Barbara Woodward (United Kingdom): I thank the Deputy Secretary-General, Director-General Mardini and Ms. Grosjean.

Attacks on humanitarian operations are an assault on basic human values. They are shameful. They add to the human suffering caused by conflict by targeting those workers who are trying to alleviate it.

For example in Tigray, which is on the brink of a man-made famine, parties to the conflict are impeding aid deliveries, destroying infrastructure and targeting civilians, including aid workers. While the announcement of a humanitarian ceasefire by the Government of Ethiopia on 28 June was welcome, we have witnessed continued efforts to hamper aid delivery. The United Kingdom again stresses that all sides must remove barriers blocking aid, protect infrastructure, facilitate banking services and allow communications equipment into Tigray.

Sadly, Tigray is not unique, not an exception. In Afghanistan, hospitals are being targeted. In South Sudan, humanitarian supplies are being destroyed.

In Yemen, bureaucratic restrictions are delaying the delivery of life-saving aid. And in all three countries and others, aid workers are being attacked.

The United Kingdom's Special Envoy for Famine Prevention has visited several countries to call for the respect of international humanitarian law by all parties to conflict. The Council has a responsibility to ensure that. We welcome our agreement last week to adopt resolution 2585 (2021), facilitating the continued delivery of life-saving cross-border assistance for 3.4 million people in Syria.

We must now work together to implement the relevant resolutions, which have the provisions to hold to account those who breach international humanitarian law. That includes strengthening our use of sanctions while ensuring that sanctions and counter-terrorism measures do not themselves hinder the delivery of assistance. Through our tri-sector group, the United Kingdom is working with non-governmental organizations and banks to find legal, safe and transparent ways to ensure that humanitarian aid benefits those in need.

While we work towards an end to conflict, international humanitarian law is there to protect civilians and the humanitarian space and the workers on which they rely. The Council has a duty to hold to account those who fail to respect those basic principles.

Mr. Jürgenson (Estonia): I highly appreciate the interventions by the Deputy Secretary-General, Ms. Mohammed; Mr. Mardini; and Ms. Grosjean.

Humanitarian needs globally are at an all-time high, and we are required to improve our efforts to help the most vulnerable. Expectations are constantly rising whereas our capability to provide help, especially during the pandemic, is not following suit. Humanitarian workers and their activities are increasingly under attack by various parties to conflict, hence greatly lowering the probability of delivering assistance and protection to the most vulnerable.

A vivid example of how danger surrounds humanitarian workers is that of Syria. Despite the de-confliction mechanism, attacks against medical facilities have continued. Al-Atarib surgical hospital has been under almost constant fire since 2014. The protection of medical and humanitarian workers and maintaining full and unimpeded humanitarian access remains our priority. We welcome last week's renewal

of the cross-border humanitarian aid mandate for another 12 months (see S/PV.8817).

In addition to bureaucratic and administrative impediments, various actors have also restricted the movement of aid workers using the coronavirus disease as a pretext to consolidate their grip on power. They worry less about the consequences of harming or impeding humanitarian workers, creating an increasing cycle of impunity.

Estonia deplores the impunity for serious violations of international humanitarian law and human rights law that is prevalent in many conflict situations today. We have an obligation to hold accountable people who violate accepted norms, including international humanitarian law and international human rights law. States need to investigate all crimes, including crimes affecting humanitarian workers and the delivery of humanitarian aid. The perpetrators must face justice. It is unacceptable that in some cases perpetrators are rewarded with positions in the Government or, more broadly, in the public sector. We must be very careful with the signal that such "promotions" send.

If a State is unwilling or unable to carry out the necessary effective investigations, other international mechanisms, including the International Criminal Court (ICC), must step in. We highlight the important role of the Security Council in referring cases of serious crimes to the ICC. Estonia commends the work of the ICC and other international investigative bodies for their work in helping bring about accountability.

To achieve accountability, we must be proactive in educating our armed forces in international humanitarian law. That should be seen as a valuable tool in ensuring adherence to and the dissemination of the standing rules. Therefore, all efforts to sustainably provide basic international humanitarian law training to armed forces prior to their deployment should consistently be encouraged and supported.

Last but not least, the Security Council previously unanimously agreed on resolutions such as 2286 (2016) and 2417 (2018), among others. We must implement those resolutions. Humanitarian actors need to be empowered, and we must stand behind them. Resolution 2417 (2018) gives us the possibility of considering sanctions measures, where appropriate and in line with existing practice. Such targeted measures are necessary to hold individuals or entities accountable for obstructing the delivery or distribution of humanitarian assistance.

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Mr. Dang (Viet Nam): I thank Deputy Secretary-General Mohammed, Director-General Mardini and Delegate Director Grosjean for their insightful briefings. My appreciation goes to the French presidency for bringing this crucial topic to the Council's attention today.

Every day, millions of civilians bear the brunt of ongoing armed conflict. They face the dire situation of compromised access to essential services and means of survival such as water, food, shelter, sanitation and health care. The coronavirus disease pandemic, sanctions and counter-terrorism measures have put further stress on the process of meeting humanitarian needs. It is estimated that in 2021 235 million civilians rely on life-saving humanitarian assistance and protection. Without the support of humanitarian workers, their suffering is bound to get worse.

While aid workers and United Nations personnel risk their lives assisting those in need, they are exposed to widespread and increasing security threats. From the Democratic Republic of the Congo to Mali to Somalia, aid workers have lost their lives or faced an increased risk of abduction, armed robbery or physical violence. We condemn in the strongest terms such cowardly and outrageous attacks and violations. We take this opportunity to express our gratitude to humanitarian workers for their courage and dedication to alleviating the suffering of people affected by armed conflict. We express our deepest condolences to the families of those who have lost loved ones in the course of providing humanitarian assistance to those in need.

There are many things that we must do to ensure the safety and security of humanitarian workers. Full compliance with obligations under international humanitarian law is a robust preventive measure to protect humanitarian workers. That is incumbent upon all parties to armed conflict, including States and non-State armed groups. Those obligations include in particular the principle of distinction and the obligation to refrain from attacking, destroying or rendering useless objects that are indispensable to the survival of the civilian population. Infrastructure critical to the delivery of humanitarian assistance and food production systems must be protected. We welcome measures to integrate international humanitarian law obligations into domestic frameworks and raise the awareness of armed forces and non-State actors with regard to their obligations in the conduct of hostilities.

Attacks against humanitarian workers and United Nations personnel might constitute war crimes. It is disturbing that the vast majority of victims are national humanitarian personnel, as they work to save their own people. Such violations must be addressed appropriately and the perpetrators must be brought to justice in accordance with the Charter of the United Nations and international and national laws.

Humanitarian action is based on the paramount principles of neutrality, impartiality and independence. Upholding those principles is key to building trust and acceptance by the host community and parties to armed conflict, which is critical to guaranteeing the safety, security and full, immediate, safe and unhindered humanitarian access. The Charter, including the principles of sovereignty and non-interference, and the laws of the host State must be fully respected. Engagement and dialogue between humanitarian organizations and the host State can help to improve understanding of social and cultural contexts and manage the risks related to humanitarian activities.

As important as it is, in the long run, humanitarian assistance cannot replace a comprehensive approach to building national capacity. The primary responsibility to protect civilians rests with the State. We should make every effort to enhance local resilience, reduce humanitarian needs and address the underlying root causes of armed conflicts. In resolution 2573 (2021), the Council recognizes the need to build back better and provide more resilient essential services for the civilian population in post-conflict situations. All parties should join efforts to implement concrete and meaningful steps towards peace and recovery.

The protection of civilians is one of the core issues on the Council's agenda. It should mobilize every tool at its disposal to respond to civilians' suffering, including through preventing attacks against humanitarian workers and ensuring humanitarian access. We continue to stress the paramount importance of conflict prevention and peacebuilding. We believe that there is ample room for regional organizations to play a leading role in promoting preventive diplomacy and confidence-building measures.

Mr. Flynn (Ireland): I thank France for convening this important and timely event. I also would like to thank Deputy Secretary-General Mohammed, Director-General Mardini and Ms. Grosjean for their

insightful briefings. I also welcome the participation of the ministers here today.

As members of the Security Council, we bear a unique responsibility. We are entrusted by the Charter of the United Nations with maintaining international peace and security. In that context, we must promote and ensure respect for international humanitarian law, which serves to protect humanitarian space. We heard from our briefers today just how important it is that we do that. We need to match our words with action.

I will focus on three points that are informed by the first-hand experience of Ireland's partners on the ground, whose work we salute and courage we admire.

The first concerns the physical safety and security of humanitarian actors in the field and the need to ensure accountability for serious violations of international humanitarian law. Humanitarians seek to provide care and dignity to those who need it most. They must be respected and protected. The targeting of medical facilities and humanitarian workers in air strikes on the Al-Atarib hospital in northern Syria, as well as attacks in Afghanistan and elsewhere, are totally unacceptable.

During the seven months that we have been on the Council, Ireland has consistently used its voice to call for accountability for violations of international humanitarian law and human rights committed in the middle of conflict. Ireland was appalled by the recent brutal murder of three humanitarian staff members of the medical humanitarian organization Médecins Sans Frontières in Tigray, which the Deputy Secretary-General and others also referenced earlier. We call for an independent investigation to be carried out and the perpetrators to be brought to justice.

As others said today, history has taught us that when we fail to ensure accountability, a culture of impunity can spread from one conflict to the next. We know also that women and girls are disproportionally impacted and struggle to receive justice. Yet it is clear that — from Yemen, to Syria, to the Democratic Republic of the Congo — we continue to tolerate such impunity. When the Council is informed of serious violations, it must seek to ensure accountability.

I would like once again to reiterate Ireland's support for the Humanitarian Call to Action, led by France and Germany, which aims to strengthen accountability for those who would attack medical and humanitarian workers in the course of their vital work. As a troopand police-contributing country, Ireland recognizes that United Nations peacekeeping operations play a major role in the protection of civilians, including humanitarian workers. As peacekeeping missions prepare to transition, the Council must ensure that clear, people-centred approaches, coordinated with humanitarian actors, are in place to protect conflict-affected civilians and humanitarian space.

My second point relates to the unique challenges faced by humanitarian actors working in their own countries. Local medical and humanitarian staff, notably women, are often at the forefront of humanitarian responses. We see that today across the globe in the Central African Republic, Yemen and in the Tigray region of Ethiopia. Local partners are often under intense pressure to save lives and take on disproportionate risks to deliver humanitarian assistance.

Local actors' insights and connections to the communities they serve bring significant advantages, but local actors can face greater pressure from local authorities, community members and security forces than their international colleagues. Those heightened challenges must be factored into planning for the security of all staff. The humanitarian prerogative to respond quickly must not result in those humanitarians bearing the greatest burden of risk. In addition, every effort must be made to ensure that often unjustifiable bureaucratic restrictions, such as visa delays, do not hinder the scale-up of an international presence in response to complex emergencies.

My third point relates to the impact that counterterrorism measures can have on humanitarian action as a whole. There is now a greater awareness of the extent to which such measures can limit humanitarian access, criminalize the delivery of assistance or curtail the ability of non-governmental organizations (NGOs) to finance humanitarian operations in areas under the control of individuals and entities on which sanctions have been imposed, including designated terrorist groups. Ireland supports efforts to promote dialogue among donors, regulators, banks and international NGOS, while United Nations bodies working on countering terrorism should engage systematically with humanitarian actors.

The Security Council also has a role to play in improving the protections for humanitarian actors in United Nations counter-terrorism and sanctions regimes by including designation criteria for sanctioning

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those that obstruct or harm humanitarian activity and actors and providing for appropriate exemptions in sanctions regimes for humanitarian work. A common understanding among all stakeholders, based on the humanitarian principles of humanity, neutrality, impartiality and independence, will be essential to finding solutions and moving forward.

In conclusion, I would like to reaffirm that Ireland's commitment to principled humanitarian space, action and access will not waver. Humanitarians can always rely on us for support.

Mr. Abarry (Niger) (spoke in French): At the outset, I should like to commend France for convening this debate on the protection of humanitarian space, which is a testament to its commitment to maintaining respect for international humanitarian law on the agenda of the Security Council. I thank Ms. Amina Mohammed for her participation in our work and the important message that she delivered earlier. I would also like to thank Mr. Robert Mardini and Ms. Lucile Grosjean for their excellent briefings and firm commitment to this important issue.

We pay tribute to the courage and altruism of humanitarian actors in conflict zones and other fragile environments, as they work to assist vulnerable populations in distress, at times, costing them their very lives.

Just one month before we mark World Humanitarian Day on 19 August, as established by General Assembly resolution 63/139, it is high time that all States reaffirm their commitment to protecting the heroes who have stood out in the terrible fight against the coronavirus disease pandemic.

In the Sahel, terrorist groups and other criminals attack peaceful citizens, including refugees, whom my country, the Niger, welcomes. Regrettably, they also attack humanitarian workers who assist those people. We will always remember the tragic attack on 9 August 2020, which killed six humanitarian workers from the Agency for Technical Cooperation and Development, their Nigerien driver and a guide in the Kouré nature reserve, the Niger. Since that tragic incident, my country has taken measures to prevent such an attack from recurring. We must also pay a resounding tribute to the Secretary-General, who remains a staunch advocate for the protection of such valuable and indispensable personnel.

Over the past few years, we have seen an increase in the number of major attacks against humanitarian workers in all areas where duty calls. The violence against humanitarian organizations not only endangers the lives of their staff but also disrupts the delivery of aid, which is vital for people exposed to various risks. Those attacks, combined with the ever-changing nature and new kinds of conflict our world faces, must force our States to re-evaluate their role and reflect on new ways to ensure the protection, safety and security of humanitarian workers, including medical personnel.

Allow me to make a few recommendations that could strengthen the protection of the humanitarian space.

First, it is crucial to depoliticize the debate surrounding the humanitarian space, although, as a famous author once said, humanitarianism is the continuation of politics by other means. Humanitarian aid should not be used as an instrument by States to achieve foreign policy objectives, just as it cannot be deliberately politicized by humanitarian workers in response to the challenges they face in the field. To be effective, humanitarian action must be impartial, independent and neutral. If not, the trust of the parties to conflict is lost.

Secondly, we encourage stakeholders to respect international humanitarian law in order to create the conditions that enable humanitarian workers to conduct their work effectively and safely. It is equally important for all States to raise the issue of the protection of humanitarian workers in their domestic policy. That will allow humanitarian workers, in particular nationals, who have greater knowledge and a better understanding of the environments in which they operate, to have access to people and security forces. Security forces should provide them with adequate protection, as that element of protection will then be part of the mandatory commitment of the country. We therefore encourage humanitarian actors to cooperate with the various security actors, using as a basis manuals and training material on professional standards for protection work. We must promote complementarity between those who provide protection and humanitarian workers. That is particularly important in the Sahel, where the presence of several military actors, with mandates that are not necessarily harmonized, can, at times, hamper the humanitarian response.

My last recommendation would be to pay greater attention to the very controversial issue of the impact of unilateral sanctions on humanitarian assistance, so that exclusively humanitarian activities conducted by impartial organizations, in accordance with international humanitarian law, can be excluded from the scope of application of those sanctions.

I would like to conclude my remarks by inviting Council members to reflect on the words of Pierre Curie, who said,

"It is because we have not organized the world from a place of genuine humanism that we are forced to employ humanitarianism as a way of remedying this major shortcoming".

Mr. Dai Bing (China) (spoke in Chinese): I thank France for its initiative to convene today's meeting and Foreign Minister Le Drian for presiding over it. I would also like to thank Deputy Secretary-General Amina Mohammed, Director-General Robert Mardini and Ms. Grosjean for their briefings.

As we speak, the coronavirus disease continues to ravage the world. Food security in some developing countries is deteriorating. In particular, conflict areas and countries face new economic and social challenges and mounting humanitarian needs. Meanwhile, violence against humanitarian workers continues unabated. Humanitarian issues are increasingly politicized. The negative humanitarian impact of unilateral sanctions continues to emerge.

Such complex factors have contributed to the worsening of the global humanitarian situation and have seriously jeopardized the effectiveness of humanitarian operations. The international community must uphold and practise true multilateralism, increase humanitarian input, strengthen solidarity and collaboration and ensure safe and unhindered humanitarian access.

Ensuring the safety of humanitarian workers is the key to preserving the humanitarian space. According to the Secretary-General's report on the protection of civilians in armed conflict (S/2021/423), across 19 countries affected by armed conflict, 99 humanitarian workers were killed in 2020. Humanitarian workers provide relief and assistance to those in need, yet their own life and safety are under constant threat. That situation should not continue. We must urge all parties to conflict to adhere to international humanitarian

law and avoid committing any violence against humanitarian workers.

Recipient Governments must assume the primary responsibility of preserving the humanitarian space. The United Nations and other international organizations should step up coordination and cooperation and assist countries concerned in improving their institutional framework and capacity-building to protect the humanitarian space.

To preserve the humanitarian space, we must stop the politicization of humanitarian issues. Humanitarian aid should follow the principles of impartiality, neutrality, objectivity and independence, and should remain humanitarian in nature. It should never be a tool for geopolitical rivalry and manipulation. Humanitarian operations should be in line with the Charter of the United Nations, General Assembly resolution 46/182 and international humanitarian law; respect the sovereignty, independence, territorial integrity and national unity of recipient countries; abide by their local laws and social norms and refrain from interfering in their internal affairs. Only in so doing can we ultimately garner the support of and ensure cooperation with recipient countries, and preserve the humanitarian space.

To protect humanitarian space, unilateral sanctions should be lifted without delay. Illegal, unilateral sanctions prevent countries concerned from having access to requisite humanitarian supplies; disrupt their economic and social order; hinder humanitarian workers from performing their duties and interfere with their operations. It is challenging for the so-called humanitarian exemptions to make much difference on the ground. The international community should encourage countries concerned to immediately lift unilateral sanctions, eliminate their negative impact and create the conditions conducive to international humanitarian operations.

The violation of the humanitarian space is essentially a regrettable by-product of armed conflict. The solution must be focused on the root causes of conflict and on adopting a systematic approach. Experience has proved that sustainable development is the right way to break the vicious circle of extreme poverty, intercommunal tensions and violent conflict. It is the key to achieving long-term stability and lasting peace. Countries must adopt a long-term view, more effectively implement the 2030 Agenda for Sustainable

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Development and prioritize poverty eradication. The international community should persevere in political dialogue, mediation and negotiations, among others, for the prevention and peaceful settlement of conflict, while increasing development assistance to countries in conflict, so as to help them achieve more inclusive and sustainable development as soon as possible.

Ms. King (Saint Vincent and the Grenadines): We wish to recognize the participation of the Foreign Ministers and to thank the briefers for their remarks.

Attacks against humanitarian workers and the infrastructure needed to sustain aid delivery have risen dramatically since the start of the coronavirus disease pandemic. Heightened and extended volatility in conflict-affected countries and regions has also led to an exponential increase in the need for humanitarian assistance. Collectively, we have advocated for the preservation and expansion of humanitarian access in the light of the adverse effects of multiple crises on civilian populations, increased displacement and the intensification of violence against humanitarian workers.

The Office for the Coordination of Humanitarian Affairs estimates that over 235 million persons globally are in need of humanitarian assistance in 2021. In conflict settings, last year saw a widespread increase in instability, resulting from the compounding effects of the health crisis, contracting economies and climate-related security risks. Accompanying that rapidly eroding humanitarian context is the increased incidence of fatal and non-fatal violence against humanitarian workers, the overwhelming majority of which is committed against national staff.

Saint Vincent and the Grenadines takes this opportunity to make the following recommendations as we urgently seek to improve the safety of humanitarian workers and to preserve and increase humanitarian space to meet the growing needs of civilians in affected countries and regions.

Regarding insights drawn from humanitarian workers and their experience of brokering access with diverse and dispersed non-State armed groups, they note that moral and legal obligation is simply not enough to secure adherence to international humanitarian law. In practice, there is no one-size-fits-all to negotiating access. Context-specific, pragmatic arrangements become necessary. Whether through multi-agency negotiations with parties to conflict or more formal

peace agreements, the principles, protocols and ground rules must emerge through collective dialogue.

Secondly, national counter-terrorism legislation and policies must avoid criminalizing critical actions undertaken by humanitarian organizations and workers. Similarly, sanctions and counter-terrorism measures, set out in various Security Council resolutions, must not restrict the ability of humanitarian workers to undertake relief efforts. In fact, there is greater need for more systematic monitoring and reporting on the impact of sanctions regimes on humanitarian actions. Efforts to systematize reporting can be undertaken by the Secretariat. Humanitarian impact and risk assessments should precede the establishment and renewal of all sanctions regimes.

We also wish to add that notwithstanding the existing capacity challenges at the national level, States must be supported in their efforts to improve accountability mechanisms to end impunity for violence against civilians and humanitarian workers, in keeping with resolutions 2175 (2014) and 2286 (2016).

Adequate resourcing is needed to protect humanitarian space. That includes ensuring sustainable financing for security efforts to protect civilians and humanitarian staff. Humanitarian organizations must be able to access funding to support training for context analyses, negotiation skills and improved communication equipment. Donors should ensure that their funding agreements provide scope for adequate and ongoing risk assessment and management, as a means through which to ensure the safety of humanitarian workers.

Finally, and notwithstanding the foregoing, I must emphasize that humanitarian aid must not be an end in itself. Similarly, humanitarian aid should not be used as a tool to impose foreign policy objectives from afar. Throughout the delivery of humanitarian aid we must respect the sovereignty and territorial integrity of the State.

In closing, I wish to underscore the huge debt of collective gratitude owed to humanitarian staff. Increasingly, they provide the only source of psychosocial support for women and children surviving sexual violence, critical food and water supplies for civilians on the brink of starvation, and health services to increased numbers of displaced persons. We mourn the loss of those killed in the service of civilians and call for the release of those kidnapped. In honour of

their memory and sacrifice, we have an enormous responsibility to engage in decisive actions that protect and support all persons providing critical relief in conflict settings.

Mr. Kuzmin (Russian Federation) (spoke in Russian): I am pleased to welcome you, Mr. Minister, as President of the Security Council. I would like to thank Deputy Secretary-General Ms. Mohammed, the Director-General of the International Committee of the Red Cross, Mr. Mardini, and Ms. Grosjean for their informative and substantive briefings.

The theme of today's discussion is truly multifaceted. Of course, we condemn unlawful actions committed against humanitarian workers and advocate providing them with unhindered humanitarian access, subject to the consent of the host Government. Time is often of the essence in the success of humanitarian efforts to alleviate suffering and often to save lives. However, we have recently witnessed a dangerous trend in a number of countries bearing the brunt of armed conflict in which the Governments of affected States have been accused of deliberately blocking humanitarian access. Without providing explanations or bothering to try to understand what is going on, many donors believe they have the right to dictate their will to sovereign States and threaten them with investigations. We remind our colleagues that all humanitarian activities must be carried out in strict compliance with the guiding principles on humanitarian assistance set out in the annex of General Assembly resolution 46/182. A key principle is the consent of the State to the provision of assistance and subsequent coordination with that State of every step taken in the framework of humanitarian operations. That is the basis of the security, neutrality and impartiality of humanitarian work.

In this context, I note that the concept being actively promoted in the United Nations — the so-called humanitarian space — raises many questions. At its core and hidden behind eloquent slogans is, in essence, a desire to grant humanitarian workers some kind of immunity in agreeing upon and carrying out their work. In practice, that could lead to a disregard for sovereignty in the initiation and management of humanitarian assistance. That is the polar opposite of the principles of the aforementioned General Assembly resolution 46/182.

The humanitarian situation in territories controlled by terrorists and their associates is of particular concern. The task of protecting humanitarian staff in such territories has become considerably more difficult. As a rule, militants blatantly flout the norms of international humanitarian law and, in general, the principles and rules of human conduct. Terrorism can be countered only through joint efforts. In order to do that, we must reject double standards and to stop exonerating — either politically or through terminology — those who profess the tenets of extremism and terrorism.

importance of unfettered delivery humanitarian assistance in zones of armed conflict is indisputable. At the same time, the goal of creating conditions conducive to the work of humanitarian organizations and medical staff should not in itself be used as an excuse for States to fail to uphold their obligations to counter terrorism. It is unacceptable for medical and humanitarian organizations to support terrorists directly or indirectly, thereby undermining international counter-terrorism efforts. connection, resolution 2462 (2019) remains relevant in that it dictates that, when implementing relevant measures, States should take into account only humanitarian activities carried out impartially and in strict conformity with the requirements of international humanitarian law.

We have promoted accountability for crimes under international law. Unfortunately, the experiment of the Security Council referring situations to the International Criminal Court has been a failure. The same is true of the practice of establishing ad hoc tribunals. Against that backdrop, some States have sought to prosecute suspects on their territory on the basis of the concept of universal criminal jurisdiction. We have always been very cautious about the widespread use of that concept, which, as experience shows, is subject to abuse. It is precisely for that reason that lengthy discussions on this subject in the United Nations have been unproductive, without a hope of ever reaching consensus.

In these circumstances, we believe that the main role in eradicating impunity should be played by the national judicial systems of the States where the alleged violations took place, and the accused should be prosecuted in accordance with the severity of the crime.

Ending the vicious practice of sanctions and blockades is key to overcoming humanitarian crises. Unfortunately, the increased use of politically motivated unilateral sanctions has become a modern reality. This spiteful practice, especially the use of various

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secondary restrictions, including extraterritorial ones, infringes on the sovereignty of States and interferes in their domestic affairs. The use of unilateral sanctions to overthrow so-called undesirable regimes through economic strangulation or by fomenting political unrest in countries is particularly reprehensible. Such actions demonstrate an archaic bloc mentality and lead to the intentional build-up of purely confrontational potential in international relations. Sanctions are not commensurate with the principles of international cooperation and restrict it unnecessarily even in those areas where there is a real need for and tangible interest in pooling efforts to combat contemporary challenges.

Ms. Juul (Norway): I thank you, Mr. President, for organizing this important meeting, and I thank the briefers for their presentations. We also welcome the participation of the Deputy Secretary-General, Foreign Ministers and other high-level representatives.

International humanitarian law is clear — humanitarian aid workers and facilities should never be targets. Yet, we see widespread and increasing violence directed against humanitarian workers, their activities and their spaces. This is unacceptable.

Protecting civilians, including the effective protection of humanitarian personnel and assets, must be a priority for all parties to conflicts. Upholding humanitarian principles is key as humanitarian organizations negotiate and secure humanitarian access, which must not be unlawfully denied or withheld. As we know, denial of humanitarian access affects the most vulnerable in armed conflict, in particular children. It is critical that humanitarian organizations can carry out their life-saving mandates safely, without interference or politicization. We have all seen the deadly consequences when that is not the case.

The Security Council has just unanimously adopted resolution 2585 (2021) in order to secure humanitarian access to some of the most vulnerable people affected by the conflict in Syria. Cross-border humanitarian assistance remains a lifeline for millions of people. Access is negotiated by humanitarian actors on a daily basis as they engage with local communities and authorities. Such front-line negotiations are complex and done best by the humanitarian organizations themselves. While community acceptance is crucial, it is not sufficient to ensure the safety of aid workers. Humanitarians must be able to engage directly with parties to conflicts, including non-State armed

groups. That is why regular and consistent high-level access diplomacy by donors and senior humanitarian representatives is required and must be coordinated with organizations on the ground.

Continuing attacks on health-care and humanitarian personnel is a worrying trend we must address, including through effective data gathering, monitoring and dissemination. That is why we support the World Health Organization's monitoring system for attacks on health care as a way to better understand the context and dynamics of attacks. Norway also supports a focus on increased protection of non-governmental organizations (NGOs), including through the International NGO Safety Organisation's Conflict and Humanitarian Data Centre project, which enables vital, yet unprecedented data-sharing among NGOs. We must use such data to craft better responses, and we must cooperate and share best practices. We are also taking domestic measures to that end.

Under the Norwegian penal code, all targeting of medical and health-care personnel, facilities, material, units or vehicles constitute war crimes, and we encourage all actors to explore domestic and global measures that will strengthen compliance with international humanitarian law and the protection of civilians, including humanitarian workers.

When humanitarian workers are attacked, less people are protected and assisted. Accountability is necessary to reverse that trend. Allegations of violations of international humanitarian law must be thoroughly, impartially and effectively investigated. Similarly, accountability for violations must be ensured through credible national or international criminal justice mechanisms. In that regard, we emphasize that the mission and mandate of the International Criminal Court is as crucial today as ever.

I would like to turn now to counter-terrorism measures and sanctions, which are vital tools to address threats to international peace and security. Sanctions directed at those who violate international humanitarian law can serve as a deterrent and help safeguard the humanitarian space. However, concerns raised by humanitarians about unintended negative impact of counter-terrorism measures and sanctions must be taken into consideration. Legal frameworks should include necessary safeguards and exemptions to ensure that sanctions and counter-terrorism measures do not impede the ability of humanitarian organizations

to operate in line with their humanitarian mandate and international humanitarian law.

In that regard, Norway welcomes the recently adopted resolution 2582 (2021), on the sanctions regime regarding the Democratic Republic of the Congo. We hope the strengthened text translates into much-needed protection of humanitarian workers in the field.

Tangible improvements on the ground require continuous action and commitment. We encourage all to increase their financial and political support to principled humanitarian action and to safeguarding the humanitarian space.

The meeting rose at 12.10 p.m.

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