



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
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SECURITY COUNCIL - PROTECTION OF CIVILIANS IN ARMED CONFLICT: **WARS IN CITIES** – PROTECTION OF CIVILIANS IN URBAN SETTINGS

STATEMENT BY H.E. AMBASSADOR CHRISTIAN WENAWESER
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Mr. President,

Liechtenstein is grateful to Norway for the convening of this open debate on a topic of ever-increasing relevance. The density of cities means that the suffering caused by attacks against them is overwhelmingly borne by civilians – 88 per cent of those killed and injured in 2020, according to the SG's latest report on PoC.¹ Damage caused to essential infrastructure – including water, sanitation, power supplies and health care – forces survivors to flee and aggravates health risks, such as those posed by COVID-19. Irreplaceable cultural heritage may also be threatened. Explosive remnants of war remain long after the immediate hostilities, continuing to kill and injure, and deterring civilians from returning and rebuilding their communities.

Mr. President,

The heightened risk of indiscriminate harm to civilians and civilian objects only serves to emphasize the importance of international humanitarian law to such situations. It is worth restating that over a decade ago, the ICRC called for the use of explosive weapons that have wide area effects – the weapons predominantly used in urban warfare – to be avoided, due to the

¹ S/2021/423, para. 10

significant likelihood of indiscriminate effects.² Unfortunately, respect for the rules and principles governing the conduct of hostilities, including the prohibition of direct attacks against civilians and civilian objects, is eroding, notably in situations under the Council's consideration. Parties to armed conflicts must urgently review their policies and practices, and put respect for international humanitarian law at the heart of their military planning and operations. While some claim that innovations, such as increasing the precision of munitions or reliance upon enhanced data and surveillance collection and analysis tools can help to minimize civilian harm, even the most prepared State actor cannot 'technologize away' the risks that any use of armed force in urban areas poses to civilians. Strict compliance with the obligation to ensure necessity, proportionality and distinction is more important than ever.

This Council should backstop such efforts, as it did in Security Council Resolution 2573 on attacks on critical infrastructure, which Liechtenstein was proud to cosponsor. Going forward, the Council should better acknowledge the preventive dimension of the Protection of Civilians agenda, including by ensuring the credible prospect of accountability for those that violate IHL – a responsibility that it has largely failed to live up to in recent years. The Council can also see that engagement with non-state armed groups, whose cooperation is often essential to the protection of civilians in urban areas, is not criminalized, but rather seen as a means to avert further suffering, including with respect to those actors under sanctions designations.

Mr. President,

Civilians in urban areas face a particularly acute vulnerability to attacks carried out through cyber operations, for example, through attacks on the electric grid or water supply. The ICRC has said the law is clear on the matter: IHL limits cyber operations during armed conflicts just as it limits the use of any other weapon. Moreover, irrespective of whether an act is kinetic or conducted

² <https://blogs.icrc.org/law-and-policy/2021/04/27/urban-warfare/>, citing <https://www.icrc.org/en/document/explosive-weapons-populated-areas-opening-remarks-peter-maurer-33rd-international>

through cyber means, Article 8 of the Rome Statute of the International Criminal Court applies if IHL is triggered. As this technology continues to advance and cyber operations are increasingly used by both State and organizational actors, this Council must recall its power to refer situations to the ICC to ensure accountability and further deter such crimes. Indeed, as discussions on the application of international law to cyberspace continue in several fora at the United Nations, we must include the Rome Statute and international criminal law more generally in these analyses as a matter of prevention. This is why, together with ten other State Parties to the Rome Statute, Liechtenstein has created a Council of Advisers that helped produce an in-depth report of the application of the Rome Statute to cyber warfare, which we invite everyone to read.

I thank you.