

Protection of Civilians in Armed Conflict

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Statement by Mr. Cancela, Permanent Representative of Uruguay to the United Nations

I shall be brief in order to expedite this debate. Allow me to commend you, Sir, for having convened this debate and to underscore the importance of the ideas set forth in the briefings we heard at the start of this meeting.

Within the United Nations, the concept of the protection of civilians in armed conflict applies to various situations, such as humanitarian activities, including access for and the protection of humanitarian personnel as they go about their work; peacekeeping; peacebuilding; and situations arising out of international criminal responsibility, among others.

In recent years, an in-depth and wide-ranging conceptual and operational debate has taken place at Headquarters on the protection of civilians in armed conflict in the context of peacekeeping operations. That has been the case not just in the Security Council — an organ that has discussed this issue since the days of the United Nations Mission in Sierra Leone, in 1999 — but also among the entire membership through the specialized and representative bodies of the General Assembly.

Although mandates to protect civilians are considered on a case-by-case basis, and while there is genuine room for improvement, we cannot fail to underscore that there has been much progress in achieving greater consistency in implementing such mandates and evaluating existing problems and limitations and seeking solutions to them. In our view, this is bringing about positive results in New York and the field, some of which can be clearly discerned while others are intangible. How do we measure what we have avoided?

How do we quantify costs in human lives and the different types of damages averted by the presence of the United Nations with clear mandates to protect civilians? How valuable and how influential are the political agreements on this issue that various stakeholders, including troop-contributing countries, have reached at Headquarters in recent years? That is impossible to calculate; however, there is no doubt that it entails very valuable capital that we do not have the luxury of squandering or imperiling. It is much easier to destroy than to build anything, including trust.

We must therefore be very careful when it comes time to carry out efforts in the context of a legally binding instrument that carries the legitimacy of the United Nations vis-à-vis the protection of civilians. Similarly, while we favour moving ahead with the debate on implementing the responsibility to protect, without failing to acknowledge the intrinsic overlap with the protection of civilians, we believe that it is important that we be clear in our references to these concepts and that we take into account the singular nature of each one — which have distinct legal characters and have followed clearly differentiated discussion processes.

We do not for an instant forget that the ultimate goal must always be to protect the physical, mental and emotional integrity of the human beings under threat today, but also those who will tomorrow depend upon the presence or mandate of the United Nations to ensure that their lives, integrity and dignity are safeguarded. In that regard, my delegation would like to take this opportunity to reiterate the urgent need for all parties involved — at all times and in all situations — to consistently and impartially preserve, strengthen and respect the exact terms of the mandates of the Security Council and the norms of international humanitarian law, which are the foundation upon which rests the protection of civilians in armed conflict.

Having reached a propitious point when it comes to the protection of civilians, what must we now do to maintain that state in the current circumstances? This is a question that all of us should ask ourselves. We believe that it is crucial that we focus on addressing the major practical challenges that have concrete impacts on the ground.

From our perspective as troop contributors, there is no more pressing and clear challenge than that of bridging the enormous gap between protection-of-civilian mandates and the necessary resources to effectively carry them

out. There is also much room for improvement in the area of training, both during pre-departure and post-deployment.

We are optimistic when it comes to improving coordination among the various stakeholders on the ground charged with implementing mandates, in the context of the overarching protection strategies that missions must develop. However, we believe that more work must be done with local authorities and communities in the area of managing expectations and that of public communication and information strategies. Those are aspects of the recommendations that were formally adopted yesterday by the Special Committee on Peacekeeping Operations.

Moreover, it is always imperative to facilitate access for humanitarian personnel and to ensure that international humanitarian law is respected by all parties concerned in every situation, so as to ensure adequate security conditions for staff to carry out their tasks.

At the same time, we reiterate that every human response must be sustainable and take into account the development perspective. In that regard, it is essential to ensure the building of adequate capacities at the national level.

Finally, I would like to reiterate that Uruguay believes the agenda on the protection of civilians in armed conflict to be a multidimensional one. It is informed and sustained by more specific, although closely linked, issues, such as, among others, those of children in armed conflict and women and peace and security. It is therefore essential to make progress in as coordinated a manner as possible in order to achieve synergies, avoid duplication of effort and, as effectively as possible, take advantage of the tools at the disposal of the Organization in the field. That will make possible greater coordination among all stakeholders involved, which will lead to more coherent responses in the protection of civilians — especially for groups in vulnerable situations, who are the most exposed and require greater efforts to secure their effective protection. That will also make it possible for us to focus more closely on post-conflict tasks, such as the reintegration of victims whose rights have been gravely violated and children who have been affected by armed conflict.