

I now give the floor to the representative of Peru.

Mr. Voto-Bernales (Peru) (*spoke in Spanish*): I would like to thank you, Mr. President, for convening this open debate on the protection of civilians in armed conflicts. Likewise, I would like to express my gratitude to the Under-Secretary-General for Humanitarian Affairs, Mr. John Holmes, for his briefing and to highlight the work that is being done by his Office in order to improve the protection of civilians in armed conflicts.

In this regard, we are concerned by his overview on the situation of civilians in armed conflicts. Even though the number of conflicts has declined compared to recent years, violations of human rights as well as international humanitarian law have increased in some of them, and the civilian population, in particular women and children, are still the main victims. In many cases, it is precisely women and children who are the direct targets of the attacks and sexual violence because of their gender or their vulnerability in an environment of almost complete impunity.

The risk situations that are faced by civilian populations in conflict situations, for example, in Somalia, Palestine, Iraq, Darfur, Chad, Afghanistan and the Democratic Republic of the Congo, to mention but a few, show that despite the good intentions of the international community, the Security Council and even the Governments concerned, the civilian population is still largely defenceless. In this respect, Peru believes that the Security Council must continue to promote effective and feasible actions in order to guarantee the protection of civilians in armed conflicts as well as those of internally displaced persons and refugees.

Taking into account the reports on this theme, we believe that, first of all, in accordance with international humanitarian law, the parties to a conflict must allow and facilitate the unhindered access of all humanitarian assistance for civilians who require it. Regrettably, the reality on the ground shows us that this access is far from being safe, timely and obstacle-free, which means that millions of people are deprived of assistance that is crucial for their survival.

That is why we support the practice of the Security Council to receive reports on every situation where there are serious access problems.

Secondly, we support the decisions of the Security Council with respect to the mandate for the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in resolution 1794 (2007) and the measures adopted for the Democratic Republic of the Congo in resolution 1807 (2008) to tackle the problem of the use of sexual violence against women as a weapon of war. We hope for similar actions wherever and whenever they are necessary in order to prevent women and girls from continuing to be the main victims of acts of violence in armed conflicts.

Peru supports programmes and policies that promote the prevention of violence. In this context, we must stress the need for the full implementation of resolution 1325 (2000). We reiterate that serious cases of rape and other forms of sexual violence warrant being referred to the International Criminal Court. Furthermore, States must assume, as a priority, their own responsibility to bring to justice and punish those who are responsible for crimes as part of an overall approach to peace, justice, truth and national reconciliation.

Thirdly, we must stress the need to systematically include in resolutions references to the rights of internally displaced persons and refugees to return safely to their homes and places of origin, as well as the rejection of the consequences of ethnic cleansing and sectarian violence. United Nations peacekeeping missions and other missions must have mandates that prevent the appropriation and the unlawful seizure of land and property that has been abandoned by refugees and internally displaced persons, and that support the issuance of property deeds when these have gone missing or have been destroyed.

Fourthly, the Security Council must urge the parties to a conflict and multinational forces authorized by it to comply with the obligations that concern them in conformity with international humanitarian and human rights law, and to report on the measures adopted in order to guarantee the protection of civilians during hostilities in the implementation of their mandates.

Fifthly, we agree that it is necessary to put an end to the terrible humanitarian consequences of cluster bombs and anti-personnel landmines. The harm caused by these weapons continues over time because they continue to maim civilians long after a conflict is over, preventing the return of internally displaced persons and refugees to their homes and the socio-economic development of the affected areas. It is necessary to adopt a binding instrument that would ban cluster bombs, which cause irreparable damage to the civilian population. In this respect, we expect major progress and a political commitment in the Dublin conference this week.

It is important to seek the full implementation of resolution 1674 (2006), which contains crucial provisions for improving at the international system for the protection of civilians in armed conflicts, including the responsibility to protect populations from war crimes, genocide, ethnic cleansing and crimes against humanity.

Lastly, we support the proposal of the Secretary-General on the establishment of a working group of the Security Council, which would specialize in the protection of civilians and be made up of experts. That idea should be studied very carefully on the basis of a further developed and detailed proposal. For the time being, we stress that reports on conflicts included in the Council's programme of work must contain information on the protection of civilians. Likewise, the Council's warning mechanisms and that of the Secretary-General must be activated in order to protect civilian populations.