

## Statement by Mexico at the Open Debate of the United Nations Security Council

Conflict Prevention  
21 August 2014  
(Unofficial Transcript)

Mr. Gómez-Robledo (Mexico) (*spoke in Spanish*): I thank your delegation, Mr. President, for convening this debate, and I thank the Secretary-General and the United Nations High Commissioner for Human Rights for their statements. I would like to pay tribute to Ms. Pillay for the significant work she has carried out and the support she has given to Mexico during her tenure.

Conflict prevention is a fundamental obligation that extends to others beyond the members of the Council. It is a joint responsibility that we all share, as permanent members of the United Nations. Rebuilding the social fabric of a country and re-establishing other conditions for governance after armed conflict takes many years. When those conditions are not restored, fertile grounds are laid for renewed conflict or for new conflict to emerge. Preventive diplomacy is then the only tool with which to break the vicious cycle.

The Organization has been accused of only reacting to crises. We do not believe that that is an accurate assessment. We must recognize the role of the Secretary-General in fulfilling his mandate. However, it is also true that we face increasing challenges. Every conflict is different, and there is no one-size-fits-all formula to prevent them. In the light of that reality, Mexico proposes three courses of action.

First, Chapter VI of the Charter of the United Nations should be approached from an evolving perspective. The implementation of its preventive measures must address the asymmetries of armed conflict in the twenty-first century. In addition, assistance must be provided to States that do not have the necessary human or financial resources so that they can be better acquainted with the various options offered by mechanisms for the peaceful settlement of disputes. That is crucial work that must be entrusted to the Secretariat.

Secondly, prevention should also focus on avoiding the commission of any grave crimes of an international nature. Peace cannot be built if perpetrators, regardless of their status, position or rank, are not brought to justice for their crimes. It is therefore essential that the permanent members of the Security Council refrain from resorting to the use of veto in situations where war crimes or crimes against humanity could be or have been committed. Therefore, the Security Council reform process cannot continue to be hijacked by the definition of a single issue. Mexico will continue to support all initiatives that promote the reform of the Council's working methods. Consequently, along with France, we will co-chair, in September, a ministerial-level meeting to address the urgency of limiting the use of veto in such situations.

Thirdly, effective prevention requires collective efforts to strengthen the rule of law at the national and international levels, which is indispensable to ensuring development and just and inclusive societies. Development and the rule of law are two sides of the same coin.

As a country from the region that has recourse the most often to the International Court of Justice, Mexico recognizes the critical role that both the International Court of Justice and the International Criminal Court have in strengthening the rule of law and preventing armed conflict.

Engagement by the Secretary-General, either directly or through his special envoys and representatives, is of paramount importance in that task. Intervention by the Secretariat is therefore key to prevention efforts. In that regard, as we have done many times before, we call on all Member States to jointly explore the possibility of empowering the Secretary-General to request advisory opinions from the International Court of Justice. In general, all conflicts have legal expression or purport to be justified by a violation of an obligation under international law.

Recourse to an advisory opinion by the Court would be a tool of preventive diplomacy that would further strengthen the work of the Secretary- General in terms of his mandate.

It is essential to improve the coherence and effectiveness of the activities of the Security Council through the use of flexible early-warning mechanisms, such as in situ missions, and informal interactive dialogues with the disputing parties and to address emerging crises.

Moreover, the Council should of course continue to make use of peacekeeping operations and special political missions. In terms of the latter, it is essential to design a mechanism for true accountability that allows for appropriate structures, mandates and human, financial and political resources. Only then will such missions be efficient, effective, timely and endowed with the legitimacy that is needed for their work.

At the 2005 World Summit, Member States committed themselves to building a culture of prevention. Those efforts have obviously not been sufficient. Let us not allow indifference to be globalized, as Pope Francis has said. Guaranteeing peace is a collective obligation.