



MÉXICO

Statement by

H.E. Ambassador Claude Heller

Permanent Representative of Mexico to the

United Nations, at the open debate

of the Security Council

“Protection of civilians in armed conflict”

New York, June 22nd, 2007

(Check against delivery)

(Unofficial translation)

Mr. President,

The delegation of Mexico expresses its appreciation for the timely organization of this open debate on the protection of civilians in armed conflicts, bearing in mind the increasing number of civilian victims throughout the world, , who are either the result of collateral damage or who are used as deliberate military targets by the groups and actors in conflict. While we are holding this debate, hundreds of civilians are dying in conflicts as diverse in their circumstances as the ones in Afghanistan, the Democratic Republic of Congo, the Gaza Strip, Iraq, Somalia and Sudan, only to mention some examples that are widely spread through the massive communication media.

Women and children often suffer most amongst this countless human loss. Gender-based violence is still an issue of major concern, as is shown by the numerous cases of women victims of sexual abuse and by the fact that a large percentage of the children recruited by the militias are girls, who are also victims of violence and forced labour.

Impunity prevails for those responsible for the many atrocities committed against the civilian population in the large majority of armed conflicts. All too frequently, perpetrators will never be brought to justice.

Mr. President,

Not only does our Organization have the moral responsibility to eradicate these practices, but it has also given itself the necessary tools to do this over the last few years. It is imperative that the organized international community sends a clear message that it will not tolerate the disregard for the basic norms of international humanitarian law and for human rights. Therefore, my delegation deems it necessary to implement a comprehensive strategy to guarantee the protection of civilians in armed conflicts, based on the following:

1. **Respect for humanitarian law.** It is imperative that the Security Council and the relevant regional organizations make parties to conflict accountable for the full respect of the Geneva Conventions and, in particular, to the provisions set out in article 3, which already constitute customary law.
2. **Strengthening the rule of law and the struggle against impunity.** The creation of the International Criminal Court represents an unprecedented development in the fight against impunity by complementing the efforts of national jurisdictions to bring to justice all those who commit crimes against humanity.

The success of the Court is intrinsically related to the need to inhibit the recurrence of deliberate attacks against civilian populations and to prevent this practice in other conflicts.

The strengthening of the Court has been reflected in the increasing number of cases under its consideration. We encourage the Security Council to appeal to the Court whenever the particular conditions of a determined conflict are appropriate.

3. **Protection of humanitarian personnel.** Violence against humanitarian personnel constitutes a war crime and deprives civilians of the necessary assistance for their survival and consequently increases their suffering. In this regard, it is imperative that the Council ensures that the deliberate attacks against humanitarian personnel in the field do not remain unaccounted for and that all parties to conflict ensure the safe and unhindered access of humanitarian personnel to affected civilian populations.
4. **Strengthening of coordination and clear mandates.** We must encourage a broader coordination between the Department of Peacekeeping Operations and the Office for the Coordination of Humanitarian Affairs, and between these and regional organizations, in order

to make the protection of civilian in armed conflicts a central objective of their respective mandates. This also requires the provision resources and staff appropriately trained to respond to the needs on the ground.

In the same way, the provisions of resolutions 1325 (2000) and 1502 (2003) on women, peace and security, and on the protection of humanitarian personnel, respectively, must be systematically integrated into all relevant mandates adopted by the Council.

- 5. Full implementation of the 10 Point Action Plan.** The 10 Point Action Plan introduced by the Office for the Coordination of Humanitarian Affairs offers a comprehensive strategy to support the protection of civilians in armed conflict. However, its provisions constitute for the most part a declaration of good purpose, taking into account the very few commitments adopted for its implementation. Subjects such as the international protection of internally displaced persons and the proliferation of small and light weapons in conflicts have not been sufficiently addressed by the international community. Therefore, we consider it important that Member States carefully consider the practical and tangible measures associated with the implementation of the Action Plan.

Mr. President,

One of the most important outcomes of the 2005 Summit was the recognition of the principle of the responsibility by the international community to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Almost two years later, we have witnessed enormous difficulties in the application of this principle in concrete situations and in translating the spirit that led to its adoption into actions that have a positive impact on the lives of hundreds of thousands of people. The resolutions adopted on the situation in Darfour illustrate the difficulties encountered in this respect and the "diplomatic inertia" to which the Secretary General recently alluded in a press article.

We all know that the debate about the responsibility to protect is interlinked with the fundamental principles of international law. Despite the consensus reached in 2005, we cannot deny that mistrust prevails on this matter. While some States see in this new principle the mere continuance of interventionist practices aimed at destabilizing political regimes, others promote its application in a selective manner, limiting its scope to cases significant for their political interests. For this reason, it is essential that we commit ourselves to reach new agreements that give a true content to such an important principle in an objective and impartial manner.

One of the lessons drawn from the atrocities that took place during the past decade in the Balkans and in Rwanda, amongst other conflicts, is that the UN cannot remain passive and indifferent when faced with situations on the verge of becoming humanitarian tragedies. Hence, the importance of strengthening the response mechanisms of the United Nations in order to combat genocide and other crimes against humanity, including through defining clear rules under which the Security Council would be able to authorise pertinent resolutions under Chapters VI or VII, while guaranteeing the respect for international law. This is a pending task of primary importance for the General Assembly, in which the Mexican delegation is ready to engage.

Thank you very much