

Open Debate on the Protection of Civilians During Armed Conflict
Monday, 22nd November 2010, Security Council Chamber (GA-TSC-01)

Statement by José Luis Cancela, Permanent Representative of Uruguay to the United Nations

At the outset, I would like to express my appreciation for the constructive work that your delegation, Mr. President, has been doing to advance the subject that we are discussing today.

The delegation of Uruguay welcomes the significant progress that has been made since the last report of the Secretary-General (S/2009/277), which helps in various ways to improve the situation of civilian populations in armed conflict. This includes the entry into force of the Convention on Cluster Munitions in August; the progress made at the Review Conference of the Rome Statute in extending criminal individual responsibility to various circumstances; recent developments with regard to the prevention of genocide and other mass atrocities; and, in general, the important normative progress made at Headquarters with regard to various areas that pertain to innocent civilians, particularly the most vulnerable, such as women and children.

Despite this progress, Uruguay believes that there is a wide gap between the legal developments that have taken place in recent years with regard to the protection of civilians in armed conflicts, and the real situation of civilian populations affected by such conflicts, including in those places where the United Nations is represented by peacekeeping operations. This is why we can only endorse the approach suggested by the Secretary-General that we concentrate on making a tangible difference on the ground and take into particular account the situation as it is experienced before we make critical decisions with regard to the future of the United Nations presence on the ground.

On the one hand, we should avoid the premature withdrawal of missions when we have yet to effectively stabilize the security conditions. On the other hand, we must reconcile this with the principle of the consent of the host State, which has the primary responsibility to provide such protection — a crucial aspect that constitutes one of the pillars of the legitimacy of this system and sets it apart from other alternatives. The existence of realistic indicators, based on the well-being of the population and prepared using the input of the stakeholders involved, could be an important step forward in this regard.

There is a world of difference between the will of the Council and the effective implementation of protection, not only in terms of the geographic separation between Headquarters and the areas of conflict, but also because of the lack of understanding and coordination that may exist between those who establish mandates and those who implement them, given the difference between our desires and expectations here and the reality of scarce resources and wide-ranging difficulties on the ground. For this reason, which we perceive primarily from our perspective as a contributor of troops and police, our country has attempted to play a constructive role at Headquarters, particularly in the General Assembly, which is the body that represents us, with the aim of bringing those who establish mandates and those who implement them closer together in order to reach the broadest possible consensus on these issues.

In this regard, we believe that we should recognize the valuable progress that has been made over the past two years in the Special Committee on Peacekeeping Operations. It is in our interest to continue working constructively along these lines. To that end, on 6 December, together with the Mission of Australia, we will organize a third workshop on the protection of civilians in peacekeeping operations. This time, we will focus on the strategic framework for the protection of civilians, as called for last March by the Special Committee.

Finally, my delegation stresses the importance of all parties in all situations preserving, strengthening and complying with the standards of international humanitarian law in order to ensure full respect for the principles of humanity, neutrality, impartiality and independence, as well as the absolute necessity of facilitating access for humanitarian workers and of ensuring adequate security for the fulfilment of their tasks. In this regard, dialogue with armed non-State groups should not be understood as a legitimization of such groups; rather, it should be sought in order to foster their understanding of and respect for international humanitarian law.

Similarly, we reiterate that all humanitarian responses must be sustainable and take the development perspective into account so as to ensure the required capacity-building at the national level in this critical area. Uruguay believes that the protection of civilians in armed conflict is a multidimensional issue that feeds and is fed by other different but linked issues, such as children in armed conflict and women and peace and security, among others. For that reason, it is critical to maximize coordination, produce synergies, avoid duplication of efforts and make the most effective use possible of the means at this Organization's disposal on the ground.