

Statement of Peru: Ninth Open Debate on the Protection of Civilians in Armed Conflict: 7 July 2010

Mr. Gutiérrez (Peru) (*spoke in Spanish*):

Allow me first of all, Madam President, to express my delegation's profound gratification at seeing you preside over the Security Council this month. I should also like to thank you for having promoted the convening of this open debate, and to express the Peruvian delegation's appreciation to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs, and Ms. Pillay, High Commissioner for Human Rights, for their comprehensive briefings on the topic that brings us together today for this open debate in the Council.

For 11 years, the Security Council has been seized of the matter of protection of civilians in armed conflict. In that time, important progress has been made, such as the establishment of the Security Council group of experts on the protection of civilians, whose contributions have been reflected in numerous Council resolutions. We have also seen the adoption of important resolutions and presidential statements that have had an impact on matters of primary concern in the realm of the protection of civilians in contemporary conflicts.

While such progress is an important starting point, its value is relative if it is not manifested in tangible improvements in the protection of civilians on the ground. We believe it important to continue to strengthen the necessary interaction between the Office for the Coordination of Humanitarian Affairs and the Security Council. We also believe it essential to fully implement resolutions 1296 (2000) and 1674 (2006), which define the essence of this debate, which is the responsibility of all Member States to protect civilian populations in armed conflict.

Along these lines, we believe it necessary, based on the Secretary-General's report A/63/677 on the implementation of the responsibility to protect — which recognizes the principal role of States in protecting their populations from, among others, war crimes — that we continue to focus on pillars one and two: the responsibility to protect incumbent on States; and international assistance and capacity-building.

Also, in its resolution 63/125, entitled "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts", the General Assembly affirmed the need for more effective implementation of international humanitarian law. We hope that the discussions held in the Sixth Committee at the sixty-fifth session of the General Assembly will promote substantive progress that ensures the full implementation of international humanitarian law.

Peru firmly supports programmes and policies that promote the prevention of

violence, and in particular those that protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, as well as other forms of violence that arise in armed conflict. In this context, we insist on the need for the full implementation of resolution 1325 (2000) to ensure that serious cases of rape and other sexual violence do not go unpunished. We consider it a priority that States assume the responsibility to ensure that justice is served and that responsible parties are punished, as part of a central focus on national reconciliation that all should emphasize.

I would like to underline that Peru is party to the Rome Statute of the International Criminal Court, which establishes in its articles 5 and 9 the Court's jurisdiction to judge war crimes in international and domestic armed conflicts. In that respect, Peru has complied with the requirement to incorporate into its domestic legislation measures for cooperation with the Court in order to ensure that responsible parties are effectively tried. I further wish to underscore that at the Review Conference of the Rome Statute in Kampala, Peru, together with the Netherlands, coordinated the process of presenting pledges to strengthen States' commitment to the fight against impunity and the principles and purposes of the Rome Statute.

Peru reiterates its firm support for the promotion of respect for international humanitarian law and efforts to encourage compliance by all parties to armed conflict, in particular non-State armed groups. We also believe that civilian protection must be strengthened in order to make peacekeeping operations and other missions more effective. In this context, I would like to highlight that my country is a party to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Times of War and to the Additional Protocols on the protection of victims of international and non-international conflicts, which together form the cornerstone of international humanitarian law in the area of protecting civilians. In that regard, we call on all States that are not yet parties to these instruments to accede to them as soon as possible.

Furthermore, at the Thirtieth International Conference of the Red Cross and Red Crescent, Peru made a series of pledges relating to the effective implementation of international humanitarian law and the protection of civilians in armed conflict and other situations of armed violence. Allow me to note a number of the efforts of the International Committee of the Red Cross in its difficult task of disseminating international humanitarian law and protecting civilian populations in armed conflicts. These efforts include such events as the annual seminar for officials accredited by the United Nations, which is an important tool in this undertaking.

Regarding access to humanitarian assistance in armed conflict, my delegation is convinced that parties to a conflict and third-party countries should strictly comply with their obligations to allow and facilitate the rapid and unhindered transit of shipments, equipment and rescue personnel, and to encourage States to foster respect for basic humanitarian principles. We are convinced that concrete actions would give new momentum to the protection of civilians in armed conflicts.

Finally, we must recognize that if we are to strengthen the protection of civilians in post-conflict situations, we must initiate resolute actions to rebuild and then strengthen institutions and the rule of law in affected countries, and stabilize economic conditions through development strategies. Those would be crucial steps towards consolidating any comprehensive effort for peace and development that would serve to effectively combat poverty and social exclusion — problems that are often at the heart of the internal armed conflicts that we strive to prevent. As a member of the Peacebuilding Commission, my country has been contributing to achieving that goal.

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