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**STATEMENT BY THE DELEGATION OF GUATEMALA
IN THE SECURITY COUNCIL OPEN DEBATE:
“PROTECTION OF CIVILIANS IN ARMED CONFLICT”**

New York, 9 November, 2011

Mister President:

We welcome the participation of the President of Portugal as well as the interventions from the Secretary General, the High Commissioner for Human Rights, the ASG of OCHA and of the ICRC representative.

We are pleased to take part in this important debate and associate ourselves with the statement delivered by Egypt on behalf of the Non-Aligned Movement. In Guatemala, like in many other troop-contributing countries, we struggle with the dilemma of, on the one hand, limiting our presence in the country to keeping the peace, without exposing our troops to offensive actions that place them in harm's way, and on the other hand, accompanying humanitarian efforts of protecting the civilian population as part of a broader mandate to restore stability and normality in the day-by-day routine of the inhabitants on the ground.

From a wider standpoint, we welcome the continued willingness of the Council to address the needs of civilians as a matter of protection in armed conflict. It is crucial to redouble our efforts to overcome the five core challenges identified by the Secretary-General in 2009.¹ The fact is that despite the numerous reports, resolutions, wealth of experience and lessons-learned accumulated in the past decade, civilians still account for the vast majority of casualties and the risks they bear have only intensified. Moreover, it is the most vulnerable civilians –children and women- that are exposed to higher risk.

¹ Report of the Secretary-General on the protection of civilians in armed conflict S/2009/277: Enhancing compliance by parties to conflict with international law, in particular in the conduct of hostilities; enhancing compliance with the law by non-State armed groups; enhancing protection through more effective and better resourced peacekeeping and other relevant missions; enhancing humanitarian access; and enhancing accountability for violations of international law.

Mister President:

This issue goes a long, but today we'd like to focus on the challenges to implementation in the field and lessons learned.

We encourage more progress concerning the conceptual and operational aspects of the protection of civilians in the framework of peacekeeping operations. Also, we acknowledge a lot has been done to achieve greater consistency in the implementation of mandates, identification of problems as well as existing limitations, and in seeking solutions. The allocation of sufficient resources for protection activities and initiatives is key, and expands the capability of peacekeeping missions to protect civilians.

The civilian populations' own protection initiatives should also be supported given that they not only involve the main stakeholders but also lay the foundations for their recovery and long-term development. Their participation is crucial to salvage community remnants while promoting the reconstruction of the social fabric as well as to support the resettlement of displaced persons. This also includes strengthening the leadership role women undertake during reconciliation processes. They are agents of change, and in the case of Guatemala they are able to create spaces for conflict prevention, mediation and resolution, as well as for peacebuilding.

We are concerned with the asymmetric nature of existing conflicts increasingly notable for breaches of international law by the parties to the armed conflict and the non-observance of the principles of distinction and proportionality. This is enhanced by the proliferation and fragmentation of non-state armed groups that resort to strategies that flagrantly contravene international law; but also because of access to new technology that includes long-range artillery and missiles, expanding thereby the conflict zone and exposing civilians to even more attacks. Therefore it is vital to recognize that conventional measures are not sufficient to address core challenges and emerging dangers.

Mister President:

Allow me to bring an additional matter to your attention, one which has natural connections with today's subject and cannot be left out. Our delegation is among those that consider paragraphs 138 and 139 of the 2005 World Summit Outcome Document to be one of the most outstanding achievements obtained at that meeting. We consider the evolution in the doctrine of international humanitarian law in recent years a major step forward. The primary responsibility to protect civilians falls on states but these are equally responsible for seeking international assistance when this basic duty cannot be fulfilled. In other words, sovereignty equals responsibility and responsibility equals accountability.

In the next years both the General Assembly and the Security Council will have a prominent role to play in making this concept operational while also presenting an opportunity to continue improving the United Nations' assistance structure.

We must collectively make sure that populations at risk have access at all times to the highest protection possible, that perpetrators of abuses are held accountable for their actions, and that the enhancement, monitoring and strengthening of capabilities produce tangible results. This Council, and the international community as a whole, will be judged according to their capacity to protect the most vulnerable.

Thank you.