



*(Check against delivery)*

**STATEMENT OF H.E. HAROLD CABALLEROS, MINISTER OF FOREIGN AFFAIRS OF GUATEMALA IN THE  
OPEN DEBATE ON THE PROTECTION OF CIVILIANS IN ARMED CONFLICT  
UNITED NATIONS SECURITY COUNCIL**

(25 June, 2012)

Mister President,

I am pleased that my presence in New York to attend to matters unrelated to the Security Council nevertheless gives me the opportunity to join you for the third time since I became Minister of Foreign Affairs of Guatemala six months ago. I also take the occasion to thank the Secretary-General for the presentation of his ninth Report on the protection of civilians in armed conflict, the statement of Ms. Valerie Amos, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; and the statement of Mr. Ivan Šimonović, Assistant Secretary-General, on behalf of Ms. Navi Pillay, United Nations High Commissioner for Human Rights.

I also appreciate the presentation of the Director-General of the International Committee of the Red Cross, Yves Daccord. Indeed, his presence underlines the enormous potential of strengthening the informal partnerships between the United Nations, the ICRC and the NGO community that deal with humanitarian aspects and, more concretely, the protection of civilians in conflict situations. Naturally, I would say the same regarding the potential of more formal alliances in this topic with regional and sub-regional organizations.

Mister President,

Protection of human life in general, and the protection of civilian populations from the terrible consequences of armed conflicts, are at the core of the United Nations' reason for being, and were the main sources of inspiration for the adoption of the Charter, as a consequence of the horrors of the two World Wars of the Twentieth Century.

The majority of Reports that we have studies regarding protection of civilians in conflict situations -- as well as their corollaries, such as the protection of women and children or humanitarian workers -- point to Resolution 1265 of 1999 as the starting point of a new and prolific stage on this matter in the activities of the Security Council.<sup>1</sup> But it could be argued that the prevention of conflicts before they erupt, which is the core mandate of the Security Council, is the most efficient manner to protect civilians from the scourge of war. In this sense, the matter has been in the background of the Council's activities since the very beginning.

Having said the above, it is undeniable that starting in 1999, the Council has given a qualitative leap in adding to its generic mandate to preserve peace and security at the international level, tangible and specific actions aimed at protecting innocent civilians from armed conflicts, when these

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<sup>1</sup> See, among others: UNSCR 1296 (2000), 1325 (2000), 1674 (2006), 1738 (2006) and 1894 (2009).

unfortunately occur. In the not-too-distant past, peacekeepers participating in stabilization or peacekeeping missions were obliged to be passive witnesses of grave violations that parties to conflict inflicted on civilian populations, without being able to intervene. Today, an increasing number of Security Council resolutions creating those operations contain very explicit mandates on the protection of civilians. And today, in contrast to the past, those conflicts tend to be of an inter-state nature, and not between States. Unfortunately, the main victims of those conflicts are always innocent civilians, often boys and girls, and especially women, who suffer grotesque abuses aimed against life, dignity and the most fundamental human rights.

We cannot tolerate the images of the dead, the wounded, the crippled, the mutilated, those tortured, those stripped of all their belongings, and those displaced; often victims of high-powered explosives, mines, or frontal attacks. However, those barbarous acts occur every day, in distinct geographical points of the planet. This fact, in addition to being a blemish on our humanity, reflects a grave fault on the part of Sovereign States that do not comply with one of their primary obligations, which is to protect their citizens. Speaking from the vantage point of my own country, I would like to tell you that those images offend us. That is why we have participated actively through our troops in peace-keeping operations with strong mandates of protection of civilians, as happens, for example, in the Democratic Republic of Congo.

Our Government aligns itself with the policies that this Council and the Secretariat have been developing over the years. Many of those policies are codified in PRST 25 of November 22, 2010, especially in its detailed annex. We also support the conclusions and recommendations contained in the Secretary-General's Ninth Report, presented to us on this occasion. We appreciate the updating and development of the five core challenges identified in previous reports.<sup>2</sup> Looking forward, we will continue to participate in the work of the informal Expert Group on the protection of Civilians.

We also value having brought to the mainstream of our deliberations some topics insufficiently developed in previous reports, such as the limitation of access of humanitarian assistance to populations in need of food, water and medical services; attacks on humanitarian personnel, health centers, and ambulances transporting the wounded to those centers; the kidnapping of humanitarian workers; the difficult situation faced by migrant workers and their families in situations of conflict, as well as the stealing of equipment and provisions destined to humanitarian assistance. On another matter: now that we have adhered to the Rome Statute, we will be even more forceful on accountability – for Government officials or non-State armed groups – for those who in conflict situations flagrantly violated relevant international law and humanitarian law by deliberately attacking the civilian population.

Furthermore, we align ourselves with paragraph 21 of the Secretary-General's Report, which basically proposes not to politicize the noble task of humanitarian assistance. We have made no secret of our support to the norm of the Responsibility to Protect, which in fact does overlap and have some common aspects with the Protection of Civilians. But we believe that the debate that persists surrounding the so-called "Pillar three" of R2P should not contaminate the broader concept of Protection of Civilians, rooted in humanitarian law, and which is the subject of today's gathering.

Mister President,

Two final words. First, we view favorably the utilization of the training modules for the protection of civilians developed by the Department of Peacekeeping Operations and the Department of

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<sup>2</sup> Enhancing compliance by parties to conflict with International law; enhancing compliance by non-State armed groups; enhancing protection by United Nations peacekeeping and other relevant missions; improving humanitarian access; and enhancing accountability for violations.

Field Support, and that these are being offered to the military and police personnel assigned to those Missions with a mandate to protect civilians. This will allow, among other aspects, give a renewed impetus in the future the considerable achievements attained by the United Nations in the area of protection of civilians in conflict situations. Second, we pay homage to all those persons involved in the past and at present in peacekeeping operations, which have undoubtedly been directly responsible for saving millions of lives. It is regrettable, however, that this task is far from completed.

Thank you.