



United Nations General Assembly | Sixth Committee
Status of the Protocols Additional to the Geneva Conventions of 1949
and relating to the protection of victims of armed conflicts
16-17 October 2018

(check against delivery)

Mr. Chairman,

Brazil aligns itself with the statement delivered by El Salvador on behalf of Community of Latin American and Caribbean States (CELAC) and takes this opportunity to address some issues from a national perspective.

Brazil welcomes the report of the Secretary General under this agenda item and thank Member States, as well as the International Committee of the Red Cross for their contributions. Brazil encourages those that have not yet done so to consider providing the Secretary-General with information on their implementation of international humanitarian law.

Mr. Chairman,

This year marks the 150th anniversary of the Saint Petersburg Declaration, whose importance goes beyond the proscription of certain types of weapons. Together with the Geneva Convention of 1864, these instruments are at the origins of a basic idea that is still valid today: that the necessities of war ought to yield to the requirements of humanity. IHL embodies the notion that even when law fails and conflict erupts, there are still rules aimed at protecting the most vulnerable, avoiding unnecessary suffering and maintaining humanity during hostilities.

Brazil sees with great concern the growing lack of respect for IHL. The disregard for the most fundamental norms during armed conflicts has already caused immense human suffering, claiming the lives of innocent civilians and leaving a path of destruction and despair.

The first IHL norms emerged when war was not prohibited, and there was no international organization with a collective security system aimed at maintaining peace. The creation of the United Nations, along with a clear prohibition of the use of force, has raised hopes that IHL would fall into disuse: there would be no need for rules governing wars had we achieved the goal of maintaining peace. Yet, we still witness countless international and internal armed conflicts across the globe, with dire consequences to civilians – especially to persons belonging to most vulnerable groups. Military action inevitably results in high human and material costs, and if we are truly willing to avoid violations of IHL and to protect civilians, we should first commit ourselves to only consider resorting to force after exhausting all other options, and always in line with the UN Charter.

The existence of numerous armed conflicts around the globe, many of which long lasting, shows how international humanitarian law still has a key role to play. It is not only a matter of developing new rules governing war, but of finding ways to ensure that they are respected. If all parties to a conflict were committed to respect at least basic IHL principles – such as proportionality, necessity and distinction – the situation on the ground would not be so tragic. Unfortunately, however, indiscriminate attacks on civilians, destruction of cultural heritage, military action against schools and medical facilities, use of explosive weapons in populated areas and access restrictions for humanitarian workers have been the sad rule rather than the exception. Let us then take this opportunity to renew our commitment to IHL, and to find ways to make it not only more effective, but also capable of addressing the challenges brought about by new technologies, such as lethal autonomous weapon systems, cyber-attacks and drones.

Mr. Chairman,

At the 32nd International Conference of the Red Cross and Red Crescent, consensus was reached on a number of policy measures to address current and upcoming challenges in the field of humanitarian assistance. Nevertheless, we fell short of concrete steps to address the gaps and weaknesses in the implementation of IHL. Brazil hopes that all States will continue engaging constructively in the intergovernmental process aimed at strengthening compliance with IHL.

Brazil is a party to all the main instruments in international humanitarian law, including the four Geneva Conventions and the Additional Protocols. On the limitation of means and methods of war, Brazil has taken significant steps to promote the proscription of certain types of weapons. It was, for instance, among the proponents of the General Assembly resolution that culminated in the adoption of the Treaty on the Prohibition of Nuclear Weapons. Brazil has participated actively in the negotiation of the treaty, being the first state to sign it, in September 2017.

Through its National Committee on International Humanitarian Law, Brazil has endeavored to disseminate and implement IHL related instruments domestically. The agenda of our National Committee cover issues related to education on IHL, protection of cultural property in armed conflicts, monitoring of pending draft bills on IHL matters, health and IHL, protection of the emblems, among others. Last March, the Committee created a subcommittee on New Technologies of War, whose objective is to gather and disseminate information that may contribute to internal and international debates on the compatibility of new technologies with international law, particularly IHL and international human rights law.

Ensuring more respect to international humanitarian law remains the key challenge for the protection of civilians in armed conflicts. However, the strongest commitment that we can make to protect civilians goes beyond IHL. It is inextricably connected to a less militarized international order and to a renewed commitment to multilateralism.

Thank you.