

*Permanent Mission of  
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The Permanent Mission of Brazil to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations and, with regard to the letter requesting information and observations pursuant to UNGA resolution 75/138, Brazil presents the following information on the "Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims in armed conflicts" .

**Participation in treaties related to International Humanitarian Law (IHL)**

Brazil is a party to all the main instruments in international humanitarian law (IHL), including the four Geneva Conventions and the Additional Protocols.

**International Support**

Humanitarian response and promotion of human rights is one of the seven priorities established by Brazil for its 2022-2023 term in the United Nations Security Council (UNSC). In the UNSC, Brazil continues to advocate the strict respect for IHL and

International Human Rights Law with a focus on prevention, through mediation and peacebuilding, and on the protection of civilians upholding the principles of distinction, proportionality, precaution and humanity, both by the parties to armed conflicts and by the UNSC in the adoption of sanctions and other measures to support international peace and security.

Brazil is aware of the unprecedented challenges international humanitarian law faces today. We have entered an era of greater complexity in the field of war, in which conflicts implicate a greater number of actors, last longer, develop in new scenarios, and involve means and methods not foreseen decades ago.

Brazil is a member of the Group of Friends on the protection of civilians in armed conflict, where it works to encourage the international community to reduce the impacts of armed conflict on civilian populations. In order to accomplish this mission, the country remains committed to the protection of vulnerable populations in the context of armed conflict, especially women, children, the elderly, and people with disabilities.

Brazil is actively and constructively engaged in the international diplomatic process to develop a political declaration on the use of explosive weapons in populated areas (EWIPA). For Brazil, such a political declaration should establish common standards, promote policies to reduce the risk of civilian harm and facilitate the exchange of good

practices. It is also an opportunity to promote compliance with IHL and recognize the rights of victims and affected communities, providing them with adequate assistance.

In January 2022, at the UNSC open debate on "War in Cities: Protection of Civilians in Urban Settings", Brazil renewed its support to the informal consultations coordinated by Ireland regarding the political declaration on the use of EWIPA.

We also have been active on the discussions of the Open-ended Intergovernmental Working Group on an international regulatory framework of activities of private military and security companies (PMSCs), in all its sessions (2019, 2020 and 2022). Brazil has highlighted the limits of the existing normative framework regarding PMSCs, as shown in various reports of abuses and violations of human rights and international humanitarian law by these companies. In our view, the celebration of an international convention on the subject would provide greater legal certainty to the actions of PMSCs; strengthen the observance of international humanitarian law, and promote accountability of those who violate its rules.

Brazil is engaged in the discussions regarding the protection of education during armed conflicts. The country participated in the Third (March 2019) and the Fourth (October 2021) International Safe Schools Conference with a view to contributing to the process of identifying ways to implement the Safe Schools Declaration, which Brazil endorsed in May 2015.

In February 2020, within the scope of the Warsaw Conference to promote a future of peace and security in the Middle East, Brazil co-chaired, along with the USA and Poland, a Working Group on Humanitarian Affairs and Refugees. The Conference focused on the education of children and the youth in the context of the humanitarian and refugee crises in Syria, Iraq and Yemen, with two priorities: i) ensuring that children and the youth have full and secure access to quality education; and ii) guaranteeing the protection of children and young people in contexts of instability. The Group has also highlighted the aggravated risks that women and girls face in these contexts, especially due to sexual and gender-based violence. These are guidelines that Brazil continues to pursue in its mandate in the UNSC.

### **National Implementation**

The Brazilian government has endeavored to disseminate and implement IHL-related instruments into domestic law and military practice. The Brazilian Armed Forces are, at all levels, professionally trained in the application of these rules. This includes special courses to officials deployed in United Nations peacekeeping operations.

Brazil is evaluating possibilities to redesign its national commission for the implementation of IHL, with a more flexible structure, so as to allow Brazilian government and other stakeholders to pursue a more dynamic set of initiatives, engage different actors

and better respond to challenges relating to IHL implementation. We participated as observers in the Americas Regional Meeting of National Committees and Similar Bodies on International Humanitarian Law, in February 2021, hosted by Ecuador, and took careful note of the recommendations and best practices emanating thereof, which provided a useful set of insights for our own discussions on the matter.

Brazil also remains firmly committed to alleviating the suffering of people displaced by armed conflict and political instability who seek safety within our borders. In Brazil, migrants, refugees and asylum-seekers, without any kind of discrimination, have full access to public services, including health and vaccination. Despite the exceptional circumstances brought by the COVID-19 pandemic, we have kept our commitments in terms of protection and assistance to refugees and migrants in general, and especially regarding Venezuelan migrants and refugees, whose movement within the region constitutes one of the largest international displacement crisis in the world and an unprecedented challenge to countries in Latin America and the Caribbean.

"Operation Welcome", the government-led multi-agency task force that coordinates the Brazilian response to the Venezuelan flow, has continued to provide assistance, which includes shelter, immunization, protection, documentation, and voluntary relocation ("interiorization"). The interiorization strategy has become the dynamic core of the Operation, and it has already benefited more than 74,000 Venezuelans resettled to 826 Brazilian cities. Currently, more than 345,000 Venezuelans live in Brazil.

This policy has been carried out in addition to our engagement to welcome other nationalities. In this regard, Brazil has established humanitarian visas for persons affected by armed conflicts or situations of instability in Ukraine, Afghanistan, Haiti and Syria. The humanitarian visas allow for their regularization and documentation upon arrival in Brazil, which ensures access to all public services and benefits without any discrimination. This is an example of Brazil's unshakable commitment to human rights and the protection of the most vulnerable.

The Permanent Mission of Brazil avails itself of this opportunity to renew to the Office of Legal Affairs of the United Nations the assurances of its highest consideration.

New York, June 1st 2022.