Consultations on the Elements of a Political Declaration on EWIPA
Statement on Section 2
SEHLAC Network and Project Ploughshares
Geneva, 10 February 2020
Delivered by Cesar Jaramillo

Thank you, Chair.

I am speaking on behalf of the SEHLAC Network on human security in Latin America and the Caribbean, and of Project Ploughshares—both members of the International Network on Explosive Weapons.

We believe it is important not to confuse the importance of IHL—which no one denies—with the poor pattern of compliance by both state and non-state actors with this body of law—which no one could deny. These are not mutually exclusive propositions and should both be recognized by a political declaration on EWIPA. Put another way, a recognition of persistent IHL violations, over time and across conflict zones, is not to undermine IHL or to question its relevance; what is being questioned is the extent to which parties to armed conflict are adhering with IHL provisions.

Separately, we have heard some delegations place responsibility for the EWIPA problem almost exclusively on non-state actors. While non-state actors are indeed a factor to consider in this process, we find it hard to see how any transgressions by non-state actors would in any way exempt states from their own responsibilities, or would lower the benchmark of expectations for acceptable state practice during armed conflict.

Thank you.