



Intervention by the Holy See Delegation to the consultations on a “Draft Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas” – Section I  
*Geneva, 6-8 April 2022*

Thank you for giving me the floor, Mr. Chairperson.

As we did not take the floor this morning, before delving into specific comments, please allow me to express the gratitude of the Holy See to Ireland for its leadership of this important and all the more necessary political declaration.

As a general comment, let me be clear that the participation of the Holy See in this process originates from its firm conviction of the fundamentally inhumane and cruel nature of conflicts. It is a fact that conventional weapons are truly becoming less and less “conventional” and more and more “weapons of mass displacement”, as their destructive power and sophistication is able to devastate entire cities, schools, hospitals, infrastructures and services essential to the population.

Regrettably, that minimum protection of the dignity of every person, which ought to be guaranteed with great vigilance through the dutiful implementation of international instruments, is all too often violated in the name of military or political demands. Violent and prolonged conflicts persist, increase and worsen. Atrocities and grave offences against the dignity of the human person are being perpetrated in the name of military and political demands.

In this regard, by participating in this process, the Holy See intends to renew its encouragement and support other States to take all feasible possible measures to prevent and mitigate the negative consequences of hostilities.

Mr. Chairperson,

Going into specific comments for section 1, the Holy See welcomes the improvements made since the previous draft and welcomes the recognition that the risks to civilians have increased and that this is a source of major concern that must be addressed. In our view, it is crucial to place the human person, and in particular past, present, and future victims, at the center of concerns. In fact, a tragic reality is that throughout history all conflicts have been ostensibly “justified”, and this has resulted in the suffering of civilians.

- **Regarding Paragraph 1.3, we have a specific drafting suggestion.** It is a fact that modern armed conflicts cause physical and psychological suffering – but at the same time, there is an important spiritual dimension. In this regard, this Delegation wishes to replace the expression “cultural heritage sites” with a broader reference that includes a specific reference to places of worship. Therefore, we suggest redrafting the beginning of the paragraph as follows: **“The destruction of housing, schools, hospitals and health care facilities, as well as that of historic monuments, works of art and places of worships which constitute the cultural or spiritual heritage of peoples, further aggravates...”**. This terminology is agreed language taken from Additional Protocol I to the 1949 Geneva Conventions, namely Art. 53 and Art. 85, paragraph 4(d).
- With reference to paragraph 1.5, we welcome the addition of the expression “avoid, and in any event minimize” in place of “mitigate” and the addition of “universal” before implementation. Indeed, we agree with what was said by other Delegations that this declaration will be only as effective as it is universal.

- With reference to paragraph 1.7, the Holy See appreciates the added emphasis on the “imperative of addressing the short and long-term humanitarian consequences” of the use of explosive weapons – as this implies a reference to the civilians, which are the ones who suffer the most from the ravages of war.
- **With reference to what is now paragraph 1.7bis**, this Delegation believes that research should remain general, focusing on the impact of explosive weapons on everyone who is affected, including women and girls. In this regard, we have concerns regarding the use of the expression “gendered impacts”, which is not an agreed term under IHL. In our view, for a political declaration whose title is “Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas”, to focus solely on “gendered impacts” is very limiting. For us the keywords are protection and populated areas. Therefore, to capture the need to focus on everyone, in particular those in populated areas, we propose to rephrase the last part of this paragraph by adding a specific reference to local communities and urban populations. The last part of **para 1.7bis would read as follows: “.. and we encourage further research into the impact of the use of explosive weapons, especially on local communities and urban population.”**

We will be happy to submit the specific textual proposals in written format to the Secretariat. Thank you.