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Chair: Mr. Afonso (Mozambique)
later: Ms. Sverrisdóttir (Vice-Chair) (Iceland)

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The meeting was called to order at 3 p.m.

Agenda item 75: Report of the United Nations Commission on International Trade Law on the work of its fifty-fifth session (continued) (A/77/17)

1. **Mr. Choi Taeun** (Republic of Korea) said that his Government's key policy task was to bring its laws up to global standards. In that context, strengthening cooperation with the United Nations Commission on International Trade Law (UNCITRAL) was more important than ever. The Republic of Korea would fulfil its responsibilities as a member of the international community by adopting new international trade rules and implementing global conventions. It would actively review the draft convention on the international effects of judicial sales of ships, the UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services and the UNCITRAL Mediation Rules.

2. His Government had been promoting the adoption and dissemination of international trade standards through its cooperation with the UNCITRAL Regional Centre for Asia and the Pacific. In August 2021, it had renewed the memorandum of understanding concerning the provision of financial support to the Centre and had co-hosted international events, such as the Incheon Law and Business Forum, the Seoul Alternative Dispute Resolution Festival, the UNCITRAL special session on alternative dispute resolution and the UNCITRAL side event on digital trade.

3. **Mr. Wavrin** (France) said that, while the return to in-person meetings was welcome, digital technology had made it possible to hold informal consultations remotely. While such new working methods were necessary to ensure flexibility and efficiency in the work of UNCITRAL, they should not be used to the detriment of transparency or the use of the working languages of the United Nations. Rules should therefore be developed to reconcile the new working methods with those principles.

4. France had actively participated in the elaboration of the UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services, which aimed to facilitate the proper identification of persons online and to provide assurance on data quality. France therefore recommended the transposition of that instrument, which was the first legal text to harmonize global standards on the subject.

5. His delegation had also participated actively and constructively in the work that had led to the approval of the draft convention on the international effects of judicial sales of ships. It was also satisfied with the

ongoing work on investment arbitration, which was aimed at establishing an international court as a replacement for international arbitration. France encouraged that work in a concrete manner through its financial contribution to the trust fund granting travel assistance to delegations attending the meetings of the Working Group on the topic.

6. **Mr. Bouchedoub** (Algeria) said that his delegation appreciated the approval of the draft convention on the international effects of judicial sales of ships, which provided increased legal protection to purchasers in such transactions and contributed to the establishment of standards to promote the dissemination of information on prospective judicial sales to interested parties, particularly those in developing countries. His delegation also commended the Commission for developing an alternative to litigation with the adoption of the recommendations to assist mediation centres and other interested bodies with regard to mediation under the UNCITRAL Mediation Rules (2021).

7. Algeria also appreciated the adoption of the UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services, which would guide countries in preparing their relevant national laws. It commended the Commission for its work on e-commerce and other legal issues associated with the digital economy, which enhanced trust in commercial transactions over the Internet and in emerging technologies. The Commission should take into account the digital divide among States and give consideration to the concerns of developing States regarding national sovereignty, security, information confidentiality and data protection.

8. His delegation supported the work of Working Group I ((Micro, Small and Medium-sized Enterprises)) on reducing the legal obstacles faced by micro, small and medium-sized enterprises throughout their life cycles, especially in developing economies. It encouraged the Working Group to reach a decision regarding the specific form to be taken by a draft guide to help States to adopt national legal frameworks that would facilitate access to credit for such enterprises. His delegation encouraged the Commission to continue its efforts to ensure close coordination and cooperation in that work with other international organizations.

9. **Mr. Mainero** (Argentina) said that his country, which had been a member of UNCITRAL almost continuously since 1968 and was firmly committed to its work, welcomed the work of the secretariat in studying the legal issues relating to the impact of the coronavirus disease (COVID-19) pandemic on international trade law. Argentina appreciated the

organization of the annual UNCITRAL Latin America and Caribbean Days, the UNCITRAL Asia-Pacific Days and the UNCITRAL Days in Africa, which provided an excellent opportunity for experts in private international law from academia and regional organizations to make contributions to international arbitration and other issues.

10. His delegation would participate with interest in the work of Working Group II (Dispute Settlement), which would consider the topics of technology-related dispute resolution and adjudication jointly with the objective of developing a guidance text on early dismissal and preliminary determination and submitting it to the Commission for consideration at its session in 2023. His delegation took note of the work carried out by Working Group III with the aim of concluding the ongoing negotiations on possible investor-State dispute settlement reform in 2026. Of particular importance were the ongoing negotiations on the draft code of conduct for adjudicators in international investment disputes and the significant progress made during the forty-third session of the Working Group, including the start of the second reading of the draft prepared by the secretariat based on comments from member States. Given the number of scheduled meetings, it was important to ensure that the entire membership participated effectively, in a transparent and inclusive process.

11. His delegation would continue to follow with interest the work of Working Group IV (Electronic Commerce) which, at its sixty-fourth session, would continue its consideration of the use and cross-border recognition of identity management and trust services, along with a second issues paper on the use of artificial intelligence and automation. His delegation would also participate proactively in the work of Working Group VI on the development of a new instrument on negotiable multimodal transport documents.

12. **Mr. Lasri** (Morocco) said that his country was pleased to have been elected to the Commission, thus attesting to its commitment to strengthening norms on international trade law as well as to the breadth of its expertise in that area. Morocco commended the Commission for its efforts to help countries to improve their domestic laws. Since 2007, Morocco had updated its domestic laws to bring them in line with UNCITRAL model laws, including in particular the UNCITRAL Model Law on International Commercial Arbitration. It had also started the process to ratify the United Nations Convention on International Settlement Agreements Resulting from Mediation and had taken note of the adoption of the UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and

Trust Services, and the approval of the draft convention on the international effects of judicial sales of ships.

13. While his delegation commended the Commission for its work on investor-State dispute settlement reform, it found that investment-related jurisprudence and the documents made available to the public by the relevant arbitration centres were most often in English only, making it difficult for many countries to follow international jurisprudence and also violating the principle of equal access to information. In the context of the work of Working Group III, his delegation had already raised the issue of translation of arbitral decisions in investor-State disputes. If it was too costly to translate all arbitration documents in the six official languages of the United Nations, it would be sufficient to have those documents translated into at least one other language, particularly if that language was the working language of the arbitration centres concerned.

14. Certain procedures could be considered in order to reduce costs related to investor-State dispute settlement, including the use of alternative dispute settlement mechanisms at the domestic level before recourse to international arbitration. A preliminary review mechanism could be established to deal with unfounded or frivolous complaints, with the costs related to all such complaints borne by the complainant. In addition, deadlines for the issuance of a final decision would encourage arbitrators to work more efficiently, although such deadlines should not be so short that they might lead to poor decisions that could be overturned later. Finally, a support mechanism should be created to help developing countries, which lacked access to financial resources and expertise, in managing investor-State disputes.

15. **Ms. Cerrato** (Honduras) said that her delegation, which had been participating actively in the work of the Commission since 2008, commended the secretariat for its commitment to transparency, inclusiveness, flexibility, efficacy and equality, in particular since the outbreak of the COVID-19 pandemic. Honduras welcomed the finalization and approval of the draft convention on the international effects of judicial sales of ships, and the finalization and adoption of the UNCITRAL Model Law on the Use and Cross-border Recognition of Identity Management and Trust Services and the recommendations to assist mediation centres and other interested bodies with regard to mediation under the UNCITRAL Mediation Rules (2021).

16. Honduras was pleased to be one of 10 countries that had ratified the United Nations Convention on International Settlement Agreements Resulting from Mediation, which had entered into force on

12 September 2020. It thanked Singapore for hosting Singapore Week, held from 29 August to 2 September 2022, in order to promote that Convention and to support the development and understanding of mediation, which was being used more and more in national and international trade as an alternative to judicial proceedings.

17. Her delegation attached great importance to the technical cooperation and assistance provided by the Commission to developing countries on reform and development of international trade law. In that regard, it recognized the work of the secretariat in raising awareness of and encouraging discussion on UNCITRAL texts during UNCITRAL Latin America and Caribbean Days, in cooperation with Governments and universities in the region. Her delegation hoped that the Commission would help improve the entire legal framework applicable to micro, small and medium-sized enterprises throughout their life cycles. In her country, such enterprises provided an alternative to migration, helped reduce income inequality and promoted the achievement of the Sustainable Development Goals. They would also play a crucial role in the recovery of the Honduran economy following the COVID-19 pandemic and the devastation caused by tropical storms.

18. Honduras had adopted a number of laws that reflected the content of some of the Commission's texts, including laws governing the development of micro, small and medium-sized enterprises, conciliation and arbitration, electronic signatures and electronic trade. It had also acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards and ratified the United Nations Convention on the Use of Electronic Communications in International Contracts.

Agenda item 81: Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts
(A/77/264)

19. **Ms. Popan** (Representative of the European Union, in its capacity as observer), speaking also on behalf of the candidate countries Albania, Montenegro, North Macedonia, the Republic of Moldova and Ukraine; the stabilization and association process country Bosnia and Herzegovina; the European Free Trade Association country Liechtenstein; and, in addition, Georgia and San Marino, said that the European Union welcomed the fact that 174 States had ratified the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and 169 States had ratified the Protocol Additional to the Geneva Conventions of 12 August

1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). It called on all remaining States to ratify the Additional Protocols, the rules of which had gained the status of customary international law.

20. The European Union was deeply concerned by the pervasiveness of armed conflicts around the globe, causing immense suffering to millions of civilians. The latest example was the Russian war of aggression against Ukraine, which had resulted in civilian deaths, destruction of vital infrastructure and massive displacement. It was worth noting that civilians accounted for the vast majority of casualties when explosive weapons were used indiscriminately in populated areas, and that the civilian population and individual civilians enjoyed general protection against the dangers posed by acts of war. Journalists engaged in dangerous professional missions in areas of armed conflict, in accordance with article 79 of Additional Protocol I and Security Council resolution 2222 (2015) must be protected from harm during armed conflict.

21. The European Union also noted with deep concern the increasing number of attacks against health facilities and medical personnel, including in Ukraine, and still considered it a priority that health care, including mental health, be protected during armed conflict. The European Union was committed to supporting the collection and analysis of data on attacks against medical personnel and health facilities, and to ensuring the safety and security of humanitarian workers and protecting cultural property from the effects of armed conflict.

22. Training and education in international humanitarian law was integral to efforts to increase adherence to international humanitarian law during armed conflict. Ensuring compliance with international humanitarian law was a joint responsibility of all States. To that end, it was important for States to provide training in international humanitarian law in peacetime to military officers and the general population, and to appoint legal advisers to the armed forces. The European Union had incorporated training in international humanitarian law into its Common Security and Defence Policy, through which compliance with international humanitarian law was integrated into the mandates of all non-executive military missions. The European Union also offered training in international humanitarian law to national armed forces in Mali, the Central African Republic, Somalia and Mozambique. It had also adopted guidelines to promote compliance with international humanitarian law and reported annually on their implementation.

23. In a world where armed conflict bred endless human suffering, unceasing efforts must be made to protect life, dignity, the environment and civilian, medical, educational and cultural property during such conflicts. To that end, the European Union and its member States reiterated their commitment to upholding international humanitarian law as part of their wider commitment, contained in the founding treaties of the European Union, to advance respect for human dignity and the principles of international law.

24. **Mr. Bahr Aluloom** (Iraq), speaking on behalf of the Group of Arab States, said that the Group called for full compliance with international law, including international humanitarian law as stipulated in the Geneva Conventions and their Additional Protocols. The Group was deeply concerned about the situation in the occupied State of Palestine, including East Jerusalem, and reiterated that the ultimate goal of international humanitarian law was to protect those who did not participate or who had ceased to participate in hostilities, such as civilians, children, journalists, medical personnel, the sick, the wounded and prisoners. Those persons continued to be targeted by the policies of the Israeli occupation and were the primary victims of its illegal practices.

25. Israeli crimes against the Palestinian people and their land were continuing relentlessly, in grave violation of the norms of international law and international humanitarian law. Despite widespread condemnation, the settlement regime, the blockade, arbitrary mass arrests and killings had remained largely unaddressed by the international community. The immunity and impunity encouraged Israel, the occupying Power, and its officials to consolidate the colonial occupation on the ground. The transfer and settlement by Israel of its settlers on the occupied land of the State of Palestine and the forced expulsion of the Palestinian people living under its occupation were, according to the norms of international law and international humanitarian law, a grave violation of the Geneva Conventions and other related international instruments, and a war crime.

26. The Group of Arab States stressed the need to translate verbal condemnations of the settlement regime into actions in order to reverse the situation on the ground and ensure the independence and sovereignty of the State of Palestine on the territory occupied in 1967. The Group was extremely concerned about the dire humanitarian situation in the Gaza Strip, which was being strangled by the illegal and inhumane Israeli blockade, now entering its fifteenth year. The Palestinian civilian population, who were mostly refugees, were subjected to collective punishment as a

result of that illegal blockade, which was affecting every aspect of life in Gaza. It was destroying the economy, impeding the delivery of humanitarian assistance and basic materials and the repair of homes, destroying infrastructure and undermining socioeconomic recovery. The Group called for an end to the inhumane blockade.

27. The scale and relentlessness of the grave violations of international law, including international humanitarian law, committed by Israel were exacerbating the situation in the occupied State of Palestine. Respect for international law, including international humanitarian law and human rights law, was essential to a peaceful solution of the Israeli-Arab conflict as a whole and the Israeli-Palestinian conflict in particular.

28. The Group once again urged the international community to take up its legal, political and moral responsibility to end the illegal Israeli policies and practices against the Palestinian people and the prolonged Israeli colonial occupation of the State of Palestine, and to take action to provide the international protection needed for the defenceless Palestinian people, including through the urgent implementation of the recommendations contained in the report of the Secretary-General entitled "Protection of the Palestinian civilian population". The Group also called once again on the Government of Switzerland, as depositary of the Geneva Conventions, to convene, on an urgent basis, a conference of the High Contracting Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War to take further legal steps to ensure respect of and compliance with the Convention and to evaluate the implementation of the declaration adopted on 17 December 2014 by the Conference of High Contracting Parties to the Fourth Geneva Convention.

29. The Group condemned all measures taken by Israel to change the legal, material and demographic status of the occupied Syrian Golan and called on Israel to withdraw fully from all Arab territories occupied as of 4 June 1967, in accordance with the relevant United Nations resolutions. Lastly, the Group welcomed the opportunity to enhance awareness of international humanitarian law as it related to the protection of civilians in armed conflicts, and commended the International Committee of the Red Cross for the role it played in strengthening international humanitarian law.

30. **Ms. Fielding** (Sweden), speaking on behalf of the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden), said that international humanitarian law must be upheld in the ongoing war of aggression of

Russia against Ukraine and in all other armed conflicts. Intentional attacks on civilians and civilian objects violated the laws of war and had led to tremendous and widespread civilian suffering. The International Committee of the Red Cross (ICRC) and other organizations played a vital role in ensuring the delivery of assistance in an impartial and independent manner to affected populations. The international community must do its utmost to safeguard that role.

31. It was unacceptable that hundreds of aid workers had been killed, injured or kidnapped in the past year. The Nordic countries were therefore encouraged that the Security Council, in its resolution [2573 \(2021\)](#), inter alia, called on all parties to armed conflict to comply with their obligations under international humanitarian law, including refraining from attacking objects that were indispensable to the survival of the civilian population and respecting and protecting humanitarian personnel and consignments used for humanitarian relief operations. In many conflict zones worldwide, students and teachers were killed, raped or abducted and education facilities were occupied, bombed and destroyed. The Nordic countries were therefore also encouraged by the adoption of Security Council resolution [2601 \(2021\)](#), in which the Council condemned attacks against schools, children and teachers, and urged parties to conflict to take all feasible measures to safeguard the right to education, including in armed conflict.

32. Those responsible for international crimes and serious violations of international humanitarian law must be held accountable in order to preserve the rules-based international order as a whole, and especially to ensure justice and redress for victims. While ensuring accountability was primarily a domestic responsibility, the international community should help, when possible, through financial or in-kind support or by exercising universal jurisdiction and initiating their own preliminary investigations. The Nordic countries fully supported the International Criminal Court, which fought impunity by investigating and prosecuting the most serious international crimes. In view of the greatly increased demands on the Court, the Nordic countries had recently increased their support to the Court through funding and the secondment of staff.

33. The Nordic countries commended the work of journalists and civil society actors who, despite threats and violence, reported on violations of human rights and international humanitarian law from conflict zones around the world. The Nordic countries championed gender equality and welcomed the ongoing work of ICRC and other entities in modernizing the interpretation of gender and international humanitarian

law. Women, men, boys and girls had different perspectives and needs, especially in the light of shifting gender roles. Women in particular could be facing particular physical and psychological risks, but were by no means only victims.

34. Climate change and environmental degradation increased the risk of new conflicts and worsened ongoing conflicts. The Nordic countries welcomed the International Law Commission's adoption of its draft principles on protection of the environment in relation to armed conflicts, which represented a major step forward in the systematization of the law on that topic. The Nordic countries were strongly committed to curbing climate change with ambitious national measures and through assistance to the worst-affected countries and populations.

35. *Ms. Sverrisdóttir (Iceland), Vice-Chair, took the Chair.*

36. **Ms. McIntyre** (Australia), speaking also on behalf of Canada and New Zealand, said that the Protocols Additional to the Geneva Conventions of 1949 remained an essential component of the international humanitarian law framework that protected civilians and other persons in both international and non-international armed conflicts. States that had not yet ratified the Additional Protocols should do so as soon as possible and all States parties should give full effect to their provisions, in order to ensure that the protections afforded under international humanitarian law were applied by all parties in all armed conflicts at all times. Many of the key provisions of the Additional Protocols reflected customary international law and, as such, were binding on all parties to armed conflict. Recent events, especially the ongoing aggression by Russia in Ukraine, had highlighted the importance of those provisions.

37. Australia, Canada and New Zealand encouraged the International Conferences of the Red Cross and Red Crescent to continue to engage with States on mechanisms to enhance compliance with international humanitarian law. The three delegations welcomed the fact that the thirty-third Conference had adopted a resolution in which it urged all parties to armed conflicts to fully comply with their obligations under international humanitarian law and called upon States to adopt the necessary legislative, administrative and practical measures at the domestic level to implement international humanitarian law. Those measures could include incorporating international humanitarian law into their military doctrines, field training and rules of engagement; sharing lessons learned and good practices; and ensuring that national judicial structures

were capable of effectively addressing violations of international humanitarian law.

38. Australia, Canada and New Zealand would continue to work to ensure that civilians and victims of armed conflict were afforded protection in line with international humanitarian law, and encouraged all States to do likewise.

39. **Mr. Talebizadeh Sardari** (Islamic Republic of Iran) said that his Government fully recognized the vital role of international humanitarian law, in particular the four Geneva Conventions, in minimizing the negative effects of armed conflicts and protecting victims of war. It attached great importance to the activities of the International Committee of the Red Cross (ICRC) and had successfully implemented joint projects with that organization to disseminate and enhance respect for international humanitarian law in his country.

40. The Islamic Republic of Iran had ratified the Geneva Conventions in 1949, and while it was a signatory, but not a party, to their Additional Protocols, it had made efforts to complete the domestic procedures for their ratification. In order to implement the Conventions, Parliament had enacted a law relating to crimes committed by the military and had issued a directive on the disciplinary regulations of the armed forces. The Government had also established a working group comprising judges, prosecutors, lawyers, prominent academics and representatives of the Ministry of Foreign Affairs and the Ministry of Justice to develop a draft law criminalizing the most heinous international crimes, including war crimes.

41. The Islamic Republic of Iran endeavoured to disseminate and promote humanitarian norms and values through the activities of the Iranian national committee on humanitarian law and with supported from ICRC, which included the translation of several ICRC resources into Farsi. In addition, arrangements were being made to facilitate the participation of Iranian armed forces commanders in educational programmes on international humanitarian law.

42. **Mr. Bigge** (United States of America) said that his country had long been a strong proponent of the development and implementation of international humanitarian law and continued to ensure that all its military operations were in compliance with international humanitarian law and all other applicable international and domestic law. The United States was a party to the Protocol Additional to the Geneva Conventions, relating to the Adoption of an Additional Distinctive Emblem (Protocol III), but it was not a party to the Additional Protocols of 1977. Extensive government reviews, including one completed in 2011,

had found the military practice of the United States to be consistent with the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). Those reviews had also found that any issues with ratification, which was pending the advice and consent of the Senate, could be addressed through reservations, understandings and declarations.

43. Although it continued to have significant concerns about many aspects of Additional Protocol I, relating to the protection of victims of international armed conflicts, his Government had chosen, out of a sense of legal obligation, to treat the principles set forth in article 75 thereof as applicable to any individual it detained in an international armed conflict, and expected all other nations to do likewise. Furthermore, some provisions of Additional Protocol I had been incorporated into instruments to which the United States was a party, such as Protocols II and III to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and the Optional Protocol to the Convention on the Rights of the Child, concerning the involvement of children in armed conflict.

44. The fulfilment of international humanitarian law obligations was critical to reducing the risk to civilians and civilian objects during armed conflict. It was crucial that all parties to conflicts comply with their international humanitarian law obligations, including under the principles of distinction and proportionality, and take precautionary measures to protect the civilian population and other protected persons and objects. To that end, the United States, as a matter of policy, routinely imposed heightened standards that were more protective of civilians than would otherwise be required under international humanitarian law. It also continuously sought to adhere to the applicable requirements of international humanitarian law during armed conflicts and encouraged all States and parties to armed conflicts to do likewise.

45. The recent unlawful full-scale invasion of Ukraine, in which Russian forces had committed war crimes, was a reminder to all States of the importance of compliance with international humanitarian law. The United States continued to support various mechanisms to document and pursue accountability for war crimes and other atrocities in Ukraine.

46. **Ms. Jiménez Alegría** (Mexico) said that international humanitarian law was one of the most important tools for avoiding and combating the terrible consequences of war and for consolidating and

maintaining international peace and security. Mexico welcomed the report of the Secretary-General (A/77/264), which contained encouraging information about the commitment of States to international humanitarian law. It noted the promotion in States of the activities of the International Committee of the Red Cross and other intergovernmental and local entities dedicated to promoting international humanitarian law. Mexico also noted the start of internal legislative processes aimed at strengthening national regulations on the conduct of hostilities and respect for persons involved in armed conflicts, as well as the implementation of the provisions concerning the protection of cultural heritage in conflict situations.

47. Mexico firmly believed that international law was the primary instrument for settling inter-State disputes and for establishing clear rules for the conduct of international relations. Efforts to promote international humanitarian law were relevant not only in times of conflict and in conflict zones. On the contrary, it was in peacetime that States must adopt and develop norms that would help to protect fundamental rights in the unfortunate event of armed conflicts, whether international or non-international.

48. The international community must strive consistently to prohibit armed violence as a tool for the conduct of inter-State relations or for the achievement of political objectives within States. It was important to promote international humanitarian law and the protection of life and human dignity in times of conflict. The Secretary-General attested to that struggle in his report. Efforts to lessen the impact of war did not end with the ratification of the Geneva Conventions and their Additional Protocols. A State should not be satisfied merely with becoming a party to a treaty. It should also take sustained action to implement the norms contained in those instruments, such as the training of its armed forces and dialogue with civil society organizations and academia. The national and international legal framework must be improved so that there was less room for arbitrariness and impunity in times of conflict and in peacetime alike.

49. **Mr. Abdelaziz** (Egypt) said that his country had been one of the first to ratify the four Geneva Conventions and their Additional Protocols. Its commitment to the principles of international humanitarian law was long-standing, dating back to the Pharaonic Era. His Government had recently taken a number of measures to disseminate and strengthen the application of international humanitarian law at the national level. It had formed a national committee on international humanitarian law to improve the implementation of international humanitarian law in the

country, submit recommendations to decision-makers and propose an annual plan to raise awareness of international humanitarian law and enhance training for public sector employees on the subject.

50. The Government had also signed a memorandum of understanding with ICRC to strengthen cooperation in the dissemination of international humanitarian law through the organization of events, conferences and round tables and the preparation of studies on the harmonization of national laws with relevant international instruments ratified by Egypt. Various training activities had been held recently in cooperation with representatives of ICRC in Egypt and the Egyptian Red Crescent Society, covering, inter alia, the strengthening of international humanitarian law, the incorporation of international humanitarian law into Egyptian law school curricula, the holding of a competitive mock trial on international humanitarian law and the hosting of a course in Sharm el-Sheikh on international humanitarian law for participants from throughout the Arab region.

51. **Ms. Flores Soto** (El Salvador) said that it was important to comply with the Geneva Conventions and their Additional Protocols, which her country had ratified, and all other norms of international humanitarian law designed to limit the grave consequences of war and to ensure protection and assistance for victims as well as all persons who were not directly engaged, or had ceased to engage, in hostilities. They needed to be respected in wartime and peacetime alike.

52. El Salvador had established an inter-institutional committee on international humanitarian law whose work was made possible with the support and collaboration of the International Committee of the Red Cross. The inter-institutional committee served as an advisory body to the Government on measures related to the adoption, application and dissemination of international humanitarian law instruments. It had recently organized various activities for the dissemination and implementation of the Geneva Conventions and their Additional Protocols, including presentations to judiciary staff on the application of international humanitarian law in El Salvador, a conference on the importance of the protection of cultural property and of international humanitarian law, and the replacement of damaged blue shields of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict on 10 marked cultural properties.

53. Lastly, following the thirty-third International Conference of the Red Cross and Red Crescent, held in

2019, the committee had presented four country pledges: to protect cultural assets with the blue shield, to update national laws to ensure the long-term development of society, to establish a diploma for lecturers in international humanitarian law focused on senior officers and legal officers of the armed forces, and to establish the El Salvador national plan on international humanitarian law.

54. **Mr. Silveira Braoios** (Brazil) said that his country was a party to all the main instruments of international humanitarian law, including the Geneva Conventions and their Additional Protocols, and had taken significant steps to proscribe all weapons of mass destruction, including by participating actively in the negotiations that had led to the adoption of the Treaty on the Prohibition of Nuclear Weapons, which Brazil had been the first State to sign, in September 2017. His Government had always attached great importance to fostering a culture of respect for international humanitarian law among its national institutions and in international forums, and therefore promoted the incorporation of instruments related to international humanitarian law into its domestic law and military practice.

55. Brazil remained firmly committed to alleviating the suffering of persons displaced by armed conflicts and political instability outside its borders. Migrants, refugees and asylum seekers had full access to public services, including health care and vaccinations, without discrimination and despite the effects of the coronavirus disease (COVID-19) pandemic. Since 2018, more than 770,000 Venezuelan migrants, refugees and asylum seekers had received assistance through Operation Welcome. Approximately 400 Venezuelans, mostly women and children, still crossed the border into Brazil every day, and more than 375,000 Venezuelans had decided to stay in the country. As at August 2022, the interiorization strategy, which had become the dynamic core of the Operation, had benefited approximately 85,000 Venezuelans who had resettled in Brazilian cities since August 2022. The Government had also granted more than 6,000 humanitarian visas to Afghan citizens and had been coordinating efforts with the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration with a view to strengthening local capacities for receiving Afghan refugees.

56. Humanitarian response and the promotion of human rights were among the priorities set by Brazil for its current term as a member of the Security Council. Brazil advocated strict compliance with international humanitarian law, international human rights law and international refugee law and called for adherence to the

Charter and its rules pertaining to the use of force. It therefore firmly condemned the abusive invocation of Article 51, which must be interpreted in a restrictive manner. In the Council, Brazil advocated a stronger focus on Chapter VI of the Charter, which concerned the pacific settlement of disputes, than on Chapter VII, which concerned action with respect to threats to the peace, breaches of the peace and acts of aggression, bearing in mind that prevention, mediation and peacebuilding offered peaceful solutions that prevented crises from escalating into conflicts. Moreover, his Government stressed the need to ensure that civilians and humanitarian access were protected during conflicts.

57. Humanitarian principles should be taken into account in the design of United Nations sanctions regimes, to prevent them from disproportionately affecting the most vulnerable populations, worsening food security crises and hampering the work of humanitarian agents. Brazil had engaged constructively in the discussions on a political declaration on the use of explosive weapons in populated areas, and called for the global implementation of the Safe Schools Declaration and of Security Council resolutions [2601 \(2021\)](#), on the protection of education during armed conflict, [2286 \(2016\)](#), on the protection of medical personnel and facilities in armed conflicts and [2573 \(2021\)](#), on the protection of civilian infrastructure in armed conflict.

58. Respect for international humanitarian law was key to protecting civilians in armed conflicts. The international community must shield humanitarian assistance from politicization. International humanitarian law was, nevertheless, not enough to fully protect civilians; a less militarized international order and a renewed commitment to multilateralism were also required.

59. **Mr. Feruță** (Romania) said that the four Geneva Conventions and their Additional Protocols, as well as other relevant international treaties, must continue to regulate the conduct of hostilities. Romania was committed to efforts designed to consolidate respect for international humanitarian law at the international and regional levels, through initiatives to foster dialogue and cooperation, and at the national level, through the adoption and enforcement of legislative and practical measures. Awareness-raising was one of the best ways to support the effective implementation of international humanitarian law. As the core international humanitarian law treaties had limited mechanisms to ensure compliance and lacked systems for mandatory reporting on national implementation, national voluntary reports were an important tool for strengthening

compliance with and stimulating dialogue on international humanitarian law. His Government had published such a report on the domestic implementation of humanitarian international law in 2021, providing an overview of the measures taken in that regard. It encouraged other States to follow suit.

60. Romania was a steadfast supporter of the International Criminal Court in the fight against impunity for serious crimes of concern to the international community. It had therefore responded positively to the appeal of the Court's Prosecutor for additional financial resources and was involved in the selection of experts for secondment to the Office of the Prosecutor. In 2022, Romania had ratified all the amendments to article 8 of the Rome Statute of the Court.

61. Ongoing violations of international humanitarian law did not render that body of law irrelevant. The Russian Federation, through its unjustified and unprovoked illegal military aggression against Ukraine, was blatantly violating international humanitarian law. All those involved in violations of international law, including international humanitarian law and human rights law, and must be held accountable. Romania had joined other States parties to the Rome Statute in requesting that the Prosecutor investigate any acts of war crimes, crimes against humanity and genocide that had occurred on Ukrainian territory. It had also signed an agreement to become a member of the joint investigation team supported by the European Union Agency for Criminal Justice Cooperation on alleged core international crimes committed in Ukraine.

62. Romania continued to support the efforts of the Independent International Commission of Inquiry on Ukraine and the Moscow Mechanism of the Organization for Security and Cooperation in Europe to investigate violations of human rights and international humanitarian law. Those bodies had presented a comprehensive accounting of evidence of Russian human rights abuses and international humanitarian law violations. The international community must continue to condemn and publicly expose attacks against civilians and must stand united in protecting those who were suffering or facing imminent threats as a result of the aggression against Ukraine.

63. **Ms. Carral Castelo** (Cuba) said that her country, a party to the Geneva Conventions and their Additional Protocols, had undertaken to disseminate widely the provisions of those instruments among the general population and the armed forces in particular. To that end, the Cuban Red Cross offered courses in international humanitarian law and the National Union

of Jurists of Cuba held national and provincial events on the subject every year and organized the Havana International Summer School on public international law and international humanitarian law. Cuba strictly complied with its obligation under the Conventions to include international humanitarian law in military instruction.

64. Cuba had adopted a new Constitution that reflected full respect for the principles and rules of international law, equal rights, territorial integrity, the independence of States, non-use of force or of the threat of the use of force in international relations, international cooperation for mutual and equitable benefit and interest, and the peaceful settlement of disputes on a basis of equality and respect. The Constitution also promoted general and full disarmament and rejected the existence, proliferation or use of nuclear weapons, weapons of mass destruction or others with similar effects, as well as the development and use of new weapons and new forms of warfare, such as cyberwarfare, which violated international law.

65. The National Assembly of People's Power had recently adopted a new Criminal Code, which incorporated offences against international humanitarian law that were previously governed by the Military Offences Act, in line with Additional Protocol I to the Geneva Conventions, for the purpose of ensuring that the breaches set forth therein were recognized as offences in a law applicable to all persons declared responsible for the acts in question. The Code also established offences related to international humanitarian law, namely, "mistreatment of or violence against a prisoner of armed conflict", "pillage", "violence against the population in a theatre of armed conflict" and "misuse of the emblems or signs of the Red Cross or other international organization involved in providing humanitarian aid" in a situation of armed conflict, in line with current approaches to dealing with the different situations caused by both international and domestic armed conflicts.

66. **Ms. Matos** (Portugal) said that the 1977 Protocols Additional to the Geneva Conventions remained fundamental pillars for the codification of the law on the protection of victims of international and non-international armed conflicts. Portugal had ratified both Additional Protocols and, since 1994, had been a supporter of the International Humanitarian Fact-Finding Commission, established under article 90 of Additional Protocol I. In 2021, a Portuguese national had, for the first time, been elected to that Commission.

67. The report of the Secretary-General ([A/77/264](#)) contained information on accessions to and ratifications

of the Additional Protocols and other pertinent international instruments in the period from June 2020 to April 2022, which showed that, in addition to being bound by customary international humanitarian law, States were consenting to become bound by treaties on various topics relating to armed conflict, including international criminal justice, disarmament, non-proliferation and arms control. Regrettably, the effective implementation of the Additional Protocols was undermined by challenges both old and new, ranging from States' capacity to train and supervise their armed forces on related matters, to new methods of warfare and new actors in armed conflicts.

68. In that context, domestic measures played a paramount role. Her Government, for example, had implemented several such measures, including maintaining close collaboration with the Portuguese Red Cross. It had also established a national committee on international humanitarian law, in fulfilment of pledges it had made at the thirty-third International Conference of the Red Cross and Red Crescent. That committee would prove helpful in disseminating and implementing relevant international legal obligations relating to the protection of victims of armed conflict. Portugal urged all parties to armed conflicts to respect and ensure respect for international humanitarian law, including the Additional Protocols.

69. **Ms. Chearbhaill** (Ireland) said that, against the backdrop of continuing violations of international humanitarian law, it was important for the Committee to continue to review the status and implementation of the Additional Protocols to the Geneva Conventions. Ireland was firmly committed to the implementation of international humanitarian law and to efforts aimed at strengthening compliance with international humanitarian law and the protection of civilians in situations of armed conflict. At the domestic level, Ireland had continued its efforts to implement and disseminate international humanitarian law and was in the process of producing a voluntary national report on the implementation of international humanitarian law. It had also established a national advisory committee on the protection of cultural property in the event of armed conflict, which would be an important step in the implementation of the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict and its Second Protocol.

70. At the international level, Ireland had for several years led consultations on a political declaration on strengthening the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas. That declaration would finally be adopted at a high-level international

conference to be held in Dublin in November 2022. Ireland encouraged States to attend the conference and to endorse the declaration.

71. Since beginning its term as a member of the Security Council in January 2021, Ireland had consistently called for compliance with international humanitarian law and accountability for violations. It strongly supported the international criminal justice system, including the International Criminal Court, and urged all States to become parties to the Rome Statute. Ireland had repeatedly called on States to cooperate with that Court's investigations and emphasized the need to strengthen the relationship between the Court and the Security Council.

72. **Mr. Kanu** (Sierra Leone) said that his delegation noted with appreciation the information submitted by Austria contained in the report of the Secretary-General (A/77/264) on that country's continued voluntary financial contributions to the Residual Special Court for Sierra Leone. The continued funding of the Residual Special Court through voluntary financial contributions and subvention by the United Nations were vital for strengthening the implementation of international humanitarian law.

73. Sierra Leone had established a national committee for the implementation of international humanitarian law to recommend and promote the accession to or ratification of international humanitarian law treaties and their implementation, among other things. It had also enacted two laws – the Geneva Conventions Act and the Sierra Leone Red Cross Society Act – which stipulated, inter alia, penalties for violation of the Geneva Conventions and their Additional Protocols, and procedures for legal proceedings concerning protected persons and abuse of the emblem of the Red Cross and of other signs and signals protected by the Geneva Conventions. His delegation called on States that had not yet ratified the Additional Protocols to do so.

74. **Mr. Nyanid** (Cameroon) said that the law of armed conflict must be applied to any armed conflict, whether international or non-international. The status of "prisoner of war", however, which existed only in international armed conflicts, could not be applied to persons captured while participating actively in a non-international armed conflict, although they were still entitled to humanitarian treatment in all circumstances. Although the Additional Protocols had been adopted to address existing gaps by adapting the law of war to developments with regard to conflicts in order to better protect the civilian population, his delegation questioned the scope of article 51 of Additional Protocol I, which stipulated that all persons

that did not meet the criteria of article 43, paragraph 2, of said Protocol were non-combatants and must be protected against dangers arising from military operations. That provision was rather ambiguous, as the category of “civilian” was almost impossible to define, in particular in the context of the “direct” or “active” participation of men and women without uniforms in hostilities. That legal gap should be filled by, among other things, defining the expression “taking active part in the hostilities”, so that such conduct could be distinguished from “indirect” participation.

75. His delegation welcomed the fact that the Additional Protocols updated the law of war and, on several points, even modified or revised the Geneva Conventions. They addressed new forms of conflict and extended the scope of the concept of international armed conflicts by recognizing wars of national liberation as international armed conflicts and national liberation movements as belligerents. The Additional Protocols introduced modifications regarding the status of combatants and prisoners of war and protection of the civilian population. While those advances were welcome, his delegation wondered about their true import, in a context of open hostilities that threatened the existence of States. His delegation invited all States that had not yet ratified the Additional Protocols to do so and would like to see the rules of the Additional Protocols applied to all weapons.

76. His delegation also noted with concern the proliferation of reservations and interpretative declarations to the Additional Protocols, including on the conduct of hostilities, protection of the civilian population and civilian objects, and limitation of the scope of Additional Protocol I to the use of conventional weapons only. Such lawful legal engineering, which was accepted in international law, raised the question of whether Additional Protocol I was compatible with the doctrine of nuclear deterrence and could give rise to the view that the Protocol protected certain strategic interests. Those reservations could weaken the scope of the law of armed conflict in the event of a major conflict, as the text could neither regulate nor prohibit the use of nuclear weapons.

77. His delegation welcomed the adoption of General Assembly resolution [76/127](#), on the safety and security of humanitarian personnel and protection of United Nations personnel, strongly condemned the growing attacks against the safety and security of humanitarian personnel and urged Member States that humanitarian personnel were protected in accordance with the applicable international law. It called upon humanitarian agencies and their staff to respect the cultural, religious and customary values of the people of the countries in

which they operated. It called for efforts to ensure that humanitarian emblems were used only in the areas provided for by the Geneva Conventions and their Additional Protocols, and condemned the misuse of such emblems in illicit trafficking and other criminal activities.

78. **Mr. Moon** Dong Kyu (Republic of Korea) said that all parties to conflicts should abide by the fundamental international humanitarian law principles of humanity, distinction, military necessity, proportionality and precaution. National legislative, administrative and practical measures, including the incorporation of international humanitarian law into military doctrine, field training and rules of engagement, would foster compliance with obligations under international humanitarian law. At the international level, given the changing nature of conflicts, there was a growing belief that international humanitarian law was applicable to non-traditional realms, such as cyberspace and outer space. In addition, the political declaration on the strengthening of the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas had been adopted.

79. While international humanitarian law prohibited attacks on the sick, wounded, health-care facilities and medical personnel engaged exclusively in medical duties, such attacks routinely took place, including in Ukraine. States had the responsibility to investigate, prosecute and punish those responsible for all violations of international humanitarian law. International and regional bodies engaged in the investigation and punishment of such breaches should be supported. In particular, the work of the International Criminal Court could complement the efforts of States to ensure accountability.

80. The Republic of Korea was strongly committed to the implementation of and compliance with international humanitarian law and supported all efforts to end impunity at the national and international levels. It also attached great importance to the work of humanitarian organizations such as ICRC in protecting persons in conflict situations and promoting compliance with and the dissemination of international humanitarian law. The Korean Committee for International Humanitarian Law had made contributions to the implementation and dissemination of international humanitarian law in his country.

81. **Mr. Szczerski** (Poland) said that justice must be delivered to victims of violations of international humanitarian law. Since launching its aggression against Ukraine, Russia had deliberately created a humanitarian

catastrophe and had disregarded the most fundamental principles of international humanitarian law and international human rights law. Daily reports of Russian violence against civilians in Ukraine involved torture, mass killing and the destruction of civilian buildings. Moreover, Russia was deliberately destroying Ukrainian agriculture, depriving millions of people of their right to food and destroying the environment, in breach of articles 54 and 55 of Additional Protocol I to the Geneva Conventions. The ongoing situation in Ukraine raised the important question of whether current international law was sufficient to address the resulting damage to the environment, global food supply and international food security. The international community should be prepared to adequately respond to such detrimental activities and to bring their perpetrators to justice.

82. Poland had established an intergovernmental commission to ensure that international humanitarian law was implemented across the legal system. The Commission was tasked with, among other things, drafting national reports on the implementation and dissemination of international humanitarian law. Those reports focused the special protection of certain categories of persons, such as prisoners of war, internees, returnees and medical and religious personnel, as well as on the special protection of cultural property, hospitals, graves and the natural environment. Poland called upon all States to protect the victims of international and non-international armed conflicts.

83. **Mr. Hollis** (United Kingdom) said that his Government had published a voluntary report on the implementation of international humanitarian law in the United Kingdom and, in collaboration with the British Red Cross, had developed a toolkit to assist other States to produce similar reports, which was available on the Internet in multiple languages. The country's Special Representative on Preventing Sexual Violence in Conflict had issued a call to action to ensure the rights and well-being of children born of sexual violence in conflict. The call to action was aimed at galvanizing international action to support the tens of thousands of children who, owing to the circumstances of their conception, were marginalized and stigmatized by their families and communities.

84. The United Kingdom was also a member of the board of the Global Survivors Fund and, since 2019, had provided £2.7 million to the Fund to support its critical work of providing compensation, livelihood packages, education and health care to survivors of sexual violence in conflict. In November 2022, it would be hosting an international conference on the Preventing Sexual Violence in Conflict Initiative, which would foster further tangible progress in that area. The United

Kingdom National Committee on International Humanitarian Law continued to meet biannually to develop further and disseminate an understanding of national policies and practices on international humanitarian law.

85. Support for international criminal justice and accountability remained a fundamental element of the foreign policy of the United Kingdom. The country continued to support the International Criminal Court and international and hybrid tribunals with a view to strengthening the rules-based international system, delivering justice for victims of the most serious crimes of international concern, and tackling impunity for serious violations of international humanitarian law wherever they occurred, including violations committed by Russian forces in Ukraine.

86. **Ms. Alshaikh** (Saudi Arabia) said that her country, out of its commitment to Islamic principles, supported the peaceful settlement of conflicts in order to achieve security and stability in all countries and to avoid civilian casualties. Saudi Arabia attached particular importance to international humanitarian law at all levels and, to that end, had made efforts to develop a national legal environment that incorporated the provisions of international instruments. In accordance with article 83 of Additional Protocol I, it had disseminated studies on the implementation of international humanitarian law and had cooperated with relevant international organizations on the implementation of such law.

87. Saudi Arabia was a party to a number of instruments on international humanitarian law, including the Geneva Conventions and their Additional Protocols, and called on countries that had not yet ratified those instruments to do so. It complied with its obligations under international humanitarian law by, among other things, cooperating with international humanitarian law institutions and exchanging expertise and best practices in that regard. Saudi Arabia was deeply concerned by grave violations of international humanitarian law that had led to the killing and injuring of people, including the most vulnerable, such as women, children and older persons, as well as by the targeting of civilian and cultural properties protected by international humanitarian law.

88. Her delegation was greatly concerned about the increasing use of advanced weapons, including drones, by Houthi militias against vital civilian installations on Saudi Arabian territory, in violation of international humanitarian law. In addition, the Houthis used child soldiers in combat, running roughshod over all instruments related to international law and human

rights. Despite those violations, and in order to ensure that legitimacy returned to Yemen, the Coalition to Support Legitimacy in Yemen scrupulously respected international humanitarian law in military operations. The Government had taken various measures in that regard, including the adoption of a military penal code which included provisions on war crimes; the development of programmes to educate joint forces on their responsibilities under international humanitarian law; and the distribution of guidebooks to Coalition forces with information on protected sites, such as places of worship, civilian infrastructure and government institutions. The Coalition was committed to using precision weapons, despite their high cost, and employed legal advisors to ensure that the proposed targeting of sites did not violate international humanitarian law.

89. In accordance with its religious and cultural values of peaceful coexistence and solidarity, Saudi Arabia had provided almost \$6 billion in humanitarian assistance to 86 countries, regardless of ethnicity or religion, mostly for health-care and food needs.

90. **Mr. Hauri** (Switzerland) said that, as the depositary of the Geneva Conventions and their Additional Protocols, his country attached great importance to their universal ratification and strongly urged all States that had not yet done so to ratify them as soon as possible. It also encouraged all States parties to Additional Protocol I to recognize the competence of the International Humanitarian Fact-Finding Commission and to show that simply by depositing a declaration with the depositary to that effect.

91. In accordance with the commitments it had made at the thirty-third International Conference of the Red Cross and Red Crescent, Switzerland had in 2020 published its first voluntary report on the implementation of international humanitarian law at the national level. States that had not yet done so were encouraged to draft their own reports. In addition, Switzerland was organizing an online meeting of governmental experts, to be held the following year, to discuss the protection of the environment in armed conflicts. Its objective would be to facilitate the exchange of best practices between States and to contribute to realistic and pragmatic progress in the implementation of international humanitarian law at the national level. All States were encouraged to attend.

92. Lastly, Switzerland was organizing a meeting of governmental experts to be held at the beginning of 2023 to discuss the protection of medical activities in armed conflicts. The aim was to enable States to exchange good practices, which would help to advance

the implementation of international humanitarian law at the national level. States that had not yet done so were encouraged to register for the meeting.

93. **Ms. Matos Menéndez** (Dominican Republic) said that her Government was committed to promoting respect for human rights and worked tirelessly to help restore hope to the millions of people affected by armed conflicts and other humanitarian emergencies. The Dominican Republic was a party to the Geneva Conventions and their Additional Protocols and other international instruments, and was committed to promoting the implementation of international humanitarian law. It had established a broad-based national commission for the implementation and monitoring of international humanitarian law.

94. The world had witnessed the tragic consequences of the multifarious violations of international humanitarian law which, in many cases, represented new and more complex types of violence and forms of war. Latin America and the Caribbean had not been spared from the humanitarian repercussions of conflicts and other non-traditional forms of violence, many of which had not been in existence at the time of adoption of the Geneva Conventions. Although those non-traditional forms of violence might not fall under the scope of international humanitarian law, they still generated significant humanitarian consequences and challenges for the protection of the most vulnerable people and for alleviating their suffering.

95. Despite living in peace, the Dominican Republic was concerned about strengthening humanitarian action at the national, regional and international levels. It had therefore made efforts to increase the capacities of all humanitarian actors, including its military institutions. Since 2001, more than 40,000 Dominican military personnel had completed training in international humanitarian law and human rights, with half of them specializing in, inter alia, human rights and the use of force, and women and armed conflict. The Dominican Republic also collaborated with other Central American countries as part of the Conference of the Armed Forces of Central American Countries, a regional organization that coordinated disaster response efforts, carried out humanitarian operations and promoted the consolidation of peace, democracy and development. Her Government believed that it had a responsibility to put people at the centre of its actions, including those who served in humanitarian situations, and to seek mechanisms that made it possible to address humanitarian challenges relating to new forms of violence in urban areas.

Statements made in exercise of the right of reply

96. **Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela) said that the comments made earlier by the representative of Brazil in respect of his country were not relevant to the current meeting, since the topic under discussion was the protection of victims of armed conflict under the Additional Protocols to the Geneva Conventions. Despite the unbridled attempts by the Government of Brazil, Venezuela currently found itself in perfect peace, with no armed conflict of any kind, despite the efforts of the Government of Brazil to promote an interventionist and military agenda against his country. It should be recalled that barely three years prior, the Government of Brazil had advocated an armed intervention by mercenary and terrorist groups against Venezuela from the southern border shared with Brazil. Perhaps that was the utmost expression of that Government's desire to disrupt the social peace in his country and an attempt to generate a conflict between the two countries. All the information provided by his delegation was properly documented and publicly available.

97. While it was true that there was an increase in migratory flows from his country, in the interests of transparency, it was good to remember that the underlying cause of that increase had been and continued to be the impact of the unilateral coercive measures imposed on his country, which were designed to destroy its economy in an effort to achieve the goal of effecting regime change in Venezuela. The Government of Brazil had been not just been a promoter but also a defender of and an accomplice in the application of the coercive and punitive measures against the people of Venezuela. The representative of Brazil had not been truthful when he had said that Venezuelan nationals had been forced to emigrate to Brazil for purely economic reasons and that they had supposedly been received with open arms. The so-called Operation Welcome had been characterized by actions of discrimination, xenophobia and intolerance against the Venezuelan nationals, many of whom had started returning voluntarily to Venezuela owing to attacks they had endured in Brazil.

98. His delegation hoped that the reality of the situation was now clear, despite the propaganda efforts of the Government of Brazil and its attempts to manipulate the United Nations in order to advance its electoral political agenda just days before a presidential election in that country.

99. **Mr. Silveira Braoios** (Brazil) said that the representative of Venezuela must have misunderstood what he had said in his statement. It was a fact that

Brazil had received more than 770,000 Venezuelan refugees in its territory and that they had been very well received under Operation Welcome. His delegation also fully respected the principles of territorial integrity and sovereignty of other States and had not received any news whatsoever about military intervention in the territory of Venezuela originating in Brazil.

100. **Mr. Pérez Ayestarán** (Bolivarian Republic of Venezuela) said that once again, in the interests of transparency, his delegation had submitted a report to the Committee containing some of the information it had raised at the meeting and on the attempts by Brazil to intervene in the internal affairs of Venezuela in 2017.

101. **Mr. Silveira Braoios** (Brazil) said that his delegation would be keen to read that report. In his own statement, he had only reiterated publicly available facts about Operation Welcome, which any delegation could check on the Internet.

The meeting rose at 6 p.m.