



Permanent Mission of Italy  
UN - Geneva

**Protecting civilians in urban warfare:  
towards a political declaration to address the humanitarian harm  
arising from the use of explosive weapons in populated areas**

**Informal consultations organized by Ireland**

*Geneva, 3 - 5 March 2021*

I would like to begin thanking you and the whole Irish team for the great work you are conducting, despite the difficult circumstances. Italy appreciates very much the inclusive and constructive way in which Ireland has steered our work, addressing a humanitarian concern which we consider extremely serious. The present draft reflects important progress in key areas and we look forward to the possibility to restart negotiating in person. In the meanwhile, please allow me to use this opportunity to share a few considerations.

Looking at **Section 1**, we believe our focus should always clearly be the protection of civilians and the humanitarian impact of EWIPAs. In the current text, you already reflect how this challenge relates with global phenomena - including urbanization and the protracted duration of conflicts - which we need to urgently face. We welcome the Joint Declaration of the UN Secretary General and of the President of the ICRC of September 2019 and we believe that there is already valuable experience and information to share between us, in order to develop best practices and address this issue. Above all, we need to do our utmost to avoid destructive impacts on civilian populations, both in direct and indirect terms, including strengthening the protection of essential infrastructure, healthcare services, cultural heritage.

Our first goal, especially if we look at the military operations we participate in the framework of the UN, is always to protect civilians. We welcome the idea of a Political Declaration that reinforce the collective commitment to address civilian harms in urban warfare, keeping in mind that rules and principles of IHL must be complied with in all circumstances and by all parties of a conflict. In this regard, we wish to commend the work of those organizations, as Geneva Call, that promote the implementation of IHL by non-state actors and we welcome the inclusion in this section (par 1.5) of a clear condemnation of some deplorable practices put in place in violation of the rights of civilian people.

Regarding **Section 2**, Italy does recognize the importance, in the Political Declaration, to recall our obligations and commitments under International Law, including IHL. We consider that the legal framework is clear and that the crux of the matter is to implement it in the challenging dynamics. This relates, in particular, to the principles of distinction, necessity, proportionality and precaution.

As responsible actors of the International Community, it is our duty to recall which are the principles that lead our action, including in the conduct of military operations. Also, we wish to welcome the reference to our political commitment to end impunity: as a matter of principle, those responsible for perpetrating violations should be held accountable.

We value very much **Section 3** which, together with Section 4, should contain and specify the “added value” of the Political Declaration. In the context of increasing relevance of population-centric warfare, we deem important to adapt policies, doctrines and military tactics to the challenges posed by conducting military operations in populated areas, so to properly take into account civilian vulnerabilities. In doing so, we believe we can look at a series of measures that already exist and are used to take all feasible precautions to avoid, and in any event to minimize, civilian harm.

Practical measures concerning battle damage assessment, along with the strict adherence to the rules and principles of IHL, are essential in order to minimize the effects on populations from a political, economic, social, cultural and demographic point of view. Best practices at international level, as well as the importance of cooperation and exchange of expertise, should therefore be better reflected in the Political Declaration.

We stand ready to cooperate with you, in order to find a language which could balance the different instances emerging in the course of the discussion of these days, taking into account the complexity of military operations and the realities on the ground. We believe this is a very important point, for which the process can benefit from the experience of those States that have much experience in military operations and that have shown to act in a responsible way and always in line with the IHL.

Thank you very much for the careful drafting of **Section 4**. Opening the discussion, you have recalled how the process you have launched in 2019 represents the development of a debate which has started long ago. Also, we see the Political Declaration as a stepping stone towards a strengthened cooperation between responsible actors and Italy stands ready to continue working on ways to improve the protection of civilians from any kind of humanitarian harm.

We deeply value the involvement of all relevant stakeholders in this process, including the UN and the other International Organizations which have experience in this field. The contribution of academia and civil society is equally important, so we deem relevant that they continue to support our debate and to take part in the activities that will follow.

Italy has a long standing commitment in terms of international cooperation and we are convinced that the Political Declaration should recognize how many States operate in difficult context, with the view to strengthen humanitarian assistance and promote sustainable development. On a specific point (par 4.3), we see merit in the proposal of the ICRC to better specify what victim assistance would consist in, especially with reference to post-conflict and stabilization processes.

Since this is my final remark, let me conclude thanking you and stressing the importance of our common action here. We stand ready to engage in the process and welcome all valuable contribution in this direction.