



PERMANENT MISSION OF MEXICO

**Statement delivered by H.E. Mr. Juan Manuel Gómez-Robledo, Vice-minister for Multilateral Affairs and Human Rights of the Ministry of Foreign Affairs of Mexico in the Security Council open debate on “Maintenance of international peace and security: *Prevention of armed conflict*”**

New York, 21 August 2014.

**Mr. President:**

I thank your delegation for convening this open debate and I also thank the Secretary General and the United Nations High Commissioner for Human Rights for their statements this morning.

And also, Mr. President, I would like to pay tribute to Mrs. Navi Pillay for her excellent work and for the support she has shown for Mexico throughout her term.

Conflict prevention is an inescapable obligation beyond the sole responsibility of the members of this Council. It is a joint responsibility of all of us, permanent members of this Organization.

Rebuilding the social fabric and reestablishing other conditions for governability after armed conflict is a lengthy process. When these are not restored, then the odds for conflicts to relapse or for new ones to emerge are indeed high.

Preventive diplomacy, Mr. President, is the only tool to break or at least, restrain this vicious cycle.

This Organization has been accused of favoring reaction over preventive action when confronting crisis. We do not believe that that is an accurate assessment. We must recognize the role of the Secretary General in fulfilling his mandate. We face today more and more complex challenges, this is a fact. Each conflict is different to the next one, and certainly there is no “one-size-fits-all formula” to prevent them.

In light of this reality, we propose three ideas:

First, Chapter VI of the UN Charter should be approached from an evolving perspective. The implementation of its preventive measures must address the asymmetries of armed conflict in the XXI century. And we must assist those States that do not have the necessary financial and human resources so that they get better acquainted with the possibilities offered by the mechanisms of peaceful settlement of disputes and conflict resolution. This is something to be recommended to the Secretariat.

Second, prevention should also focus on avoiding the commission of grave crimes of international transcendence. Peace cannot be consolidated if perpetrators are not brought to justice for their crimes, regardless of status, position or rank.

It is essential, on this point that the Permanent Members of the Security Council refrain from resorting to the use of veto in situations where crimes against humanity are or can be committed, as well as war crimes. Therefore, Security Council reform cannot be high jacked by a single issue, namely the categories and size of its membership. Mexico will continue supporting all initiatives that promotes the reform of its working

methods and consequently, along with France we will be co-chairing next month a Ministerial meeting to address the urgency of restraining the use of veto in all above mentioned situations.

Third, an effective prevention requires our collective efforts to strengthen the Rule of Law at the national and international level. This is a *sine qua non* condition to ensure development and just and inclusive societies. Development and the Rule of Law are two sides of the same coin.

As a country in the region that resorts most often to the International Court of Justice, Mexico recognizes the critical role that both the ICJ and the International Criminal Court, among others, have in the strengthening the Rule of Law and in preventing armed conflict.

**Mr. President:**

Direct engagement of the Secretary General or his involvement through his Special Envoys and Representatives is of paramount importance to prevention efforts, and in this regard we invite all Member States to explore the possibility of allowing the Secretary General to request advisory opinions to the International Court of Justice. In general, all conflicts have a legal dimension or a violation of an obligation under International Law is invoked as a claim to justify that conflict. This option would provide a tool of preventive diplomacy that could further strengthen the work of the Secretary General, vis-à-vis the principles and purposes of the Charter in the framework of his mandate.

It is essential to improve the coherence and effectiveness of the activities of the Security Council, by placing front and center, “early warning” mechanisms, such as *in situ* missions and informal interactive dialogues with the parties in dispute and to address emerging crises.

Moreover, the Council should continue to make use of peacekeeping operations and special political missions. In this last point, it is essential to craft a mechanism that has the ability to provide these tools with structure, mandates, strong accountability and the appropriate human, financial and political resources. Only then can there be efficient, effective and timely processes of peacebuilding.

**Mr. President,**

In the 2005 Global Summit, the State Members committed ourselves to building a “culture of prevention”. These efforts have not been enough, obviously. Let us not allow that globalization makes headway towards indifference. As Pope Francis has stated, let us not allow the globalization of indifference to make headway.

Thank you.