



BELGIUM

Statement at the Adoption of the

Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas

(Dublin, 18 November 2022)

Excellencies, dear participants,

Allow me to start by thanking our Irish hosts for their skillful guidance through multiple consultations on the use of explosive weapons in populated areas. Your inclusive and transparent leadership helped to maintain momentum even as COVID-19 disrupted some of our work. Active participation by civil society enriched the debate.

The political declaration provides a nuanced answer to the challenge of urban warfare, which confronts us with a complex environment and difficult military choices. The declaration not only reconfirms existing International Humanitarian Law, but will also strengthen its implementation and boost compliance.

The strength of the declaration not only lies in its content, but will also depend on the follow-up we will give. The Belgian armed forces will continue to take direct as well as indirect effects of an attack into account in the proportionality assessment, on the basis of the information available before the launch of the attack, and insofar as there is a causal link which can be established between the reasonably foreseeable collateral damage resulting from those effects and the attack. On that note, let me add that we are content with the use of the term “indirect effects” in the political declaration, which aligns with the concept of proportionality and the notion of “incidental” civilian harm, as contained in Additional Protocol I to the Geneva Conventions.

We stand ready to exchange best practices, inter alia through a peer-to-peer approach, as part of the follow-on process. We also believe violations of IHL and of the declaration warrant unambiguous condemnation by all of us. We cannot gloss over the fact that on a daily basis Russian forces deliberately and relentlessly target civilians, medical workers, hospitals and buildings sheltering children in Ukraine, just as they have done in Syria before. No State can remain neutral in this regard.

Dear participants,

Belgium is proud to be present today for the signing of the political declaration. We would like to extend our gratitude to Ireland once more, and we look forward to continue this process of strengthening the implementation of International Humanitarian Law.