

Portugal contribution to the Project of Political Declaration on EWIPAs

In general terms, Portugal considers that the project includes part of the proposals previously presented, namely with regard to the need for “humanization” and greater focus on the protection of victims.

At this stage, Portugal finds convenient that the Political Declaration could reflect aspects related to (1) humanitarian access and (2) negative environmental impact of these weapons for the protection of civilians.

Humanitarian Access:

Portugal remains focused, as in previous comments, on applicable IHL, namely on humanitarian access (an appeal that several humanitarian actors also echo). Thus we propose the following wording for Point 4.5. of the draft Declaration - corresponding to point 4.4. of the "Political Declaration Elements Paper" - (underlined addition):

“4.5 Provide and facilitate rapid and unimpeded access for humanitarian relief to all persons in need, in accordance with their obligations under International Humanitarian Law.”

This addition has the double advantage of:

(1) Remembering that the non-obstacle to humanitarian access and assistance reflects obligations of IHL for the parties to the conflict (protection of the civilian population, obligations of the occupying power...) and,

(2) “Settle down” those who complain of requests for humanitarian access by groups / organizations that they do not trust as impartial humanitarian actors and “doers” of IL (referring to IHL in this field is usually understood by these States and by humanitarian actors as a “security” for all).

Impact of these weapons on the environment: damage to health

Portugal suggest highlighting some of the effects that the use of wide-ranging explosive weapons has on the environment, from the point of view of the survival of the civilian population.

To maintain the Declaration's focus on the protection of civilians, we suggest that this environmental reference be more pragmatic than dogmatic, that is, made with reference to the safeguarding of natural resources essential to human life (namely as regards soil and groundwater).

We propose a 1.2.bis Point (Preamble):

“1.2 bis Highlighting that the use of these weapons can pose further threats to the environment, with effects lasting well after the armed conflict has reached its end, including the contamination of air, soil and groundwater, along with other environmental resources whose

conservation is indispensable for the survival and livelihood of civilian populations. This could potentially escalate into severe public health crises due to the lack of food, the rise of communicable diseases and inadequate healthcare.”