

**Draft Political Declaration circulated by Ireland on 17 March 2020  
Proposals by the State of Palestine**

**General comment**

Palestine welcomes the revised draft political declaration, and views it favourably. We do however believe that the draft must be further strengthened to effectively protect civilians from the use of EWIPA. In this regard, we propose the following changes to the text:

**Title:**

- Replace “that can arise from” with “arising from”
- Delete qualifier “with wide area effects”

**Part A: Preamble**

**Section 1**

**1.1**

- Delete qualifier “with wide area effects”

**1.2**

- Delete “can” before “have a devastating impact”
- We support the inclusion of “reverberating effects” in the text
- Reinsert the reference to hospitals

**1.3**

- Delete “can” in the second and fourth lines and replace by more assertive language
- We welcome the inclusion of the “natural environment”

**1.4**

- Delete “together”
- Reinstate the term “explosive remnants of war” instead of the new term “unexploded ordnance”
- Delete “can” before “impede the return of displaced persons and cause casualties long after hostilities have ended”

**1.6**

- We welcome the deletion of the term “good” before “operational policies and practices” in this context
- After “in populated areas” in first sentence, add “but others still fail to do so”

**1.7**

- We propose including also a call for data collection on the reverberating effects of EWIPA, as well as on the types of weapons used, and also propose that the data be disaggregated by disability status in addition to sex and age

- Delete “where appropriate”

## **1.8**

- Replace “that can arise from” and “that can result from” with “arising from” and “resulting from”, respectively
- Delete qualifier “with wide area effects”
- Include other vulnerable groups in the list of those who should be empowered and whose voices should be amplified, including children
- Replace “urban warfare” with “populated areas”

## **Section 2**

### **2.1**

- We strongly welcome this paragraph and the reference to the “obligation” to hold accountable those responsible for violations
- Replace “recall” with “reaffirm”
- Add “of international humanitarian law and international human rights law” after “violations”

### **2.2**

- Delete qualifier “with wide area effects”

### **2.3**

- We welcome the change of “adhere to” to “comply with”

### **2.4**

- We propose to recognise also the work of civil society organisations and UN bodies
- We support proposals to add a paragraph 2.4 bis on humanitarian assistance

## **Part B: Operative Section**

### **Section 3**

#### **Château**

- Replace “in armed conflict” with “during and after armed conflict”
- Replace “improving” with “strengthening”
- Replace “that can arise from” with “arising from”
- Delete qualifier “with wide area effects”

### **3.1**

- Delete “where necessary”
- Add “and civilian objects” after “civilians”

### **3.2**

- Add “and avoid civilian harm” at the end of the sentence

### 3.3

- We consider this paragraph to contain the core commitment of the declaration, and as such it should be the first paragraph of this section, followed by 3.1 and 3.2
- However, the paragraph must be strengthened in order to have the greatest impact in preventing civilian harm:
  - a. Replace “restricting” with “ending” or at the very least “avoiding”
  - b. Delete qualifier “when the effects may be expected to extend beyond a military objective”

### 3.4

- Replace “take into account” with “take all practicable measures that will enable them to fully assess”

### 3.6

- Disseminating IHL is already a legal obligation—hence, this paragraph should add value by committing States to facilitate not only the dissemination and understanding of IHL but also the operative commitments in this political declaration
- Replace “facilitate the dissemination and understanding” with “urgently disseminate and facilitate the understanding”

## Section 4

### 4.1

- Add “and humanitarian impact analysis” after “tactical expertise”

### 4.2

- Delete “where appropriate”
- Add “and civilian objects” after “on civilians”
- Delete qualifier “with wide area effects”
- See our comments in Section 1.7 on data collection
- We strongly support Switzerland’s proposed additions of a 4.2 bis and 4.2ter

### 4.3

- Replace “support” with “facilitate ”
- Delete “with wide area effects”

### 4.4

- We support the language proposed by Humanity and Inclusion on victim assistance
- The last sentence regarding support to post-conflict stabilisation should become a separate paragraph as it is not a type of victim assistance; moreover, replace “stabilisation” with “recovery and durable solutions”

### Previous 4.5

- The provision on supporting humanitarian relief efforts should be reinserted either here or in Section 2

#### **4.5**

- Delete “as appropriate”
- Replace “can arise from” with “arising from”
- Delete “with wide area effects”

#### **4.6**

- Replace “on a regular basis” with “annually”
- Add “and universalisation” after “review the implementation”
- Add “its implementation and” after “strengthen”
- Delete “with wide area effects”
- Text should emphasise an inclusive approach to such meetings, for endorsing States, those yet to endorse, UN agencies, international organisations and civil society