

Delegation from the Republic of Ireland
Position Paper for the United Nations Security Council

The issues before the Security Council are: Impact of COVID-19 on Peace and Security and Protection of Civilians in Armed Conflicts. Bearing in mind that both topics affect millions of people and are crucial for peace and security worldwide, the Republic of Ireland looks forward to constructive and effective negotiations and is determined to find common solutions. As an Irish proverb says: "There is no strength without unity".

1. Impact of COVID-19 on Peace and Security

Since the beginning of the COVID-19 pandemic more than 5.6 million people have died due to the virus globally. While death tolls are decreasing in some regions of the world the virus still costs around 10,000 lives per day. Apart from the loss of life, other severe consequences of the virus continue to harm millions and clearly pose a threat to international peace and security. The Republic of Ireland remains especially concerned about the potential of COVID-19 to further threaten civilian life in armed conflicts, for example by disrupting the supply of food and other critical goods, and thereby harming peace processes and adding fuel to existing conflicts. And while vaccines are the most powerful tool in the global fight against COVID-19, only a small fraction of the population in regions most affected by conflicts has been vaccinated. Ireland therefore urges the Security Council to find a united and global response to this global threat. The focus of the action must lay on being more ambitious in scaling-up the availability of vaccines in conflict-affected zones and in financing the necessary delivery modalities, while avoiding diverting funds from existing crises. Only a united international effort that makes vaccines accessible for people regardless their home country can mitigate the worst effects of the crisis, strengthen international peace and security, and lead the way to post-pandemic recovery worldwide.

Ireland reiterates Security Council resolution 2532 (2020) which was the first resolution concerning COVID-19 and continues to strongly support its demand for a general and immediate ceasefire. It highlights resolution 2565 (2021) that again called for a cessation of hostilities and called for international cooperation concerning the vaccine roll-out while particularly underlining the role of the *COVID-19 Vaccine Global Access (COVAX) Facility*. Ireland recalls General Assembly resolution 74/274, which was adopted in 2020 and it supports its focus on cooperation among member states and acknowledging the central role of the WHO. Recalling the Statement by the President of the Security Council 2021/10, Ireland emphasizes the enormous challenges for peace and security in Africa, which is the continent that received the smallest percentage of vaccines so far. Ireland highlights the Gavi Alliance, which plays an important role in international vaccine distribution and has thus significantly increased its core financial support over the last year. It is also supporting the COVAX-Facility bilaterally, including as a member of the European Union, which has contributed €860 million to the Facility to date. It welcomes the development of the COVAX Humanitarian Buffer that specifically acts as a measure to ensure access to COVID-19 vaccines for vulnerable populations in humanitarian settings. But although COVAX Humanitarian Buffer is the central component of the international response to COVID-19 in conflict areas, the delivery of the vaccines provided by the Humanitarian Buffer to those who need them most is not efficient and fast enough.

For the COVAX Humanitarian Buffer to become more effective in its important role to reach the most vulnerable groups in societies, the Republic of Ireland proposes to significantly improve the accessibility of delivery mechanisms for non-governmental organization (NGO) partners. These are placed best to reach the most vulnerable groups in conflict contexts and can facilitate access more efficiently. Because UN capacities are limited and especially in states that are torn by conflict and therefore lack necessary public infrastructure, NGOs can be a reliable partner and help to enable access for millions in deprived regions. However, they can only fulfil their role if an effective delivery mechanism is in place that ensures the reliable and regular delivery of vaccines. Thus, the Security Council should call on the Inter-Agency Standing Committee (IASC) decision group, which takes decisions on allocations of the Humanitarian Buffer, to minimize hurdles for NGOs that apply for the delivery of vaccines and thereby enable more vaccinations in conflict zones. While it is a humanitarian duty for all member states to enable vaccination for all people on earth, it will also help with post pandemic recovery and lower the risk for further escalation of conflicts in vulnerable regions.

2. Protection of Civilians in Armed Conflicts

Although civilians are protected by international law, they continue to suffer the most during armed conflicts. The Secretary General's report counts more than 20,000 civilians dead or injured in 2020. However, in most cases the perpetrators remain untouched by prosecution and international law. As a small country, the Republic of Ireland depends on international law, the international rules-based order, and the multilateral system for its very existence. It therefore prioritizes adherence to international law, especially international humanitarian, and international human rights law, to protect civilians. However, the emergence of Private Military and Security Companies (PMSCs) over the last decades made the enforcement of international law increasingly difficult. While acknowledging the legitimate role PMSCs can play in many places, Ireland is deeply concerned about the engagement in illegal mercenary activities of some of these companies. Reports about mercenary activities for example the Central African Republic state severe human rights violations like arbitrary detentions, torture and even mass summary executions. Attacks on civilian infrastructure and humanitarian actors were also observed and can further deteriorate the situation for civilians. And due to the unclear legal status between the state, civil and commercial sphere of some PMSCs, prosecution of these crimes and holding perpetrators accountable is extremely difficult. But the past has shown that if accountability is not ensured, a culture of impunity can spread from one conflict to the next. Thus, the fight against impunity is of paramount importance for the Republic of Ireland and absolutely crucial for a better protection of civilians in armed conflicts. Effective accountability can serve as an essential element in improving compliance with the rules of international law. Regrettably, it seems that the massive challenges PMSCs pose to the international framework have not been entirely realized, yet.

The Republic of Ireland reaffirms its commitment to the *Geneva conventions*, especially the *Geneva Convention relative to the Protection of Civilian Persons in Time of War* and all three additional protocols, which are as a part of the international humanitarian law the fundamental framework for protecting civilians in armed conflicts. Ireland stresses the importance of Security Council resolution 1265 (1999) which laid the foundation for the Council's ongoing engagement in this topic. It also highlights the latest unanimously adopted resolution 2573 (2021) which achieved the crucial step to specifically condemn attacks on civilian infrastructure. Ireland was proud to ensure that the protection of civilians was central to resolution 2594 (2021) concerning Peacebuilding, which the Council adopted unanimously during its September Presidency. At the same time Ireland reiterates the latest report of the Secretary-General 2021/423 that shows the persistent violations of international law concerning the protection of civilians and surely compels the Security Council for decisive action. Regarding the role of PMSCs, Ireland endorses the *Montreux Document* (2008) that is currently supported by 58 member states. It is the first international document that offers a framework on how PMSCs can operate responsibly within international law. Ireland also welcomes the *International Code of Conduct for Private Security Service Providers* as a multi-stakeholder initiative aiming on improving standards and practices in the security industry. But to reiterate its concern, Ireland highlights the work of the UN Working Group on the use of mercenaries (UNWG-M) and draws attention to its report to the General Assembly 75/259 which sheds light on cases where mercenaries and related actors committed gross human rights violations and contributed to the suffering of civilians. However, data about PMSCs remains scarce and information about their activities is not available in a sufficient manner. Unfortunately, the Security Council did not substantially act on this matter and thus leaves the many questions PMSCs pose to security and especially international accountability unanswered.

Therefore, Ireland sees the urgent need to make the topic of illegal mercenary activities by PMSCs a priority on the highest international level. Firstly, Ireland proposes to establish a database that keeps track on potential mercenary activities of PMSCs and contains detailed information about human rights violations and breaches of international humanitarian law. This database should be created and maintained by UNWG-M which has already worked on the topic for years and is thus best suited for the task. In order to ensure continued high attention to the topic, UNWG-M should create an annual report on the basis of the database submit it to the Human Rights Council and the Security Council. Secondly, the United Nations should improve its existing statistics by specifying whether human rights violations by its contractors fall in the category of PMSCs. Finally, Ireland proposes to the Security Council, as the body with the primary responsibility for the maintenance of international peace and security, to meet on an annual basis to discuss the report of the UNWG-M and the threat mercenary activity poses to civilians and to international peace in general. A better understanding about what actually happens when PMSCs operate in conflict zones and a continued high attention to the topic on the highest level of the United Nations will be an important first step in the fight for better accountability.