



Statement on behalf of the European Union and its Member States

By

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at the Sixth Committee

on

**Agenda item 79
"Status of Protocols Additional to Geneva Conventions of 1949 and relating to
the protection of victims of armed conflicts"**

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- CHECK AGAINST DELIVERY -

Mr. Chairman,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Country Montenegro aligns itself with this statement.

We welcome the Report of the Secretary General (A/69/184) on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.

The promotion and respect of international humanitarian law is crucial to ensure the protection of victims of armed conflicts. International humanitarian law is still too often disregarded. Upholding international humanitarian law and protecting human dignity in situations of armed conflict remains a major challenge. Enhancing the protection of civilians must be our common goal.

The Geneva Conventions enjoy universal acceptance. Also many of the provisions contained in the 1977 Additional Protocols are today recognized as customary international humanitarian law. We are convinced that certain minimum standards of humanity, including those enshrined in common Article 3 of the Geneva Conventions, must be respected in all situations of armed conflict.

We also stress the obligations to respect and protect the wounded and the sick, as well as health-care personnel and facilities, and medical vehicles, and to take all reasonable measures to ensure safe and prompt access for the wounded and the sick to health care, in times of armed conflict or other emergencies, in accordance with the applicable legal framework, as recalled by the 31st International Conference of the Red Cross and Red Crescent in November 2011.

It is important to remember that accountability is crucial to secure compliance. Climates of impunity must be removed and remedies for victims of violations or abuses must be provided in accordance with international humanitarian law. The responsibility to end impunity by prosecuting alleged perpetrators for the crimes of genocide, crimes against humanity and war crimes, lies first and foremost with states, including through improved ways for mutual legal assistance. We also stress the important role played by the ICC, which is complementary to national jurisdictions, in promoting globally respect for international humanitarian law. We support the ICC and assist third States wishing to become party to the Rome Statute. Therefore, we conduct demarches each year to preserve the integrity and to promote the universality of the Statute. We also recall the important role played by international criminal tribunals in promoting respect for international humanitarian law by investigating and prosecuting alleged perpetrators for the crimes of genocide, crimes against humanity and war crimes.

Mr. Chairman,

Ensuring improved compliance with international humanitarian law remains a priority for the European Union and its Member States. The EU Strategic Framework's Action Plan on Human Rights and Democracy contains actions on compliance with IHL. During the reporting period we

continued to implement pledges announced in 2011 at the 31st International Conference of the Red Cross and Red Crescent in November 2011, and we engaged in promoting dissemination and training in international humanitarian law. The 2014 Annual Meeting of Human Rights and Gender Advisers and Focal Points in EU Common Security and Defence Policy's Missions and Operations had a special focus on the "Protection of civilians and the relevance of international humanitarian law" for this policy.

We also conducted outreach activities in the context of the EU Campaign for ratification of Additional Protocols I and II of 1977 relating to the protection of victims of armed conflicts. In line with the EU Guidelines on promoting compliance with international humanitarian law, the EU Member States also pledged to work towards further participation in the principal international humanitarian law instruments and to support States in their efforts to adopt relevant national legislation pertinent to their international humanitarian law obligations.

We commend the progress towards the IHL implementation as reflected in the contributions of the UN Member States to the Report of the Secretary General. We urge the Member States of the United Nations, that have not yet done so, to accede to all the additional Protocols to the Geneva Conventions as this is crucial to ensure the protection of victims of armed conflicts. We also call on the Member States of the United Nations to consider accepting the competence of the International Humanitarian Fact-Finding Commission pursuant to Article 90 of the First Additional Protocol. We welcome the fact that 53 states have now ratified the Arms Trade Treaty, thereby enabling its entry into force on 24 December 2014.

We commend the ICRC and Switzerland for their coordination of work to explore and identify concrete ways and means to strengthen the application of international humanitarian law and reinforce dialogue on international humanitarian law issues among States and where appropriate other interested actors, including international and regional organizations, as a follow up to Resolution 1 of the 31st International Conference of the Red Cross and Red Crescent with regard to strengthening the protection of victims of armed conflict. We are convinced that a more regular dialogue is crucial for enhancing compliance with the IHL, which could take the form of a regular meeting to provide a forum for discussions. We will continue to engage closely in that process.

The EU also participated in the International Conference on the Montreux Document regarding the private military and security companies, which was convened by Switzerland and the ICRC on 11-13 December 2013, and we are ready to further participate in the Constitutional Meeting of the Montreux Document Forum scheduled to take place in Geneva on 16 December 2014.

We wish to also commend the ICRC for its continuous and manifold efforts to strengthen and to promote the dissemination of international humanitarian law as reported by the Secretary General under this agenda item. We also welcome the national efforts provided by numerous States and their national Red Cross and Red Crescent societies to implement international humanitarian law and encourage broader reflection on these challenges.

The EU and its Member States provided the largest financial contribution to ICRC in 2013, including for providing IHL training and dissemination for military/security forces and armed non-state actors in key conflict affected countries, namely Iraq, Colombia and the DRC.

We will continue to do our utmost to promote an international order based on the rule of law where no state and no perpetrator is above the law and where no person is outside the protection of the law, in particular in situations of armed conflict.

I thank you.