



United Kingdom Mission
to the United Nations

One Dag Hammarskjold Plaza
885 Second Avenue
New York, NY 10017

Tel: +1 (212) 745 9200
Fax: +1 (212) 745 9316

Email: uk@un.int
http://twitter.com/UKUN_NewYork

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

UNITED NATIONS GENERAL ASSEMBLY, SIXTH COMMITTEE,
SIXTY-NINTH SESSION, AGENDA ITEM 79,
STATUS OF THE PROTOCOLS ADDITIONAL TO THE GENEVA
CONVENTIONS OF 1949 AND RELATING TO THE PROTECTION OF
VICTIMS OF ARMED CONFLICTS

STATEMENT BY MR. JESSE CLARKE
FIRST SECRETARY (LEGAL AFFAIRS)
UNITED KINGDOM MISSION TO THE UNITED NATIONS

14 NOVEMBER 2014

Check against delivery

Mr. Chairman, the United Kingdom welcomes the adoption by consensus of this resolution on the Status of Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts. We thank the delegation of Sweden for their considerable efforts in facilitating the negotiation of the resolution, which has made substantial progress.

The United Kingdom attaches great importance to this resolution as a reaffirmation of the “continuing value of established humanitarian rules relating to armed conflicts and the need to respect and ensure respect for those rules”. One of those clearly established rules is the prohibition on rape and other forms of sexual violence in armed conflict. It is therefore a matter of great regret that this Committee was unable to agree to include in the resolution a reference – even a factual reference – to the 2013 Declaration of Commitment to End Sexual Violence in Conflict.

The Declaration recognises that rape and sexual violence inflict unimaginable suffering designed to destroy individuals, families and communities. It reminds us that sexual violence can significantly exacerbate situations of armed conflict and may impede the restoration of peace and security. The Declaration also calls on us to shatter the culture of impunity for those who commit these crimes by bringing those responsible to justice. And it recalls that “rape and other forms of serious sexual violence in armed conflict are war crimes and constitute grave breaches of the Geneva Conventions and their first Protocol”.

As delegations are aware, rape in the context of both international armed conflicts and non-international armed conflicts is specifically prohibited under the Geneva Conventions and their Additional Protocols. Other serious sexual assaults, such as sexual slavery, enforced prostitution, forced pregnancy and enforced sterilisation, are prohibited in various provisions of the same treaties. It is clear that serious sexual violence and rape are always war crimes and in international armed conflicts constitute grave breaches given that this abhorrent conduct will always amount to torture or inhuman treatment, or wilfully causing great suffering, which are listed as grave breaches.

This is not simply a view held by the United Kingdom or a handful of countries. This understanding of international humanitarian law has been reaffirmed by the 155 Member States of the United Nations that have so far

endorsed the 2013 Declaration of Commitment to End Sexual Violence in Conflict. It is frustrating that this clear and critically important statement of international humanitarian law made by the overwhelming majority of UN Member States has been excluded from the resolution. It defies understanding that a few delegations felt unable to recognise the efforts of 155 Member States to prevent rape and sexual violence in armed conflict and hold perpetrators to account. The message they have sent to the survivors of rape and sexual violence about this Committee's inability to recognise the gravity of these crimes – which are violations of the very rules of international humanitarian law we have all committed to respect – is even more disappointing.

We take this opportunity to reaffirm that rape and other forms of serious sexual violence in armed conflict are war crimes and constitute grave breaches of the Geneva Conventions and their first Protocol. These acts of barbarism shall not be tolerated.

Thank you, Mr. Chairman.