



Statement on behalf of the European Union and its Member States

By

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at the Sixth Committee

on

**Agenda item 80
"Status of Protocols Additional to the 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 Accessing Country Croatia*, the Candidate Countries the former Yugoslav Republic of Macedonia*, Montenegro*, Iceland† and Serbia*, the Countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova, Armenia, and Georgia, align themselves with this declaration.

We welcome the Report of the Secretary General (A/67/182) 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 disregarded in too many circumstances. 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. Furthermore, we stress 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 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 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.

Ensuring improved compliance with international humanitarian law remains a priority for the European Union and its Member States. To this end, at the 31st International Conference of the Red Cross and Red Crescent in November 2011, we pledged to emphasize our commitment to promoting dissemination and training in international humanitarian law. 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 welcome the important decisions from the 31st International Conference of the Red Cross and Red Crescent in regard to strengthening the protection of victims of armed conflict. In this regard we commend the government of Switzerland for its commitment 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 other interested actors, in cooperation with the ICRC.

* Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process

† Iceland continues to be a member of the EFTA and of the European Economic Area.

We also welcome the decision by the Conference to invite the ICRC to pursue further research, consultation and discussion in cooperation with States and, if appropriate, other relevant actors, including international and regional organisations, to identify and propose a range of options and its recommendations to: i) ensure that international humanitarian law remains practical and relevant in providing legal protection to all persons deprived of their liberty in relation to armed conflict; and ii) enhance and ensure the effectiveness of mechanisms of compliance with international humanitarian law.

Accountability is crucial to secure compliance. Climates of impunity must be removed and remedies for victims of violations or abuses must be found in accordance with international humanitarian law. For these reasons, we conduct demarches each year to preserve the integrity and to promote the universality of the Rome Statute, support the International Criminal Court and assist third States wishing to become party to the Rome Statute. We stress the important role played by the ICC in promoting globally respect for international humanitarian law. 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.

We urge 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 and improve 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 wish to 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.

In conclusion, we underline that international humanitarian law is one of the strongest tools at the disposal of the international community to ensure the protection and dignity of all persons affected by armed conflict. Providing further support with regard to the implementation, dissemination and compliance to international humanitarian law is an issue of common interest and shared responsibility for all UN Member States.

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

Thank you.