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**Agenda Item 83: Status of the Protocols Additional to the Geneva Conventions of 1949
and relating to the protection of victims of armed conflicts**

Statement by Ms. Laura Katholnig

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Mr. Chair,

My delegation fully aligns itself with the statement made by the European Union. We would like to add some points in our national capacity.

Austria thanks the Secretary General for his report contained in document A/73/277.

We are very concerned by the recurrent reports of serious violations of international humanitarian law in conflict situations in various parts of the world. Unfortunately, upholding international humanitarian law and protecting human dignity in situations of armed conflict remain a major challenge - the international community has to address this challenge and do much more to enhance the protection of civilians in armed conflicts.

The Geneva Conventions and the Additional Protocols provide a fundamental framework for armed conflicts containing the most important rules to limit the barbarity of war. While the Geneva Conventions are universally ratified, we call on all States that have not yet done so, to also accede to the Additional Protocols.

For many years, Austria has been calling and working for a better implementation of international humanitarian law. In this context, Austria continues to strongly support the process aimed at strengthening compliance with IHL, in pursuance of the pledge of the International Committee of the Red Cross (ICRC) and Switzerland made at the 31st International Conference of the Red Cross and Crescent in 2011, and has actively participated in the relevant expert meetings and meetings of states. Austria has continued to support the proposal to establish a particular and regular forum for the discussion of IHL issues and has used every opportunity in all relevant fora to call for respect for IHL.

The Protection of Civilians in armed conflicts is a longstanding Austrian foreign policy priority. Austria is also committed to strengthening the EU's efforts with regard to enhancing the protection of civilians and the compliance with international humanitarian law, and to enhancing the EU capabilities and structures to strengthen the visibility and coherence of EU action for the promotion of IHL and International Criminal Justice during our EU Council Presidency.

Austria considers fact-finding an essential element of ensuring IHL compliance and the good offices of the International Humanitarian Fact Finding Commission under Article 90 of the First Additional Protocol to the Geneva Conventions are important tools in this regard. As chairmanship-in-office of the Organization for Security and Cooperation in Europe (OSCE) last year, Austria was able to contribute to the first activation of the International Humanitarian Fact Finding Commission in connection with an incident on 23 April 2017 in Eastern Ukraine. Austria is, inter alia, a strong supporter of the IIM for Syria and underlines its important role for documenting human rights violations and gathering evidence in view of future prosecutions. In this respect, we also welcome the recent establishment of a similar mechanism for Myanmar by the Human Rights Council.

Accountability and the fight against impunity for violations are essential elements in the humanitarian law system. Austria has been a strong supporter of the International Criminal Court (ICC) since its creation and we continue to promote, together with the other EU Member States, the universal acceptance of the jurisdiction of the Court. We believe that

the activation of the Court's jurisdiction over the crime of aggression as of July 17 constitutes a deterrent of war for the future and plays an important role in enhancing the protection of civilians. Furthermore, Austria supports the efforts to amend the Rome Statute in view of harmonization with the Geneva Conventions and the Additional Protocols, including regarding starvation as a method of warfare in non-international armed conflicts.

Mr. Chair,

Due to the catastrophic humanitarian consequences of nuclear weapons, a nuclear weapon free world and the maintenance of the global non-proliferation regime are foreign policy priorities for Austria. Austria was among the first ten States to ratify the Treaty on the Prohibition of Nuclear Weapons, on 8 May 2018. Austria considers that this legal instrument strengthens and complements the existing disarmament obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and is an important step to ensure human security and to promote the protection of civilians.

Before concluding, allow me to reference some of the measures Austria has taken in the past year to strengthen the implementation and dissemination of IHL:

- Under the joint pledge of Austria and the Austrian Red Cross on the dissemination of IHL through regular seminars on various IHL topics, submitted again at the 32nd International Conference of the Red Cross and Crescent in 2015 and the 2016 World Humanitarian Summit, the Austrian Foreign Ministry and the Austrian Red Cross continued to organise seminars with the assistance of Academia.
- In order to promote and enhance the Protection of Civilians, Austria offers IHL and human rights law trainings for armed forces. The Austrian Ministry of Defense regularly organizes the "Vienna Course on International Law for Military Legal Advisers", which takes place under the auspices of the European Security and Defense College (ESDC) and aims to convey core knowledge about the application of international law, in particular human rights law and IHL, to international crisis-management operations by military and security forces.
- The Austrian Ministry of Defense has published a compilation of legal documents on IHL, including both international treaties to which Austria is a party, as well as Austrian laws and regulations, to serve as a key reference document, especially for legal advisers and law teachers, for the training of members of the Austrian armed forces in IHL.

Thank you.