



ICRC

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

United Nations Sixth Committee – 75th Session

Statement by the International Committee of the Red Cross

Delivered by Mr. Christopher Harland, Deputy Permanent Observer and Legal Adviser

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Mr [Madame] Chair,

The Covid-19 pandemic has increased humanitarian needs of the men, women and children caught in the crossfire of armed conflicts around the world. Respect for international humanitarian law remains very important for the protection of these populations. The 1949 Geneva Conventions and their Additional Protocols contain provisions that are extremely relevant to the current pandemic in armed conflict situations. For example, they regulate access to essential services, require the respect for and protection of the medical mission, and cover the granting of humanitarian relief, among many other issues. The ICRC wishes to once more emphasize the importance of ensuring that these instruments are adhered to and adequately implemented.

Since its last submission to this Committee, the ICRC has continued to promote the universalization and implementation of the Additional Protocols of 1977.

There are currently 174, 169 and 78 States party to Additional Protocols I, II and III respectively. The ICRC notes with satisfaction the fact that the number of States party to Additional Protocols II and III has increased over the past two years, with Angola adhering to Additional Protocol II in 2019, and Peru (2018), Kyrgyzstan (2019), Ecuador (2020) and Lesotho (2020) to Additional Protocol III.

Resolution 1 on “Bringing IHL Home” was adopted last December in Geneva at the thirty-third International Conference of the Red Cross and Red Crescent. The Resolution encourages states that have not already done so to consider ratifying or acceding to IHL treaties to which they are not yet party, including the Additional Protocols, and reminds states of the possibility to recognize the competence of the International Humanitarian Fact-Finding Commission as established under

Article 90 of Additional Protocol I. Although the ICRC notes with regret that one State withdrew its recognition of the Commission since our last submission, a further group of 16 States submitted a [Conference pledge](#), also open to other states until 31 December 2020, to raise greater awareness of the Commission.

The ICRC congratulates Cyprus and Bulgaria on the recent establishment of a national committee on IHL, the Netherlands for the creation of an IHL platform, and Portugal and the Philippines for having pledged to create their own national committees. By our reckoning, there are now 114 national IHL committees or similar entities. The ICRC supports the work of these bodies and highlights the creation of the Online Community of national committees and similar entities on IHL, where the first 13 States that have joined are already actively sharing their practice and discussing common challenges.

The ICRC would like to congratulate all 50 States that have ratified the Treaty on the Prohibition of Nuclear Weapons thus achieving the requisite number of ratifications to enter into force on 22 January next year. The ICRC will continue to work towards the broadest possible adherence by States to the treaty.

The ICRC has continued the updating of its commentaries to the Geneva Conventions of 1949 with the publication, in June of this year, of the Commentary to the Third Geneva Convention on prisoners of war.

The ICRC, through its Advisory Service on IHL, has also continued to provide national authorities with assistance in adopting the legislative, regulatory and practical measures needed to ensure full implementation of IHL in domestic law and practice. Specialized tools and other technical documents related to the implementation of IHL have also been developed and updated. Here we wish to highlight the recent publication of the updated Guidelines on the Protection of the Natural Environment in Armed Conflict, a collection of existing IHL rules and recommendations that protect the natural environment in situations of armed conflict. These serve as a tool to inform the adoption of concrete measures to strengthen IHL implementation in this field and propose measures that parties to armed conflict may adopt to reduce the environmental impact of their military operations. We invite States to incorporate the Guidelines into military manuals, national policy and legal frameworks.

The ICRC remains fully committed to working with States and to supporting them in their efforts to implement IHL.

Thank you very much, Mr [Madame] Chair.