

New Zealand Permanent Mission to the United Nations



Te Māngai o Aotearoa

600 THIRD AVENUE 14TH FLOOR NEW YORK, NY 10016-1901, USA
TELEPHONE (212) 826 1960 FACSIMILE (212) 758 0827 HOMEPAGE: <http://www.nzembassy.com/newyork>

Sixth Committee

Agenda item 80

Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts

Statement on behalf of CANZ

by

Ms Alice Revell

Second Secretary/ Legal Adviser

22 October 2012

Mr Chair

I have the honour to speak on behalf of Canada and Australia as well as New Zealand.

CANZ is deeply committed to the advancement and protection of, and adherence to international humanitarian law (IHL). We consider that the existing body of IHL continues to provide a suitable framework for regulating the conduct of parties in armed conflict and that efforts must be made to ensure there is better compliance with this framework. We recognise, however, that the way in which armed conflicts are fought has changed since the Geneva Conventions and their Additional Protocols were adopted. This poses challenges that must be met with a commitment to strengthen existing IHL to ensure protections are provided to the victims of armed conflict.

Mr Chair

The Additional Protocols to the Geneva Conventions play a crucial role in strengthening the existing body of IHL. They extend essential protections to civilians in a broader range of conflicts, and impose constraints on the way in which military operations must be conducted in order to prevent unnecessary suffering and mitigate the humanitarian impact of armed conflict.

CANZ welcomes progress towards universal recognition of the Additional Protocols, which is vital to the aim of ensuring compliance and equal protection of all victims of armed conflict. There are 172 States parties to Additional Protocol I; 166 States parties to Additional Protocol II; and 60 States parties to Additional Protocol III. CANZ encourages all States that have not yet done so to become Parties to the three Additional Protocols in order to enhance the protection of victims of armed conflict around the globe.

Mr Chair

The protection of civilians from the effects of armed conflict is enhanced by other advances in international law aimed at preventing or mitigating those effects. The Convention on Cluster Munitions 2008 became binding at international law in 2010. CANZ welcomes the Convention as a significant humanitarian achievement and commends those 111 States that have joined as States Parties or Signatories. The Convention prohibits the use, development, production, acquisition, stockpiling, retention or transfer of cluster munitions. These weapons indiscriminately scatter large numbers of bomblets, which continue to kill and maim civilians long after hostilities end. Importantly, the Convention commits States Parties to the clearance of cluster

munitions and the provision of assistance for victims and their communities. For these reasons, CANZ encourages all States to become Parties to the Convention.

Australia, Canada, and New Zealand continue to provide technical and financial assistance to help other States implement their obligations under international law mitigating the effects of conflict and restoring peace and security. CANZ has supported post-conflict justice mechanisms including in Cambodia, the former Yugoslavia, Rwanda, Sierra Leone, Solomon Islands, and Timor Leste. CANZ remains committed to strengthening the existing body of IHL and ensuring that it is complied with.

Mr Chair

CANZ particularly wishes to acknowledge, as we have in previous statements, the central role of the International Committee of the Red Cross (ICRC). The ICRC provides invaluable humanitarian assistance to those affected by conflict and armed violence, ensuring they are provided the protections to which they are entitled.

The ICRC continues to play an invaluable role in promoting understanding of the rules of IHL. IHL can only meet its objective of protecting victims of armed conflict when it is respected and when there is political will to act consistently with those obligations. CANZ welcomes and encourages States' close collaboration with the ICRC on achieving this and tackling future challenges in the field of armed conflict law.

Thank you