

**Algeria**



**الجزائر**

Permanent Mission of Algeria  
to the United Nations

بعثة الجزائر الدائمة  
لدى الأمم المتحدة

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## **71<sup>th</sup> Session of the United Nations General Assembly**

**Statement by**

**Mr. Mehdi REMAOUN**

**First Secretary**

**to**

**The Sixth Committee on “Status of the Protocols, Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts”**

*[Agenda item 81]*

Trusteeship Council Chamber, 10<sup>th</sup> October 2016

I would like to express our appreciation to the United Nations Secretary General for his report on the “Status of the Protocols, Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts” contained in documents A/71/183 and A/71/183/Add.1.

My delegation aligns itself with the statement made by Tunisia on behalf of the Arab Group.

**Distinguished delegates,**

Algeria is a State, party to all major instruments related to International Humanitarian Law, which has a special history with the Geneva Conventions.

During Algeria’s Liberation War (1954-1962), the National Liberation Front (known as FLN) first argued that Common Article 3 of the 1949 Geneva Conventions applied to the conflict as early as February 1956. The FLN then declared its intention to apply the Geneva Convention on Prisoners of War and gave orders to its soldiers to comply with International Humanitarian Law. The Provisional Government of the Algerian Republic (GPRA) notified the depositary of the Geneva Conventions, the Swiss Federal Council, of its accession to the Geneva Conventions in 1960. Subsequently, the High Contracting Parties of the Conventions have been notified.

This is why Algeria appears on the list of States parties to the Geneva Conventions having ratified/adhered/succeed to the instruments, as of June 1960, so more than two years before its independence.

Later, Algeria ratified, in August 1989, the Additional Protocols (I) and (II) to the Geneva Conventions, relating respectively to the Protection of Victims of International and Non-International Armed Conflicts.

In accordance with article 90 of Additional Protocol (I) to the Geneva Conventions, my country declared recognizing the *ipso facto* and without special agreement the competence of the International Humanitarian Fact-Finding Commission.

**Distinguished delegates,**

International Humanitarian Law is well disseminated among our armed forces and it is a basic component of the curricula of our military schools and academies. Conferences, seminars, events and workshops are organized periodically at all levels within the military units, security forces and hierarchy.

The Algerian Red Crescent is also actively involved in the dissemination of International Humanitarian Law among the civil society and local population. Many lectures and seminars on issues related to International Humanitarian Law are organized in universities, high schools and other institutions.

**Distinguished delegates,**

Around two years ago, a devastating lethal war was conducted by Israel, the occupying Power, in the Gaza Strip, still under blockade. With its death toll and the extent of devastation among defenseless Palestinian civilians, that constituted a serious violation of the International Humanitarian Law.

In order to ensure the protection of the Palestinians and prevent these repetitive breaches to the obligations of the Geneva Conventions and their additional Protocols, my

delegation, like during the 2014 session consideration of this agenda item, echoes and strongly supports the request of the State of Palestine to convene a Conference of the High Contracting Parties to the Fourth Geneva Convention to examine measures, in accordance with common Article 1, to ensure respect and enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem. The request to convene this Conference was endorsed by the Non-Aligned Movement and the Arab Group.

We thank Switzerland, as depositary of the Geneva Conventions, for having resumed consultations concerning a possible conference of the High Contracting Parties to the Fourth Geneva Convention, in accordance with the recommendation of the General Assembly resolution 64/10 on the Follow-up to the report of the United Nations Fact-Finding Mission on the Gaza Conflict.

Nevertheless, we regret that, despite the existence of a cross-regional critical mass of support for such a conference, and because of a small number of States parties expressing their opposition (as indicated in note verbal circulated by the Swiss Permanent Mission in Geneva, dated 10 December 2014, GEN 24-2014), the High Contracting Parties to the Fourth Geneva Convention has not been convened.

This is why, while privileging unanimous decisions, we would like to stress again that consensus does not mean unanimity. We look forward taking into account this factor by the Swiss Federal Council during future consultations.

**Distinguished delegates,**

The Polisario Front made, on 21 June 2015, the Unilateral Declaration, on behalf of the people of Western Sahara, that it undertook to apply the 1949 Geneva Conventions and Additional Protocol (I).

The Declaration was addressed to the Swiss Federal Council, as the depositary of the Conventions. It was subsequently notified, on 26 June 2015, to the Governments of the States parties to the Geneva Conventions for the Protection of War Victims.

The notification informed that the Declaration has, as of 23 June 2015, the effects mentioned in Article 96(3) of Protocol (I).

In this regard, we deplore that that the Secretary-General's report A/71/183 does not mention this information in the section entitled "Information received from the International Committee of the Red Cross".

**Distinguished delegates,**

As a historic reminder, before the Polisario Front, other national liberation fronts' invoked Article 96(3) of the Additional Protocol (I), such as the African National Congress in South Africa and the South West African People's Organization in Namibia. These approaches were equally welcomed by Algeria at that time.

Article 96(3) disposition allows the authority representing a people engaged in a conflict in which the principle of self-determination is at stake to undertake to apply the Conventions and Additional Protocol (I) by means of a Declaration to the depositary.

We would like to conclude by welcoming the accession of the Polisario Front to the Geneva Conventions and additional Protocol (I).

**I thank you.**