



**PERMANENT MISSION
OF THE PRINCIPALITY OF LIECHTENSTEIN
TO THE UNITED NATIONS
NEW YORK**

NEW YORK, 10 OCTOBER 2016

CHECK AGAINST DELIVERY

GENERAL ASSEMBLY, SIXTH COMMITTEE

STATEMENT BY MR. JÖRN EIERMANN, SENIOR ADVISER (LEGAL, POLITICAL)

STATUS OF PROTOCOLS ADDITIONAL TO THE GENEVA CONVENTION OF 1949 AND RELATING TO THE PROTECTION OF VICTIMS OF ARMED CONFLICT

Mr. Chairman

We are very concerned by the blatant disrespect for international humanitarian law in various parts of the world. Each and every day we hear of more violations - by States, by armed groups. Just this weekend, we have witnessed another appalling incident of gross violations of the basic rules of the law of war in Yemen, with massive loss of life. We expect that this incident will be investigated fully and in a transparent manner. This downward trend compounded by the rhetoric of politicians and other leaders clearly undermines well established rules applicable in situations of armed conflict. The erosion of the respect for international humanitarian law has reached alarming levels. We should not have to speak about attacks against aid convoys, medical facilities or schools. We should be engaged in a serious effort to advance compliance initiatives to consistently and systematically address any violations of international humanitarian law. Unfortunately, the reality looks different.

Mr. Chairman,

The Geneva Conventions are universally ratified - we call on all States who have not done so to also ratify/accede to the additional protocols. Next year, we are marking their 40th anniversary

and we hope that we can celebrate this occasion with more ratifications. But ratifications also entail an obligation for States to act – in particular the obligation to hold those who commit serious violations of international humanitarian law to account. If States are unable to do so, they should seek assistance from other States, the United Nations and make use of existing institutions, such as the International Criminal Court. If States are unwilling to do so, the international community should not stand idly by but rather be vocal in asking for accountability. We commend States who have referred their own situations to the ICC in order to address the impunity gap for war crimes. It is a clear indication that States who have ratified the Rome Statute actively seek the help of the Court, rather than being “targeted”.

Mr. Chairman,

The Security Council holds regular debates on the Protection of Civilians – often of a repetitive nature. This is not enough. We need the Security Council to regularly call on all parties to armed conflict to respect and ensure respect for international humanitarian law in general. We need a Security Council committed to holding those who commit flagrant violations of humanitarian rules and principles to account. And we need Council members, who themselves are committed to respecting international humanitarian law and to investigate reports of violations committed by their armed forces independently and thoroughly. Governments must scrupulously abide by the fundamental principles of distinction, proportionality and precaution. It is hard to imagine how the use of explosive weapons in densely populated areas can comply with the rules of international humanitarian law regulating the conduct of hostilities – in particular the principle of proportionality and the obligation to take all feasible precautions to avoid civilian casualties. Liechtenstein believes that States should therefore completely refrain from using this weaponry in such situations. However, we acknowledge that there is an ongoing debate whether developing new standards regarding this issue are necessary and we are certainly open to such discussions.

Mr. Chairman,

We welcome the tireless efforts of the International Committee of the Red Cross to prevent suffering by promoting and strengthening humanitarian law. We commend them for their commitment to protect and assist victims of armed conflict as well as of other situations of violence – unfortunately, we cannot claim that we have done our part as States Parties to the Geneva Conventions. While we have agreed on some important resolutions at the 32nd International Conference of the Red Cross and Red Crescent in December 2015, we were disappointed that States could not agree on a voluntary compliance mechanism. We hope that we have a better success story to tell in future debates of this kind. At the World Humanitarian Summit, 109 stakeholders supported at least one of the five core commitments under the responsibility “Uphold the Norms that Safeguard Humanity” and 110 stakeholders made 684 individual and joint commitments. We hope that these numbers translate into action in the weeks to come.

I thank you.