

Translated from French

Permanent Mission of the Kingdom of Belgium to the United Nations

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The Permanent Mission of Belgium to the United Nations presents its compliments to the United Nations Secretariat and has the honour to refer to the report requested in paragraph 13 of General Assembly resolution 67/93 of 14 December 2012 on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts.

Information from Belgium is accordingly transmitted herewith.

The Permanent Mission of Belgium to the United Nations takes this opportunity to convey to the United Nations Secretariat the renewed assurances of its highest consideration.

New York, 17 October 2014

His Excellency Mr. Ban Ki-moon

Secretary-General of the United Nations

New York

Cc: Office of Legal Affairs

Information from Belgium for the report requested in paragraph 13 of General Assembly resolution 67/93 of 14 December 2012

With respect to the report requested in paragraph 13 of General Assembly resolution 67/93 of 14 December 2012 on the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, Belgium wishes to refer to the information it provided in 2008,¹ which consolidated and supplemented its previous reports on this issue and highlighted Belgium's active support, in particular, for:

- The development of international humanitarian law, especially in the area of limiting or prohibiting the use of conventional weapons that may cause unnecessary suffering or have indiscriminate effects, and observance of that law;
- The International Committee of the Red Cross (ICRC) and its work on behalf of victims of armed conflicts; and
- National and international enforcement mechanisms in the field of international humanitarian law.

Belgium also recalls the information it provided in 2010² and 2012,³ which supplements the exhaustive report provided in 2008.

The most noteworthy legislative developments since 2012 are the following:

- On 26 November 2013, Belgium ratified the amendments to the Rome Statute of the International Criminal Court on the crime of aggression and the amendments to article 8 of the Statute, adopted at the Review Conference held in Kampala;
- On 3 June 2014, Belgium ratified the Arms Trade Treaty;
- The Act of 4 July 1956 on the protection of the designations, signs and emblems of the Red Cross was amended by the Act of 22 November 2013 to bring it into conformity with the

¹ Summarized in the report of the Secretary-General (A/63/118).

² Summarized in the report of the Secretary-General (A/65/138/Add.1).

³ Summarized in the report of the Secretary-General (A/67/182/Add.1).

Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III), adopted in Geneva on 8 December 2005. As a result of this legislative amendment, Belgium is in a position to ratify Protocol III;

- The Act of 29 March 2004 on cooperation with the International Criminal Court and the international criminal tribunals was amended by the Act of 26 March 2014 strengthening measures for cooperation with international criminal jurisdictions, inter alia in respect of the protection of witnesses and interim release;
- The Royal Decree of 23 August 2014 establishing the Belgian Task Force for International Criminal Justice, which formalizes coordination among all the national authorities involved in supporting, implementing or developing international criminal justice, entered into force on 15 September 2014.

Regarding cooperation with international criminal jurisdictions, Belgium and the International Criminal Court have concluded an agreement on the interim release of detainees in Belgian territory pursuant to rulings handed down by the Court.

The Belgian Ministry of Defence has taken a number of measures to further integrate international humanitarian law into its chain of operations and personnel training:

- In 2013, the Ministry established an operational law structure (Protocol I, art. 82) consisting of legal advisers. Their mandate is to advise the different units of the Armed Forces General Staff and military commanders on legal aspects of the planning and execution of military operations.
- The Ministry also instituted a military commission on the law of armed conflict, with responsibility for drawing up a list of the measures taken within the Ministry to implement the law of armed conflict and for organizing and monitoring the application of those measures.
- The curriculum for cadets at the Royal Military Academy includes a course specifically focusing on international humanitarian law.

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- Lastly, an operational law handbook for military commanders and legal advisers is currently being prepared.

Finally, Belgium has participated actively in mechanisms for the protection of cultural property, in particular through the following actions:

- Deposit in November 2012, with the Committee established under the second Protocol to the Hague Convention of 1954, of an indicative list of cultural property for which the granting of enhanced protection could be requested
 - Proposal, granted in December 2013, that the Committee for the Protection of Cultural Property in the Event of Armed Conflict add three items of Belgian cultural property to the List of Cultural Property under Enhanced Protection
 - Service as Vice-Chair (2011-2012) and Chair (2012-2014) of that Committee, with the creation of an international platform involving the Chair of the Committee and representatives of ICRC and the Blue Shield
 - Organization of an international symposium on the protection of cultural property in the event of armed conflict, held on 12 and 13 December 2013.
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