

United Nations General Assembly

73<sup>rd</sup> Session

Sixth Committee

**General debate on the**

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

[Agenda item 83, to be considered in October 2018]

Statement by the

**International Committee of the Red Cross (ICRC)**

October 2018

Mr / Madam Chair,

On the occasion of the 40th anniversary of the Additional Protocols of 1977, the ICRC took several steps to promote the universalization and implementation of these instruments. Its initiatives included the publication of a policy paper on the impact and practical relevance of the Additional Protocols, raising the question of accession in its dialogue with States, and highlighting the relevance of these instruments through national and regional events. Among other steps taken, the ICRC wrote to States not yet party to the Additional Protocols encouraging them to adhere to these instruments. We reiterate our call to States that have not yet done so, to ratify the Additional Protocols and other key instruments of IHL.

At the time of writing, 174 States are party to Additional Protocol I and 168 States are party to Additional Protocol II. Since our last intervention, Burkina Faso and Madagascar became States number 73 and 74 to ratify Additional Protocol III. In April 2018, Palestine made a declaration pursuant to Article 90 of Additional Protocol I making it the 77th State to accept the competence of the International Humanitarian Fact-Finding Commission. We welcome the fact that the number of States party to this and other key instruments of IHL has continued to grow.

The ICRC congratulates Niger, Oman, Palestine, Papua New Guinea and Vanuatu on the establishment of national committees on IHL. By our reckoning, there are now 112 national IHL committees or similar bodies. The ICRC contributed to the establishment and work of such bodies by convening the Fourth Universal Meeting of National Committees and Similar Bodies on International Humanitarian Law in 2016, which focused on enhancing protection in armed conflict through domestic law and policy.

Moreover, the ICRC continued to update the Commentaries on the Geneva Conventions of 1949 and their Additional Protocols of 1977 with the publication of the New Commentary on the Second Geneva Convention in May 2017 and promotional events in a variety of regions. The Commentaries will give practitioners and scholars of humanitarian law an understanding of the law as it is interpreted today, so that it can be applied effectively in contemporary armed conflicts.

Next year will mark the 70<sup>th</sup> anniversary of the adoption of the 1949 Geneva Conventions. The ICRC looks forward to commemorating this anniversary, and encourages States to make special efforts in ensuring proper implementation of the provisions of the GCs and the Additional Protocols, in acceding to remaining IHL instruments, and in considering to establish a national IHL committee where such a body does not yet exist.

In December 2015, the 32nd International Conference of the Red Cross and Red Crescent recommended the continuation of a State-driven intergovernmental process to find ways to enhance the implementation of IHL. The ICRC and Switzerland co-facilitate this process, and in that capacity organized four Formal Meetings of States to date, as well as numerous preparatory meetings, aimed at enabling States to exchange views on the substantive elements of Resolution 2, and on the best ways to fulfil the mandate given by the International Conference. Further meetings are planned for the remainder of this year and next, with a view to submitting an outcome to the 33rd International Conference that will be held in late 2019.

The ICRC, through its Advisory Service on IHL, continued to provide national authorities with legal advice on and technical assistance with adopting the legislative, regulatory and practical measures needed to ensure full implementation of IHL in domestic law and practice.

The ICRC also continued to develop specialized tools (such as databases, reports, and technical documents) which have been made available to States and the general public, and will continue to do so in the future. It continued to update the practice part of its online [Customary IHL Database](#), in long-standing partnership especially with the British Red Cross Society, and kept on building its public database on the [National Implementation of IHL](#).

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

Thank you, Mr / Madam Chair.