

*Translated from French*

## **Contribution of the Kingdom of Belgium to the report requested in paragraph 13 of United Nations General Assembly resolution 73/204 of 20 December 2018**

In response to the note verbale from the Secretary-General of the United Nations of 7 January 2019 concerning the status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts, the Kingdom of Belgium would first like to refer to its previous contributions of 2010, 2012, 2014, 2016 and 2018, which supplement the comprehensive report of 2008 (A/63/118).

Since 2018, the most significant legislative changes to be noted are:

- The Act of 5 May 2019<sup>1</sup> amending:
  - The Act of 29 March 2004 on cooperation with the International Criminal Court and the international criminal tribunals to include a new Title VI quater on the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, and a new Title VI quinquies on the groups of experts and the investigation teams.
  - Articles 136 quater and 136 quinquies of the Criminal Code to bring them into line with article 8 of the Rome Statute of the International Criminal Court, as amended - on the initiative of Belgium - by the Assembly of States Parties to the Rome Statute of the International Criminal Court on 14 December 2017.<sup>2</sup>
  - The Act of 30 July 1981 on the suppression of certain acts motivated by racism or xenophobia, with a view to implementing the Additional Protocol of 28 January 2003 to the European Convention on Cybercrime of 23 November 2001, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems, and the European Union Council Framework Decision of 28 November 2008 on combating certain forms and expressions of racism and

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<sup>1</sup> *Moniteur belge*, 24 May 2019

<sup>2</sup> Inclusion of three additional war crimes: employing microbial, biological or toxin weapons; employing weapons that injure by fragments undetectable by X-rays; and employing laser weapons specifically designed to cause blindness, whether in the context of international or non-international armed conflict.

xenophobia by means of criminal law.

- The Act of 11 July 2018 amending the Act of 29 March 2004 on cooperation with the International Criminal Court and the international criminal tribunals to include a chapter on cooperation with the Specialist Chambers for Kosovo.<sup>3</sup>

Belgium has also organized a number of events, both national and international, on issues relating to international humanitarian law:

- United Nations General Assembly side events:
  - A high-level event on the reintegration of child soldiers, jointly with Virginia Gamba, the Special Representative of the Secretary-General for Children and Armed Conflict, held on 24 September 2018 and attended by Her Majesty Queen Mathilde in her capacity as Sustainable Development Goals Advocate.
  - An event on strengthening respect for international humanitarian law and the protection of civilians in armed conflict, held on 26 September 2018, in partnership with the European Union and the United Nations Office for the Coordination of Humanitarian Affairs.
  - A high-level event on the actions taken by States to protect children in armed conflict organized jointly with Save The Children, held on 23 September 2019 and attended by Her Majesty Queen Mathilde in her capacity as Sustainable Development Goals Advocate.
  - An event organized with the European Union on safeguarding the humanitarian space in the context of counter-terrorism, held on 25 September 2019 and attended by the European Commissioner responsible for humanitarian aid, the President of the International Committee of the Red Cross (ICRC) and the Belgian Minister for Development Cooperation.
- A briefing to the Security Council on the guidelines on integrating child protection into peace negotiations and mediation processes, in February 2020, during the Belgian presidency of the Security Council, attended by His Majesty the King and the Belgian Minister for Foreign Affairs.

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<sup>3</sup> *Moniteur belge*, 18 July 2018

- A conference on the challenges posed by armed conflict in urban areas, in partnership with ICRC and the Belgian Red Cross, held in Brussels on 25 April 2019, at which no fewer than 30 States were represented.

The Belgian authorities also supported the organization, by the International Society for Military Law and the Law of War, of workshops commemorating the seventieth anniversary of the Geneva Conventions and focused on the protection of civilians in armed conflict.

The Belgian authorities have also continued to work with the Belgian Red Cross, which is an auxiliary body of the public authorities in the humanitarian field, to strengthen the dissemination of information on and implementation of international humanitarian law. Thus, in addition to the dissemination activities that the Belgian Red Cross carried out individually, the National Society collaborated with the authorities on the following initiatives during the period under review:

- The organization, with the Federal Public Service for Foreign Affairs, of a training course in international humanitarian law for trainee diplomats.
- The continuation of a training course for the deployment abroad of experts in cultural property, organized by the Interministerial Commission for Humanitarian Law, the Ministry of Defence and the Belgian Committee of the Blue Shield.

Through the Interministerial Commission for Humanitarian Law and with the valuable collaboration of the Belgian Red Cross, the Belgian authorities prepared the final report on the implementation of the resolutions and commitments adopted at the thirty-second International Conference of the Red Cross and Red Crescent, which took place in Geneva from 8 to 10 December 2015.

In addition, the Belgian authorities worked closely with the Belgian Red Cross to prepare for the thirty-third International Conference of the Red Cross and Red Crescent, to be held in Geneva from 9 to 12 December 2019, in particular to:

- Develop the pledges that were adopted by Belgium individually, and by Belgium jointly with its national society or with the European Union and its Member States, for the next four years. The pledges relate to various aspects of international humanitarian law: support for the International Humanitarian Fact-Finding Commission; support for the International Criminal Court and ratification of the latest amendments to the Rome Statute; strengthening of respect for

and promotion, dissemination and implementation of international humanitarian law; protection of children in armed conflict; protection of health care; protection of the emblem; training of judges; protection of cultural property; confidence-building in humanitarian assistance; risk reduction and confidence-building measures in the field of nuclear arms; and the responsible transfer of weapons.

- At the Conference, organize a side event on the success of national commissions for international humanitarian law, in partnership with ICRC, the national commission of Indonesia and the Ecuadorian Red Cross.

Lastly, Belgium also endorsed the call to action for international humanitarian law that was launched on the margins of the seventy-fourth session of the United Nations General Assembly.

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