

HIGH-LEVEL SIDE EVENT  
INTERNATIONAL HUMANITARIAN LAW - ENHANCING MONITORING,  
IMPROVING COMPLIANCE

76th UN General Assembly

Ministerial Week

22 September 2021

Statement by H.E. Ann Linde, Minister for Foreign Affairs of Sweden

*[Check against delivery]*

Thank Germany and France for organizing this important event. In armed conflicts today, we are witnessing an eroding respect for basic rules of International Humanitarian Law.

The international community cannot remain silent and we need to honor our obligation not only to respect but also to ensure respect for international humanitarian law. We joined the “Call for Action” initiative in 2019 to demonstrate our full support for the efforts to ensure accountability for the most serious international crimes through new, as well as existing, multilateral mechanisms.

Sweden takes action to ensure accountability for IHL violations at both international *and* national level.

Sweden chairs the biannual resolution Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts whereby the UN General Assembly reaffirms its commitment to respect and ensure respect for International Humanitarian Law in all circumstances.

We support investigative mechanisms at international level such as the International, Impartial and Independent Mechanism for or the most serious crimes under International Law committed in the Syrian Arab Republic as well as UNITAD.

We also support the work of the Humanitarian Fact Finding Commission established under Article 90 of the First Additional Protocol to the Geneva Conventions of 1949

and I am honoured to say that we have decided to nominate our current member Dr. Åsa Molde for a second five-year term in the elections in Berne in November.

Furthermore, Sweden has contributed to the development of the ICRC Guidance Document on the Protection of Health Care in Armed Conflict which was launched in March this year and which aims to find concrete ways forward to protect health care while carrying out military operations.

Finally, under our universal jurisdiction for crimes against humanity and war crimes, Sweden was the first country with convictions for serious crimes in Syria. Preliminary investigations against Daesh supporters are underway.



## **International Humanitarian Law: Enhancing Monitoring, Improving Compliance**

***22.09.2021***

**Statement by HE Augusto Santos Silva  
Minister of State for Foreign Affairs of Portugal**

- At the outset, allow me to salute the European Union, Germany, and France for co-organising this side event dedicated to discussing how to improve monitoring and analysis of violations of International Humanitarian Law (IHL).
- Portugal is strongly committed to IHL and is gravely concerned about the many and very serious reports of its violation in current armed conflicts. IHL protects human life and dignity in armed conflict. It is not due to the lack of a solid and comprehensive legal framework that we witness breaches of fundamental rules of the Law of Armed Conflict. In fact, the greatest challenge is rather the implementation of that legal framework.
- Acts and omissions by parties to armed conflict who unlawfully target persons and objects protected under IHL are too often carried out willingly and with a shocking disregard for IHL and International Human Rights Law.
- This situation calls for a multilateral reflection and ownership on how to better implement and uphold the principles of humanity, impartiality, neutrality, and independence – such as the one we are having today.
- The *"Call for Action to strengthen respect for international humanitarian law and principled humanitarian action"* launched in 2019 by Germany and France – which Portugal has endorsed – is one example of the multilateral approach to enhancing compliance with IHL with concrete commitments by States.
- Portugal has adopted several measures for disseminating IHL, this being also an obligation under the Geneva Conventions and their Additional Protocols – both in peacetime and during armed conflict.
- Another important measure to improve compliance with IHL even during peacetime is to uphold the integrity of the distinctive emblems listed in the Geneva Conventions and their Additional Protocols. Portugal is committed to ensure that emblems are lawfully used in places under Portuguese jurisdiction, both as a protective symbol by persons or places allowed to use



them, or in the indicative use allowed to the Portuguese Red Cross. Portugal and the Portuguese Red Cross have worked closely together to identify situations of misuse of the emblem of the red cross, such as imitation and improper use.

- Alleged violations of IHL and of Human Rights must be recorded, to safeguard the rule of law, effective accountability and post-conflict rehabilitation and reconciliation, including through transitional justice. Collecting, analysing and preserving information on alleged violations of IHL is therefore instrumental in ensuring accountability.
- Thus, Portugal has been a supporter of the International Humanitarian Fact-Finding Commission established under the Additional Protocol I to the Geneva Conventions, by accepting the competence of this Commission on 1 July of 1994. We have supported efforts to encourage the resort to this Commission in situations of armed conflicts.
- Portugal sees International Criminal Justice as a valuable element in ensuring accountability for the most serious crimes of concern to the international community, ending impunity for perpetrators of these crimes. At the national level, we have implemented measures such as adopting national legislation asserting effective jurisdiction over war crimes, crimes against humanity and genocide, keeping up with amendments to the Rome Statute.
- In closing, I would like to thank the EU, France and Germany once again for organising this useful discussion and collective reflection. The many current challenges to protect human beings caught up in hostilities demand creative and coordinated responses from every addressee of IHL obligations. Portugal is committed to continue to play an active role in those responses.

***\* \* \* Check against delivery \* \* \****

# **INTERNATIONAL HUMANITARIAN LAW: ENHANCING MONITORING, IMPROVING COMPLIANCE**

**22 September 2021**

**Intervention by H.E. Mr. Bogdan Aurescu,  
Minister of Foreign Affairs of Romania**

*Excellencies, Ladies and Gentlemen,*

I am honoured to join this very important event dedicated to a cause of great relevance for Romania and for my mandate as foreign minister, which is improving compliance with International Humanitarian Law.

While it is true that the nature and types of conflict are changing under the pressure of new technology and socio-political developments, the relevance of the principles and norms enshrined in the four Geneva Conventions have stood the test of time.

At the same time, we should remain attune to the changing operational landscape and respond to the new phenomena by means of clarifying the norms applied to armed conflicts. Moreover, we should not look at these legal interpretations in abstract, but in terms of the needs of protection and engagement as they arise on the ground.

As we continue to witness grave violations of IHL worldwide, we must acknowledge that the underlying problem is not a lack of rules, but a lack of programme enforcement and oversight.

The Geneva Conventions are an exception among international treaties, because they do not provide States with an opportunity to meet on a regular basis to discuss ways of enhancing their implementation.

Romania was among the countries that have argued in favour of a space of regular and non-politicized space of dialogue among States at the global level with the view to strengthening respect for IHL. As the intergovernmental consultations to this end have failed, we must seek other ways of reaching this goal. We should not shy away from examining IHL breaches based on independent data, with due regard to avoid political instrumentalisation of the International Humanitarian Law. From this point of view, the example of the International Conference of the Red Cross and Red Crescent (ICRC) attests the possibility of maintaining the discussion on a neutral ground.

We look to the ICRC as a traditional partner and guardian of IHL, for relevant ideas, while we are ready to engage in new joint endeavors in support of IHL compliance, together with other interested actors.

In line with the latest International Conference resolution “Bringing IHL home”, we must remind ourselves that galvanizing action at the international level should be matched by a continual effort to ensure respect for IHL domestically.

In this context, Romania is proud to join the growing community of states that have elaborated a national voluntary report on the implementation of IHL at domestic level. Our report - elaborated within the framework of the National Commission on IHL and then adopted this June by the Government and published online - is part of a broader set of measures undertaken by the

Romanian authorities to boost knowledge and implementation of IHL and will be followed, most notably, by an update of the National Strategy for the Implementation of IHL.

To conclude, ensuring compliance with IHL is both a legal and a moral imperative. We remain available to further contribute to this debate, while we congratulate France and Germany for their determination to keep this topic high on the international agenda, under the umbrella of helpful initiatives such as the Humanitarian Call for Action.

Thank you.

# High Level Side Event on International Humanitarian Law: Enhancing Monitoring, Improving Compliance

22 September

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## **INTERVENTION (as delivered by the Hon. Evarist Bartolo, Minister for Foreign and European Affairs)**

Commissioner Lenarcic, Jean-Yves, Heiko, thank you for organising this event.

Malta was proud to support the Call for Action in September 2019 to bolster international humanitarian law and was one of the first countries to adhere to this action.

Although we have mechanisms in place within the European Union to monitor potential violations of international humanitarian law, much work needs to be done so that we strengthen independent data collection and analysis on potential abuses across the world.

The lack of an independent comprehensive data source on international humanitarian law violations weakens efforts by the EU and other actors to respond to violations and ensure accountability. We fully support the work done by actors such as the International Criminal Court and the Independent International Commission of Inquiry on Syria, however we are faced with grave humanitarian abuses in many other countries where action is hindered by a lack of reliable data.

Our credibility suffers if we are selective when we denounce violations of International Humanitarian Law, and we will be accused of hypocrisy and double standards if we look the other way if such violations are committed in situations where we, our allies, and friends are involved.

Malta bring information on such issues to the attention of the international community. Indeed, this is one of the main issues we intend to focus on as part of candidature for a seat on the UN Security Council during 2023-2024.

Thank you



**International Humanitarian Law –Enhancing Monitoring, improving compliance**  
**Speaking points of Péter Szijjártó, Minister of Foreign Affairs and Trade of Hungary**

- It is a pleasure to participate on this High-level Side Event on the margins of the UN General Assembly, addressing contemporary challenges of International Humanitarian Law (IHL).
- Firstly, I would like to highlight that Hungary shares the view that the promotion of compliance with IHL is a highly relevant question.
- We also agree that ending impunity of those committing the most serious crimes of concern to the International Community is not possible without effective monitoring of IHL violations.
- Hungary has always been a great supporter of improving International Humanitarian Law, which is demonstrated by the fact that Hungary ratified all relevant international instruments on IHL, respects and ensures respect for its implementation in all circumstances.
- It also means that Hungary, also as a member of NATO, uses its influence to prevent and end violations of IHL and refrain from encouraging violations by other parties.
- Hungary has recognised the competence of the International Humanitarian Fact-Finding Commission (IHFFC) and has supported its mandate since its inception. At the last International Conference of the Red Cross and Red Crescent, the Hungarian Government pledged to ensure a broader awareness regarding the existence and competences of the IHFFC leading to its broader recognition and an increased use of its services. In our view, increased use of the services of the Commission could lead to a better respect for IHL.
- Hungary supports the discussion on IHL implementation related questions also at domestic level, sharing good practices and experiences on implementing aspects of IHL that are particular important to national (humanitarian law) committees.
- Finally, I also would like to highlight that one of the root causes of mass migration is clearly the suffering caused by violations of IHL. Hungary rejects firmly that migration has any positive effects. In our view, instead of creating further pull factors we should focus on the real solutions.
- Since the outbreak of the 2015 migration crisis, Hungary has consistently emphasized that the root causes of migration need to be addressed locally at their root.
- Our clear position is that instead of promoting migration, we have to stop it and we should focus on providing assistance to the third countries locally by creating stable and secure conditions, thereby ensuring that people can stay in their homeland in peace and prosperity.
- Preventing and ending violations of IHL also serves preventing migration, and that is a high priority for Hungary.
- I can assure you that Hungary, as a committed supporter of international humanitarian law will continue to play an active role in implementing and ensuring respect for the implementation of IHL.

## **Spain Minister of Foreign Affairs, European Union and Cooperation**

**H.E. Mr Jose Maria Albares**

- *Thank you for giving me the floor. .*
- *I have four point:*
- *First, we need to reinforce our humanitarian diplomacy action to preserve the humanitarian space. Spain is taking concrete steps to fulfil the twenty-three promises made at the thirty-third Conference in Geneva before the next Conference in 2023. We will soon launch our first Strategy for Humanitarian Diplomacy, a pioneering exercise, to mainstream this agenda across all Departments and our foreign policy.*
- *Second, we must persevere in the fight against impunity. Improve the mechanisms to bring the perpetrators to justice, including the jurisdiction of the ICC. Honor the victims and deter future violations. Help the international courts to fulfil their mandates. We are working with the International Peace Institute on a project together focused on proposals to improve data sharing and investigation on attacks against medical missions in line with the Geneva Conventions and UNSC Resolution 2286.*
- *Third, we advocate and lobby to achieve the universalisation of the Safe Schools Declaration. We hosted the Third International Conference on Safe Schools in Palma in 2019.. Last March, the Spanish Development Cooperation Agency and the Global Coalition to Protect Education from Attacks organised an online technical training programme on the implementation of its Guidelines. More than 20 countries took part.. Next month, we will be co-hosting with Nigeria, the 4<sup>th</sup> International Conference in Abuja.*
- *Finally. We are on this together. We must prevent and condemn IHL violations and remember the duty to protect civilians in conflict through more robust international overview. Politically driven awareness, more resources and better control are actions that help create the conditions of possibility to prevent these violations.*
- *We have to be bold and concrete, ambitious and realistic, generous and effective, creative and proactive. Spain will continue to be actively committed to enhancing, monitoring and improving compliance with IHL. We have come a long way, but there is still a lot to be done. There is no room for self-compliance.*
- *Thank you*

**Statement by H.E. Gordan Grlić Radman, Minister of Foreign and  
European Affairs of the Republic of Croatia,  
at the High-Level Event on "International Humanitarian Law: Enhancing  
Monitoring, Improving Compliance",  
22 September 2021**

Distinguished Ministers,  
Excellencies, Ladies and Gentlemen,

I wish to extend my **appreciation** to Germany and France for organizing this important gathering. Croatia is honoured to be among likeminded countries, which joined the “Humanitarian Call for Action”.

In the ongoing conflicts around the world, we regrettably witness deliberate violations of international humanitarian law, such as **targeting of civilians and civilian institutions**, including humanitarian and medical personnel.

As a country that had first-hand **experience with war**, **Croatia** is particularly committed to strengthening the respect for IHL.

At the national level, we have re-established the **National Committee for IHL**. We are actively engaged in implementing the provisions of the ICRC resolution “Bringing IHL Home: a roadmap towards better national implementation of IHL”.

Within the framework of the **Human Rights Council**, we have promoted, in close cooperation with our cross-regional partners, the importance of **casualty recording**. Our joint statement on casualty recording, presented during the 45<sup>th</sup> session of the Council, was cosponsored by 51 states.

**Casualty recording** is an integral part of efforts to monitor respect for international human rights and humanitarian law.

The evidence it generates can facilitate the efforts to better protect civilians and prevent violations of IHL.

Casualty recording can be undertaken in diverse contexts, including for systematic recording of a range of violations, or to establish “patterns of harm” caused to civilians in crisis or armed conflicts.

A verified and reliable system of casualty records is also crucial for future accountability process and can help determine if crimes against humanity or war crimes have taken place.

Ladies and Gentlemen,

Casualty recording is not just about a number of casualties, rather about each person’s identity and fate.

As a country that is still searching for **1,858 citizens missing** from the Homeland War, we are particularly sensitive to this topic.

In cooperation with our partners, civil society and ICRC, **Croatia organizes webinars** and shares its experience - helping the states that deal with similar issues.

Furthermore, we are working on including the provisions on casualty recording into **country specific resolutions**, for example on Syria and Yemen, emphasizing the importance of compiling a comprehensive, verifiable and transparent record of all casualties of the conflict.

Croatia will continue to support bilateral and multilateral efforts in order to enhance **monitoring of and compliance with IHL**.



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## Address by Mr. Alain Déléroz, Geneva Call's Director-General

### UNGA side-event on Enhancing International Humanitarian Law Monitoring

September 22, 2021

« Excellencies, Ladies and Gentlemen,

- *Armed non-State actors are key players in the humanitarian sphere. Over 60 million people are living in territories controlled by armed groups and close to 160 million lives are affected by armed groups' activities. It is a growing phenomenon that shows no sign of abating.*

- *Geneva Call's mission as a neutral, independent humanitarian organization is to get in touch with armed groups and bring them to respect basic humanitarian principles. It directly engages with armed groups to increase their level of compliance with, and respect for humanitarian norms in armed conflict. Since its creation in 2000, Geneva Call has engaged more than 150 groups from all around the world, obtaining and monitoring public humanitarian commitments to stop the use and recruitment of children, to ban the use of anti-personnel landmines, to prohibit sexual violence, to protect healthcare and to prevent starvation and protect the environment.*

- *Having precise data on IHL violations is obviously of importance for the international community. Yet strengthening monitoring mechanisms should be reflected in light of the objectives the collected information will have. For humanitarian actors, including Geneva Call, it can help define strategies of engagement on the very specific breaches that happen in concrete contexts.*

- *As part of its strategy of humanitarian engagement, Geneva Call monitors the respect of the Deeds of Commitment that armed groups sign under our auspices. 75 groups have signed 101 Deeds. This monitoring does not exclusively focus on violations, but also on situations of compliance and improvement; and it does not cover specific cases, but **trends, positive and negative ones**. Our experience shows that discussing trends (and not isolated cases) with armed groups may lead to an increased protection of civilians on the ground. In the end, we aim at addressing structural problems that can affect humanitarian norms' compliance.*

- *And as our contribution to the French, German and EU initiative, I can announce that Geneva Call will, from next year onwards, regularly publish reports on these trends. We hope that these reports will be used to understand the reality of conflict settings, as well as to ameliorate the situation of individuals living therein.*

*Thank you for your attention. »*



International Organization for Migration Deputy Director General for Operations, Ms. Ugochi Daniels

**SIDE EVENT TO THE UNITED NATIONS GENERAL ASSEMBLY 2021  
INTERNATIONAL HUMANITARIAN LAW - ENHANCING MONITORING, IMPROVING  
COMPLIANCE**

*Co-chaired by the European Union, France and Germany  
[22 September 2021 13:30 EST/]*

**Summary of Key Remarks**

- Ladies and gentlemen, the UN Migration Agency strongly welcomes this initiative and call on all states and all stakeholders to do their utmost to protect, promote and uphold international humanitarian law.
- As an operational, visible and dedicated humanitarian actor, IOM underscores the critical importance in safeguarding humanitarian spaces. The egregious violations of humanitarian law that drive displacement, target front line workers, and limit our delivery of life saving services, must NOT go unrecorded and unheeded.
- International Humanitarian Law, as well as the various existing mechanisms, are fundamental tools in the settings where we work. Improving prevention and ensuring accountability requires our collective commitment and engagement.
- On behalf of the UN Migration Agency thank you very much to Germany, France, and the EU for this initiative and thank you all for your attention.

I want to thank the organizers for bringing attention to this pressing issue.

During my intervention, I will talk about two aspects relating to children in conflict:

- First, the children and armed conflict mandate of the Security Council already represents a powerful tool to monitor and report on violations, and incentivize compliance.
- However, this mandate is only as strong as the resources and political backing it has.
- To ensure its effectiveness,
  - o We need to preserve dedicated child protection capacity in UN peacekeeping and political missions.
    - Security Council mandates must explicitly require child protection capacity
    - the fifth committee must allocate adequate resources
    - and the UN must deploy staff promptly.
  - o The integrity of the mandate must also be preserved.
    - This requires an accurate and credible list of perpetrators in the Secretary-General's Annual Report,
    - grounded in impartial evidence, not political considerations.
- Second, beyond this mandate of the Security Council, we need to address the accountability gap affecting children in conflict.
- Despite their high exposure to violations, children are largely absent from international investigative and accountability mechanisms.
- In partnership with Oxford University, Save the Children published a report earlier this year exploring this gap and proposing concrete recommendations to address it.
- These include:
  - o increasing the political and financial support for accountability mechanisms,
  - o improving our understanding of how children can be included within those mechanisms,
  - o and developing specialized tools to deliver accountability for crimes affecting children.
- A change of mindset is ultimately required
- We need to stop thinking of children as passive objects, lacking in agency – children are not only entitled to justice, but are able to play their part in securing it.
- Thank you for your attention.



# SLOVENIA

## STATEMENT

### **High-Level Side Event on International Humanitarian Law – Enhancing Monitoring, Improving Compliance**

76<sup>th</sup> General Assembly of the United Nations  
Ministerial Week

**New York, 22 September 2021**



Slovenia would like to thank the European Union, the Federal Republic of Germany and the French Republic for organising this event during the UN General Assembly Ministerial Week.

Slovenia remains fully committed to the promotion of and respect for international humanitarian law through a variety of activities.

At the international level, Slovenia is addressing IHL issues in multilateral and regional forums. We strongly support the International Humanitarian Fact-Finding Commission and many IHL initiatives, such as the Call for Action. In 2019, Slovenia participated in the 33rd International Conference of the Red Cross and Red Crescent and organised a side event on water infrastructure and IHL.

In the EU framework, the Council adopted the Guidelines on Promoting Compliance with IHL. The Working Group on Public International Law (COJUR), with contributions from the European Commission services, the European External Action Service and the European Parliament, prepares annual reports, which prove that the EU has placed compliance with IHL at the heart of its external action and are a visible and practical demonstration of our joint commitment.

This year, on 8<sup>th</sup> September, the fourth report on the implementation of the EU Guidelines on Promoting Compliance with IHL was first launched at a virtual event organised by Slovenia and the Portuguese Republic, the two Council Presidencies in 2021. The event aimed at raising awareness of the EU's activities in IHL brought together more than a hundred participants from all over the world. The panellists agreed that only coherent, coordinated, complementary and mutually reinforcing actions could contribute to effective compliance with IHL on the ground, underlining the importance of global response to IHL violations since we face a growing number of civilian victims, especially among children and other vulnerable groups.

At the domestic level, Slovenia promotes IHL through regular consultations between the Slovenian and German IHL Committees on topical IHL issues. The ICRC experts significantly enriched these consultations with their expertise. This year, Doctors without Borders contributed to the lively discussion on the protection of medical and humanitarian personnel in armed conflicts.

In addition, Consultations between the Slovenian, Austrian, Dutch, French and German IHL Committees on contemporary IHL issues will take place in November. The keynote speaker will be Ms Helen Durham of the ICRC.

Through a variety of activities on the EU and national levels, Slovenia reaffirms its deep commitment to respect for international law, including IHL, which is one of the priorities of the Slovenian foreign policy.

Thank you.



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Swiss Confederation

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## 76e Session de l'Assemblée générale

Événement parallèle de haut niveau

### “International Humanitarian Law – Enhancing Monitoring, Improving Compliance”

New York, 22 septembre 2021

Déclaration écrite soumise par la Suisse

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Mesdames et Messieurs les ministres,  
Excellences,  
Mesdames et Messieurs,

Je tiens tout d'abord à exprimer ma gratitude aux organisateurs de l'évènement de ce jour. **La France et la République fédérale d'Allemagne** ont fait du droit international humanitaire une priorité au sein du Conseil de sécurité de l'ONU.

Une décision que nous soutenons pleinement, d'autant que la Suisse **défend de longue date le droit international humanitaire**. Le respect du droit international humanitaire et l'obligation de rendre des comptes en cas de violation de celui-ci sont la pierre angulaire d'un monde plus sûr et plus juste.

- S'engager pour le respect du droit signifie **rappeler** à tous les acteurs que, même en temps de guerre, les règles élémentaires d'humanité doivent être respectées en toutes circonstances.
- Il s'agit de **permettre que les auteurs de violations soient poursuivis** et qu'ils aient à rendre compte de leurs actes.
- Il s'agit de garantir **aux victimes que justice soit faite**.
- **D'exercer un effet dissuasif sur les auteurs potentiels de violations**.
- Et par conséquent, il s'agit de **contribuer de manière significative à la paix et à la sécurité** dans le monde.

La Suisse s'emploie constamment à améliorer la mise en œuvre du droit international humanitaire – sur son territoire et dans le reste du monde.

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**Mission permanente de la Suisse auprès des Nations Unies**  
**Permanent Mission of Switzerland to the United Nations**

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- En novembre dernier, la Suisse a organisé une **réunion d'experts gouvernementaux** sur les activités médicales dans les conflits armés. Dans ce domaine, les violations du droit international humanitaire causent des souffrances particulièrement grandes. Au cours de cette réunion, des experts de plus de 100 pays ont partagé leurs expériences et, surtout, leurs pratiques afin d'améliorer cette situation.
- Par ailleurs, la Suisse a publié son premier **rapport volontaire sur la mise en œuvre du droit international humanitaire au niveau national**. Nous nous félicitons qu'un nombre croissant d'États envisagent également de publier un tel rapport et nous restons prêts à les soutenir.
- Enfin, la Suisse assure le secrétariat de la **Commission internationale humanitaire d'établissement des faits**, le seul organe permanent établi par une convention internationale pour traiter les incidents liés au droit international humanitaire.

J'encourage tous les pays à faire appel aux services de la Commission et à profiter des expériences des autres. Après tout, assurer et renforcer le respect du droit international humanitaire est **une responsabilité partagée**. Une tâche assurément lourde. Mais une tâche que nous pouvons maîtriser si nous travaillons ensemble.

Je vous remercie de votre engagement.

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*Unofficial translation*

Honourable Ministers.

Excellencies.

Ladies and Gentlemen.

I would like to start by expressing my gratitude to the organisers of today's event. **France and the Federal Republic of Germany** have made international humanitarian law a priority in the UN Security Council.

A decision we support wholeheartedly. After all, Switzerland has a **long tradition as an advocate of international humanitarian law**. Compliance with international humanitarian law and accountability for its violations is the foundation of a safer and more just world.

- Engaging to enhance compliance means **reminding all actors** that even during war the basic rules of humanity must be observed at all times.
- It is about **enabling the prosecution of perpetrators** and holding them accountable.
- It is about **ensuring to the victims that justice is done**.
- About **having a deterrent effect on possible future violations**.
- And therefore, it is about **making a significant contribution to peace and security** in this world.

Switzerland is always working to further improve the implementation of international humanitarian law – worldwide and at home.

- Last November, Switzerland organised **a meeting of government experts** on medical activities in armed conflicts. Violations of international humanitarian law in this area cause particularly

great suffering. During the meeting, experts from more than 100 countries shared their experiences and, above all, their practices to improve this situation.

- Furthermore, Switzerland has published its first **voluntary report on domestic implementation of international humanitarian law**. We are pleased that a growing number of states are also considering publishing such a report and stand ready to support them.
- Finally, Switzerland runs the secretariat of the **International Humanitarian Fact-Finding Commission**. The only permanent body established by an international convention to deal with incidents related to international humanitarian law.

I encourage all countries to make use of the services of the Commission and to benefit from each other's experience. After all, ensuring and strengthening compliance with international humanitarian law is **a shared responsibility**. A big task indeed. But a task we can master if we work together.

Thank you for your commitment!



**Permanent Mission of Afghanistan to the United Nations**



**STATEMENT**

**BY**

**H.E. Ambassador Ghulam M. Isaczai**

**Permanent Representative of the Islamic Republic of Afghanistan to the  
United Nations**

**Ministerial Event “International Humanitarian Law – Enhancing Monitoring,  
Improving Compliance”**

**22 September 2021**

**NEW YORK**

**(Please check against delivery)**

Thank you, Madame/Mister Moderator,

I would like to thank the EU, France, and Germany for their continued focus on this issue and their efforts to systematize monitoring and compliance of IHL. International Humanitarian Law is one of the most important sources of protection for civilians at times of war and conflict.

Yet, it is systematically ignored or violated by parties to conflict, especially non-state armed groups. Regrettably, the international community fails to ensure compliance and fully document violations too often.

The Afghan people have suffered from egregious violations of IHL for decades. In recent months, we have seen a sharp increase in violations since the Taliban's escalated their offensive across Afghanistan to unseat a democratically elected Government.

Since seizing power, the Taliban have pursued a relentless campaign against civilian populations in several parts of the country including in Panjshir, Kandahar and Ghazni provinces.

They have blocked aid to reach populations in need, systematically killed civilians, and forcibly displaced people from their homes, clearly violating the Geneva Convention.

In response, we have consistently called for an independent fact-finding mission to investigate and document these violations including at the special session of the HRC on the situation in Afghanistan. Unfortunately, HRC failed to act and hold the Taliban accountable for their crimes.

During the 48<sup>th</sup> Session of the Council, we have again asked the international community to establish the necessary mechanisms to hold the Taliban to account.

We fully support the establishment of a mechanism that can systematically collect and analyze data for effective IHL violations. This will undoubtedly improve monitoring and contribute to safeguarding the humanitarian space.

We should harness the power of digital technology to improve data collection. In Afghanistan, most of the IHL violations were reported by those affected by them including individuals, local NGOs, and civilians through social media.

Therefore, it is essential to establish a mechanism where these unverified inputs on IHL and HR violations are uploaded, verified and utilized for accountability purposes.

Let me once again reiterate that we are fully supporting the ongoing and future humanitarian operations led by the United Nations in Afghanistan to avert a humanitarian catastrophe.

We thank the international community for their generous financial contributions to the UN Secretary General's call for additional funding to Afghanistan.

Thank you Chair