

**UNDER-SECRETARY-GENERAL FOR HUMANITARIAN AFFAIRS AND
EMERGENCY RELIEF COORDINATOR, MARTIN GRIFFITHS**

**Remarks at the high-level side event on ‘International Humanitarian Law: Enhancing
Monitoring, Improving Compliance’, at the 76th United Nations General Assembly**

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As delivered

Thank you very much for inviting me to this meeting and *chapeau*, of course, to the European Commission, France – Mr. Le Drian – and Germany – Heiko Maas.

It’s very difficult to have to speak after Jan Egeland. And for him it was very difficult because he had to speak after Peter Maurer. And I am trailing both of them.

I want to start by saying that I was listening very carefully to every word that both Jan and Peter were saying, and I associate myself with all of it. It is an unusual moment for me in which I see things that I need to do more of because of these public debates, and I am very grateful to Jan and Peter for that. And of course, Jan, with his particular experience of being in this position that I am in, as well as now, on the front lines, where Peter has always been, brings such a lot of not just wisdom, but experience and presence, to make these issues vivid to us, and I am very grateful even if I regret having to follow them and be probably a bit lame. But anyway, there you go.

Thanks again to the Commission, and to France and Germany.

Over the last 150 years, we have all invested considerable effort and political will to strengthen the international legal framework that preserves human dignity in war, and where we see Peter, as its president and its witness, and its guardian, here with us today.

And yet, as he was saying, armed conflict is marked by high levels of civilian death and injury, perhaps as high as ever, as well as effects on health, food and water systems.

And the human cost, as we are seeing in many of our protracted crises, endures long after a conflict has ended. And I make reference to Jan’s last example, of the protection worries and the

trauma which go beyond the event and live in the lives of those who have suffered these unspeakable crimes.

I have travelled, since taking up this job quite recently, to Afghanistan, Ethiopia and Syria, and as is always the case in those places, I was able to meet – never enough, but always it is the most interesting part of the visit – is to meet women, men, youth, community members, professionals, non-professionals, doctors and so forth, and particularly those who, frankly, suffered from the events of the year and the previous years. But also talking to parties to the conflict, as well as our own humanitarian colleagues.

They, in their different ways, spoke to me of the central message that we are here to debate today, which is the basis upon which the system should be given, and the basis upon which they will escape the trauma and suffering of today and yesterday, is respect for international humanitarian law. And we continue to say, and we will continue always to say, how important it is to ensure that all those people are protected, and that we should base our assistance on those principles.

France and Germany two years ago launched a ‘Call for Action’, which I welcome very much today, to strengthen the implementation of humanitarian law and the protection of humanitarian and health-care workers in conflicts.

We are hearing today already about progress. Commissioner Lenarčič vividly and I think fluently described to us the importance of data, and documenting and analysing harm to civilians, as a basis then for doing something about it. And, like others, I welcome his commitments to invest further in that part of this problem.

Monitoring and analysis are extremely important. Others before me have said exactly that. Thanks to those efforts which document, which remind, which forbid us to ignore these infringements of IHL, we cannot escape the obligations that go with action that comes out of these reports. There is increasingly less and less excuse for ignorance or avoidance.

So the tracking, investigation and reporting must continue. It’s the vital first step.

As the relentless human cost of armed conflict persists, like others, I’d like to focus on the next step: What we do with it – what do we do with this evidence base? What do we need to do to ensure compliance and bring, if this is not some distant dream, an end to impunity?

The core issue is, of course, as has been said already, that parties to the conflict often disregard international humanitarian law, which is an inconvenience and is easily disregarded, and for which there are, regrettably, few consequences.

We continue to insist that they must respect their obligations under IHL. We know that the results when they don’t are deadly. Just as an illustration, last year when explosive weapons were

used in populated areas, 88 per cent of those killed or injured were civilians. So the deadly cost of abuse of IHL is not simply another fact; it's another life.

So something is needed – political will, of course – to increase the efforts to stop impunity. It depends on – again, Jan spoke about humanitarian diplomacy – a combination of political dialogue, capacity-building, political pressure, accountability and, frankly, the actions of activists, and the actions in the field of humanitarian workers who are both witnesses and activists, who observe these abuses and act upon them.

Member States, on the basis of this evidence, receive a basis on which to take action, and many have enhanced their compliance with international humanitarian law through training armed forces and groups, so they are better prepared to protect civilians, and to resourceful organizations like Geneva Call, for example, which directly connects to armed groups and presses for their observance of IHL.

Member States with influence have used their leverage to push for humanitarian access in multiple contexts – CAR, Myanmar, Yemen.

Some have frozen their arms sales to warring parties out of concern for their non-compliance with IHL. I check the box here with Jan's point about also pushing those who are your allies as well as those with whom you have differences. I think that's a very important point.

States have increasingly exercised broad or universal jurisdiction to pursue accountability for war crimes. This must be welcome. This is an innovative law, and it's shown by the rise in the number of such cases in recent years.

According to the NGO Trial International, today 150 suspects have been arrested, detained or are on trial in 18 countries on such matters, on such charges.

These are good – I hesitate to say the word “beginnings” because, as Peter would say, this has been an issue for 160 years, but these are good efforts. But more can be done, and that's what we are here to urge today.

And the practices of improving capacity, of tracing impunity, of innovative law, of humanitarian diplomacy with all and sundry, these should become the norms perhaps, rather than the trailblazers.

I think I, as I said at the beginning, Susannah, take away already from this discussion things that I need to do, and my colleagues need to do, differently and more of. Of course, I commit – it hardly needs saying – to advocate for respect of IHL and the protection of civilians, because this is also at the heart of my office's mandate.

And, finally, I would like to draw attention to the threats to humanitarian operations.

In 2020, at least 169 security incidents – if that’s the right word –against humanitarian workers were recorded in 19 States affected by conflict. National staff accounted for a shocking more than 92 per cent of those affected. Incidents included – “incidents” is a very interesting word to use here – incidents included shootings, IEDs, bodily harm, sexual assault and kidnapping, and they resulted in the deaths of 99 humanitarian workers. And as I say, the huge majority are the national staff of our organizations, who served with great courage.

Other pressing challenges – and Peter has spoken extensively about this – include the multiplication and fragmentation of armed groups – I’m fascinated by Peter’s statistic about the numbers of armed groups which have supported some form of this; extremist ideologies – these have not gone away – that famous war on terror doesn’t seem to have achieved any of those objectives, so extremist ideologies as opposed to humanitarian values in particular; the politicization of humanitarian access; the transactionalism, which I, for example, witnessed frequently and first-hand in Yemen; and, as Peter has mentioned, the sometimes adverse impact of counter-terrorism laws and sanctions measures. And the chilling impact of those measures, even when exemptions are granted, should be taken into account.

Now, to strengthen our work in tackling these threats – and here, Susannah, I am coming to a conclusion – the Secretary-General of the United Nations has asked me to appoint a Special Adviser on the preservation of humanitarian space – thanks to the initiative of France, of course, in the Security Council – which will enable us to be better at and to focus on these issues, and to strengthen humanitarian engagements with all parties to conflict, including with non-State armed groups – a central feature of OCHA’s work which I hope to make central to my short, brief stint in this position.

I look forward to confirming that appointment soon. We will be talking to the Inter-Agency Standing Committee in the next days. And I hope it will indeed help us to take on these challenges and give them more focus.

And so, Jean-Yves, I’m very grateful to you for the initiative of your Government, to push that forward in the Council. I think that is most welcome.

And finally, very grateful to the previous speakers, but also to the Commission, to France and Germany, for the opportunity to learn and to do better.

Thank you very much, Susannah.