

Contribution on Item 2 in Commission I

War Victims and Respect for International Humanitarian Law and a
Draft Resolution P.R./95/C.1/2

Our Delegation wishes to express its profound appreciation to the International Committee of the Red Cross (ICRC), and the Swiss authorities for taking an initiative and for organising the International Conference for the Protection of War Victims from 30 August to 1st September 1993.

This 1993 Conference came at a time when there were numerous and grave conflicts and tensions in various parts of the world. Since 1986 the International Conference of the Red Cross Movement had failed to convene until now.

The International Conference of 1993 was attended by several States party to the Geneva Conventions.

Following the 1993 Conference a meeting was convened in Geneva in 1995 and attended by an Intergovernmental Group of Experts. On a recommendation by the Depository State, Switzerland, the Group of Experts in turn adopted several recommendations including one calling for the convening of periodical meetings in order to consider general problems regarding the application of international humanitarian law.

Conclusions from these periodical meetings would be transmitted to States as well as to the following International Conference of the Red Cross and Red Crescent Movement. Participants of these periodical meetings would be restricted to States Party, the Swiss authorities as the Depository State and of course the ICRC.

Draft Resolution P.R./95/C.1/2 which is before this Conference contains eight operative paragraphs which we are called upon to endorse. Like Dr Byron Hove of the Zimbabwe Red Cross Society and many other Societies we have difficulty with operative paragraph 5 which calls for the convening of periodical meetings to consider general problems regarding the application of international humanitarian law for the following reasons:

- (i) the 1993 International Conference was intended to address specific and general problems regarding the application of international humanitarian law which had not been addressed by the international community through the International Conference of the Red Cross and Red Crescent since 1986;
- (ii) pressing and specific problems regarding the application of international humanitarian law do not follow any time sequence. These problems are not periodical. They do not, as a general rule, occur periodically;
- (iii) these periodical meetings would duplicate the work of the International Conference of the Red Cross and Red Crescent Movement;

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- (iv) Participation in these periodical meetings would place a double financial burden on States party especially those from the developing world to attend them as well as periodical Conferences of the Red Cross and Red Crescent Movement;
 - (v) Specific and pressing problems regarding the application of international humanitarian law can be addressed by *ad hoc* Conferences similar to that of 1993 in between the International Conference of the Red Cross and Red Crescent Movement.

We entirely agree with Dr Hove that the phrase "periodical meetings" should be removed from the Draft under review whenever this phrase occurs. Instead this Conference should make it clear that it endorses the concept of *ad hoc* meetings as and when the developments dictate. The Depository State would, as it has always done in similar cases, consult States party to the Geneva Conventions and convene a meeting. We would also insist on the requirement that the conclusions of such *ad hoc* Conferences should be transmitted to States and the following International Conference of the Red Cross and Red Crescent Movement.

Geneva, 5 December 1995

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