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EU Statement on International Humanitarian Law and protection of civilians

The European Union and its Member States thank you, Mr. Chair, for including the subject of international humanitarian law on today's agenda. We thank the key-note speakers for their presentations.

This topic is of particular relevance to the OSCE. Conflicts constitute a sad reality also in parts of our region, along with all the human tragedies they contain. We recall that the major purpose of the OSCE remains to strengthen security in Europe by preventing and settling conflicts as well as strengthening democratic institutions and promoting human rights, both of which are indispensable prerequisites for peace and security.

International Humanitarian Law is the strongest legal tool at the disposal of the international community and a key element of our policies to protect civilian lives and limit the destruction of civilian objects during armed conflict. It is in the common interest of all OSCE participating States to promote respect for and compliance with IHL.

In this context, the importance of the OSCE Code of Conduct on Politico-Military Aspects of Security cannot be stressed enough. This crucial element of our existing OSCE acquis addresses the issue of democratic control of the armed forces and pays due attention to the principles of IHL. It requires, inter alia, the participating States to adopt measures to ensure compliance with IHL and the consistency of their defence policies with IHL. One of the principles of the implementation of democratic control of the armed forces is the development of educational measures, with a focus on military but also civilian instruction. This involves training on such issues as human rights and

international humanitarian law, in particular the Geneva Conventions and their Protocols.

We support continued discussions on respect and implementation and, where appropriate, further strengthening of IHL and the humanitarian principles. We particularly acknowledge the important role of the International Committee of the Red Cross (ICRC) as a guardian and promoter of international humanitarian law and as one of our most trusted humanitarian partners. We express our appreciation for the ICRC's strong commitment and dedication in providing assistance to those most in need, often in very challenging operational contexts including in the OSCE area, be it in and around Nagorno-Karabakh, eastern Ukraine or in Georgia. To fulfil its role, the ICRC must be able to act with complete independence, impartiality and neutrality and gain direct access to those who need its help. We call on all participating States to facilitate the work of the ICRC to the maximum. On our side we are determined to continue to support the ICRC, politically as well as financially.

We are deeply concerned by the impact on civilian populations of the use of anti-personnel mines and cluster munitions.

Armed conflicts in urban areas can result in human sufferings, loss of life and lifelong injuries. Destruction of infrastructure essential for the survival of civilians, such as water facilities, hospitals, and sanitation systems, can spread disease, increase displacement and lead to more deaths. Deliberate attacks on educational infrastructure cause disruption of education and have long-term negative effects. In this regard, we call upon all actors to refrain from such actions and fully respect International Humanitarian Law and adhere to its applicable instruments. The international humanitarian law principles of distinction, proportionality and precaution in attack must be upheld and complied with. We continue to highlight the importance of mine action for the benefit of the civilian population in conflict areas.

The EU and its Member States remain fully committed to the principles of International Humanitarian Law. We will continue to implement a broad range of actions to ensure

better compliance with International Humanitarian Law. Our annual reports on the implementation of the 2009 EU Guidelines on Promoting Compliance with International Humanitarian Law, which are public, are meant to survey and summarize action taken across the European Union to promote compliance with IHL as well as to provide recommendations on the improvement and reinforcement of further efforts in this area. Moreover, the EU and its Member States submitted eight common pledges during the 33rd session of the International Conference of the Red Cross and the Red Crescent in 2019, on important IHL topics such as protecting humanitarian and medical personnel, protecting cultural property, support for the International Criminal Court and the humanitarian impact of climate change. We welcome all efforts by the international community aimed at furthering full respect for IHL and strengthening the protection of civilians during armed conflicts, including the protection of cultural property. We call on all States to commit to the implementation of concrete measures aimed at strictly respecting their obligations under international humanitarian law.

Mr. Chair, we thank you for the opportunity to exchange perspectives on this important topic.

The Candidate Countries the REPUBLIC of NORTH MACEDONIA*, MONTENEGRO*, SERBIA* and ALBANIA*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA countries ICELAND, LIECHTENSTEIN and NORWAY, members of the European Economic Area, as well as UKRAINE, the REPUBLIC OF MOLDOVA, GEORGIA, ANDORRA and SAN MARINO align themselves with this statement.

* The Republic of North Macedonia, Montenegro, Serbia and Albania continue to be part of the Stabilisation and Association Process.