

**Third Meeting of States on Strengthening Compliance with International Humanitarian Law (IHL),
Geneva, 30 June – 1 July 2014**

Statement by Ireland, 30 June 2014

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Ireland shares the conviction of others that an indispensable requirement for improving the situation of victims of armed conflict is establishing a means of ensuring greater compliance by states, and other parties to such conflicts, with the rules of IHL.

Ireland has welcomed, therefore, and pledged its support for Resolution 1 of the 31st International Conference of the Red Cross and Red Crescent.

We once again commend Switzerland and the ICRC for the joint initiative they have taken to facilitate a process aimed at implementing the relevant provisions of Resolution 1 so that a report may be submitted to the 32nd International Conference which may provide a solid basis for future action. In this regard, we wish to particularly thank the facilitators for the detailed and comprehensive Background Document prepared for this Third Meeting of States, which we have found to be very useful in our consideration of the range of issues before us, as well the Chairs' Conclusions of the most recent Preparatory Discussions.

We support the Guiding Principles for our discussions set out in the Background Document, and would like to emphasise the particular value that we place on the maintaining of a transparent, inclusive and open process.

Given the discussions that have taken place to date, we agree that (i) thematic discussions, (ii) national reporting on compliance with IHL, and (iii) a fact-finding mechanism, anchored in a meeting of states, might be identified as priority areas for further consideration.

Ireland believes that there is an evident need for a structured and regular dialogue on IHL compliance, given the absence of any dedicated, specifically mandated forum for states to discuss such legal and policy issues. As the President of the ICRC said this earlier morning, IHL is deserving of an institutional space of its own, and such a space should contribute to raising public consciousness of, and fostering a community for, this specific branch of international law. While the discussions themselves, and the summary of discussions, would be a useful resource for states, so too would preparatory documents circulated in advance of such meetings, which would assist in drawing information together in a succinct and straightforward manner. In our view, such meetings should take place no less frequently than biennially.

Regarding thematic discussions, we would favour focused, single topics, rather than broad or multiples topics, and would consider that discussions of two to three days might be optimal. We

would consider it natural that, should a reporting system on national compliance raise issues of common concern, then such issues might provide a pertinent subject for thematic discussion.

Concerning the sequence of discussions on the elements of a possible compliance system, whilst we appreciate the reasoning behind seeking to steer a middle course between institutional structure and functional tasks, we would tend to lay emphasis on the latter, and consider that institutional details could more fruitfully be considered once there is clearer picture of what activities the Meeting of States shall be mandated to carry out.

We consider it important that any periodic reporting requirement not be overly cumbersome, but also that it be relevant, focused and meaningful, so that it does not become a repetitive or mechanical process. Ireland would, therefore, join with others who have expressed interest in the suggestion made at the April Preparatory Discussion of an initial 'basic report' which could be regularly updated as required, combined with occasional thematic reports on a more narrowly defined topic.

We agree with others that, amongst the three existing IHL mechanisms, the International Humanitarian Fact Finding Commission offers the best opportunity for developing an enhanced capacity for ensuring compliance. Whilst recognising that it is not a majority view, as we have previously stated, we believed that it would be preferable to explore the possibility of a fact-finding function which was not necessarily predicated on the consent of all states involved.

We look forward to participating in our discussions and are confident that further progress can be made.