



## DEBATE PACK

CDP-0152 (2019) | 13 June 2019

# The continued importance of International Humanitarian Law in protecting civilians in conflict

Westminster Hall

Tuesday 18 June 2019

9:30-11:00am

Debate initiated by Ann Clywd MP, Andrew Mitchell MP, Tom Brake MP and Stephen Twigg MP

The proceedings of this debate can be viewed on [Parliamentlive.tv](http://Parliamentlive.tv)

The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

Compiled by:  
Nigel Walker  
Julie Gill

Subject specialists:  
Sylvia de Mars  
Jon Lunn

### Contents

1.	<b>Background</b>	<b>2</b>
2.	<b>Press articles</b>	<b>6</b>
3.	<b>Press releases</b>	<b>7</b>
4.	<b>PQs</b>	<b>18</b>
5.	<b>Other Parliamentary material</b>	<b>24</b>
5.1	Debates	24
5.2	Statements	24
5.3	Early Day Motions	32
6.	<b>Further reading</b>	<b>37</b>

# 1. Background

## The Fourth Geneva Convention

Prior to World War II, there was no specific international legal norm that aimed to protect civilians in conflicts. The mass civilian casualties in World War II prompted the international community to adopt the Fourth Geneva Convention on the Protection of Civilians in Time of War in 1949, stretching the international humanitarian law protections beyond wounded, sick, shipwrecked and captured combatants.

Also known as the “civilians’ convention”, the Fourth Geneva Convention formally recognised that war conducted as ‘total war’ no longer primarily armed forces and groups, and established legal protections for any persons (and their property) not covered by the previous three Geneva Conventions. Additional Protocols to the Geneva Convention adopted in 1977 reinforced these protections for civilians.

To date, 196 States have become party to the Fourth Geneva Convention, resulting in near universal agreement on the need to protect civilians in international, as well as non-international, armed conflicts. The consensus on the need to protect civilians in conflicts was reemphasised by the United Nations’ Security Council’s 1999 [resolution](#) on the protection of civilians in armed conflict, applying the international humanitarian norms of the Geneva Convention to [peacekeeping missions](#).

The International Committee of the Red Cross provides a helpful summary of what the primary forms of protection contained within the Fourth Geneva Convention and its Additional Protocols are:

IHL provides that civilians under the power of enemy forces must be treated humanely in all circumstances, without any adverse distinction. They must be protected against all forms of violence and degrading treatment, including murder and torture. Moreover, in case of prosecution, they are entitled to a fair trial affording all essential judicial guarantees.

The protection of civilians extends to those trying to help them, in particular medical units and humanitarian or relief bodies providing essentials such as food, clothing and medical supplies. The warring parties are required to allow access to such organizations. The Fourth Geneva Convention and Additional Protocol I specifically require belligerents to facilitate the work of the ICRC.

While IHL protects all civilians without discrimination, certain groups are singled out for special mention. Women and children, the aged and sick are highly vulnerable during armed conflict. So too are those who flee their homes and become internally

displaced or refugees. IHL prohibits forced displacements by intimidation, violence or starvation.

Families are often separated in armed conflict. States must take all appropriate steps to prevent this and take action to re-establish family contact by providing information and facilitating tracing activities.<sup>1</sup>

## Limits to the Fourth Geneva Convention

The coverage of the Geneva Convention and the two Additional Protocols of 1977 is extensive. However, there are limits to the extent to which they enable the protection of civilians in conflict. Some of these limits are by design, in that the Convention is written to be pragmatic – and as such recognises that at a time of war, civilians are likely to be harmed. As Jamie A Williamson,<sup>2</sup> the Head of Unit of the International Committee of the Red Cross Unit on Relations with Arms Carriers and Security Forces, explains:

... under the Convention, a certain level of harm to civilians can be deemed acceptable as long as the belligerents have fully complied with the three key principles regulating the conduct of hostilities, namely 'distinction', 'proportionality', and 'precaution', before and during an attack.<sup>3</sup>

While a civilian is not to be directly targeted, as long as an attack is not deemed indiscriminate, incidental harm to civilians ('collateral damage') is acceptable if it is not excessive in relation to the anticipated concrete and direct military advantage. Similarly, a building which appears to the general observer to be a civilian object may be a legitimate military target if it, by its 'nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, *in the circumstances ruling at the time*, offers a definite military advantage'.<sup>4</sup>

As such, even if commanders cause civilian casualties during an attack, they will not necessarily be liable for any wrongdoing under IHL if they can show that they took all feasible precautions in the planning and launching of the attack, and exercised constant care to spare the civilian population throughout the hostilities.<sup>5</sup>

---

<sup>1</sup> International Committee of the Red Cross, '[Civilians protected under international humanitarian law](#)', 29 October 2010.

<sup>2</sup> Jamie A Williamson, '[Protection of Civilians under International Humanitarian Law](#)' in Wilmot and others, *Protection of Civilians* (OUP 2016), 164.

<sup>3</sup> These are understood to be customary rules of international humanitarian law; see Jean-Marie Henckaerts, '[Study on Customary International Humanitarian Law: A Contribution to the Understanding and Respect for the Rule of Law in Armed Conflict](#)' (2005) 87 IRRC 175, 198–200 (Rules 6–24). Customary international law is one of the main sources of international legal obligations. As indicated in the Statute of the International Court of Justice, international custom is defined as "evidence of a general practice accepted as law". Thus, the two components in customary law are State practice as evidence of generally accepted practice, and the belief, also known as *opinio iuris*, that such practice is obligatory. See in this respect the decision of the International Court of Justice on the *North Sea Continental Shelf* cases (ICJ Reports 1969, 3).

<sup>4</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating the Protection of Victims of International Armed Conflicts (adopted 8 June 1977, entered into force 7 December 1978) 1125 UNTS 3, Article 52 (Additional Protocol I) (emphasis added).

<sup>5</sup> See Rule 15 in the 'Study on Customary International Humanitarian Law' (fn 3).

Williamson concludes that ‘while IHL provides a solid and extensive legal framework for protecting civilians in conflict, the protection it affords is inherently qualified’.<sup>6</sup>

However, the primary shortcoming of the Fourth Geneva Convention in providing protection for civilians in conflicts are not its provisions: if these obligations were correctly applied, harm to civilians during conflicts would be minimised. This unfortunately has not happened consistently: as the International Committee for the Red Cross notes, ‘the problem of the past 50 years has been application. Neither States nor non-State armed groups have respected their obligations adequately. Civilians have continued to suffer excessively in almost every armed conflict.’<sup>7</sup> This is echoed Eva Svoboda and Emanuela-Chiara Gillard:

It is not the absence of law requiring state and non-state parties to armed conflict to respect and protect civilians that is causing protection problems, but rather a persistent failure to comply with these obligations.<sup>8</sup>

Williamson shares the concerns about non-compliance but suggests that they reflect the lack of enforceability of the Fourth Geneva Convention, and that this lack of enforceability is itself the primary shortcoming of the Convention. All the same, as we near the 70<sup>th</sup> anniversary of the Convention, she concludes that:

International humanitarian law has proven to be a practical, durable, and adaptable framework to provide passive protection to civilians in the midst of conflict...<sup>9</sup>

## Trend towards the “civilianization of armed conflict”

There has been growing concern since World War II about what Andreas Wenger and Simon Mason called in a 2008 article the “civilianization of armed conflict”.<sup>10</sup> This ‘civilianization’ has been primarily due to rising number of intra-state armed conflicts – or, as these are also often known, ‘civil wars’. Wenger and Mason say:

In the Democratic Republic of Congo, for example, there were 2.5 million war deaths between 1998 and 2001, yet only 350,000 of those people were killed in actual battle.<sup>11</sup>

While there was a dip in the trend towards the ‘civilianization of armed conflict’ during the 2000s, this has been reversed since the ‘Arab Spring’ in 2011 and the outbreak of civil wars in Libya, Syria and Yemen, where the civilian death tolls have been very heavy indeed.

---

<sup>6</sup> Williamson, fn 2, 165.

<sup>7</sup> ICRC, fn 1.

<sup>8</sup> Overseas Development Institute, [Policy Brief 64: Protection of civilians in armed conflict](#), 2015.

<sup>9</sup> Williamson, fn 3, 175.

<sup>10</sup> A. Wenger and S. Mason, “[The civilianization of armed conflict: trends and implications](#)”, *International Review of the Red Cross*, December 2008

<sup>11</sup> *Ibid.*, 836

Wenger and Mason caution that civilians should not be viewed solely as passive victims in such civil wars and note that telling the difference between them and combatants can often be hard:

Much of the recent academic literature depicts the relationship in civil wars between civilians and combatants (be they government or rebel troops) as highly complex and dynamic. Civilians are victims, but they are also perpetrators. Armed elites (government or rebel) manipulate civilians to further their respective interests, but the population's response also influences the patterns of violence. Given the ambiguity of the relationship, it will remain difficult to distinguish ordinary crime from direct participation in hostilities and to draw a line between civilians and combatants in most of these conflicts.<sup>12</sup>

---

<sup>12</sup> Ibid., 843

## 2. Press articles

The following is a selection of press and media articles relevant to this debate.

Please note: the Library is not responsible for either the views or accuracy of external content.

[\*\*Yemen war: Houthi missile attack on Saudi airport 'injures 26'\*\*](#)

BBC News Online  
12 June 2019

[\*\*Inclusive Protection of Civilians During Conflicts: Making a Case for the Environment\*\*](#)

New Security Beat  
Wim Zwijnenburg  
12 June 2019

[\*\*Civilians 'must never be a target,' says UN in Afghanistan, amid troubling number of casualties during Ramadan\*\*](#)

UN News  
10 June 2019

[\*\*44 Syrian and International NGOs Call for Immediate End to Attacks on Civilians and Hospitals in Idlib, Syria\*\*](#)

ReliefWeb  
24 May 2019

[\*\*'Great cause of concern' UN chief tells Security Council, surveying 'bleak' state of civilian protection\*\*](#)

UN News  
23 May 2019

[\*\*Catastrophic failure as civilians ravaged by war violations 70 years after Geneva Conventions\*\*](#)

Amnesty International  
22 May 2019

[\*\*UNHCR saddened by civilian casualties in Sana'a, Yemen\*\*](#)

UNHCR  
17 May 2019

### 3. Press releases

#### Protecting civilians across the globe

**Foreign and Commonwealth Office**

**24 May 2019**

*Statement by Ambassador Jonathan Allen at the Security Council open debate on the protection of civilians in armed conflict:*

Thank you Madam President.

A century ago when International Humanitarian Law was still in its infancy, civilians represented only 10 to 15% of total casualties in armed conflict. Today civilians account for more than 80% of all casualties. And as we sit here today, civilians are bearing the brunt of conflicts in Syria or South Sudan, in Yemen or Libya, in the Lake Chad Basin or the Democratic Republic of Congo. The international community's failure to prevent mass atrocities such as the Srebrenica massacre in 1995 or the genocide against the Tutsi in 1994 remains a stain on our collective conscience. Anyone witnessing the bombing of schools and hospitals in Idlib or the plight of children starving to death in Yemen might be forgiven for wondering why we have not made more progress since those dark days.

So Madam President, we need to keep strengthening the normative framework- to support robust protection for the needs of specific groups who are particularly at risk in conflict situations. Much progress has been made in recent years on protections of groups such as women and girls, children, internally displaced persons, refugees, journalists and media professionals. But it is important that we continue to examine where further development can be made. And that's why we are very proud of working with Poland on a draft resolution on Persons with Disabilities in armed conflict in this Council. And I very much agree with what the Minister of Germany said on their need for us to be examining the use of high explosives in urban areas.

But our priority should be to redouble our efforts to ensure implementation of established International Humanitarian Law and this Council's resolutions on the Protection of Civilians and to combat impunity. Protection of Civilians should be integrated into this Council's approach to country situations. For example in monitoring the ceasefire around Hodeidah in Yemen. In some cases out of necessity we may need to carve out separate humanitarian tracks from wider conflict resolution efforts, such as cross-border authorisations in Syria. But we must be clear this cannot substitute for supporting efforts to find a viable long term political solution to conflict. Madam President, eight of the fourteen UN peacekeeping missions operational around the world are mandated to protect civilians. So we need to work to ensure that wider efforts to improve peacekeeping performance in general, include a specific focus on improving protection of civilians. Better mandating, as we've been asked by the Secretary-General in his Action for Peacekeeping agenda, is of course part of this. But ensuring that protection elements in mandates are translated into a clear task on the ground, will require mission leadership and personnel to understand the

practical implementations and implications of their protection duties. There needs to be an integrated approach in our missions and across the United Nations if protection strategies are to come off the page and on to the ground. All troop and police contributing countries also need to ensure their uniform personnel are trained to the required core standards on Protection of Civilians. This is a key part of operational readiness. And peace enforcement operations - mandated or supported by the Council - such as AMISOM or the G5 Sahel must also have strong training and compliance frameworks. And it would be good to make sure that DPO is working with those troop contributing and police contributing countries to understand how such training can be most effective and report back on it, so that member states, both trainers and trainees can improve their performance.

This Council should receive regular reporting on mission performance in relation to Protection of Civilians as part of the wider performance reporting under 2436. Where serious protection failures arise within missions, we will continue to support the Secretariat in holding individuals, contingents and mission leadership accountable and to make sure we all learn lessons.

Now Madam President, I agree very much with you that protection is not only a matter for UN peacekeeping missions. The primary responsibility to protect all civilians on their territory, of course, rests with host states - with Member States of this United Nations. In order for peace to be enduring and sustainable, host state authorities and civil society actors all have a role to play.

And I agree very much with what Federica Borrello had to say on the need for national plans. The UK has a human security policy for our armed forces and we published a voluntary national review of the domestic implementation of International Humanitarian Law and we're very happy to work with anybody else interested in such an approach. So in this context, we welcome the focus on the role of local communities in this open debate, as they not only have an important voice in conflict resolution but are best placed to understand their own environments. And we need to hear more from them.

Madam President, turning to accountability. Whatever progress is made on implementation: strengthening protection of civilians over the next 20 years will also depend on how we collectively address the issue of accountability, including of course in this Council. Combating impunity is partly about establishing robust mechanisms for justice and accountability. And in some cases international mechanisms such as those tribunals set up for the Former Yugoslavia, the International Criminal Court of course, sanctions regimes or the UN investigative team for accountability of Daesh - as we've set up in Iraq - will be the best tools at our disposal. In other cases accountability can best be delivered through domestic or hybrid mechanisms such as the Special Criminal Court in the Central African Republic or the establishment of a hybrid court as provided for in the South Sudan Peace Agreement. And we can also achieve accountability through national prosecution. I hope very much that those gathering evidence of crimes in Syria or against their Rohingya will one day see that evidence presented in effective tribunals in Syria and in Myanmar. But if not, those responsible should

be held to account wherever national law permits. Accountability is about doing what is right by the victims and survivors of atrocities against civilians. But it is also a key condition for building sustainable peace. If post-conflict efforts to establish good governance, security and the Rule of Law - and crucially to maintain peace - are to succeed, then accountability is vital for the rebuilding of trust and confidence between civilian populations and the parties to the conflict.

Madam President, let me conclude by saying that this Council has an important role to play. When we receive reports of attacks on civilians, on schools, on hospitals and medical facilities, we need collectively and individually to be ready to say what we see and to say who is behind it. It can be uncomfortable to do so. It can cut across political priorities or international friendships. But for the sake of all, we must do so. After all Madam President, if we do not speak up for other countries' civilians when they are attacked who will speak for our own?

Thank you Madam President.

#### **Point of Clarification**

Mr President, I would like to take the floor in order to clarify the reference to Srebrenica in our statement to the Council this morning. The United Kingdom is clear that the Srebrenica massacre was an act of genocide, as confirmed by the judgements of the ICTY and the ICJ.

#### **[Syria: Foreign Secretary condemns recent violence in Idlib province](#)**

**Foreign and Commonwealth Office  
7 May 2019**

The Foreign Secretary has released a statement following a significant surge in military action by Russia and the Syrian regime in Idlib province.

Foreign Secretary Jeremy Hunt said:

I am deeply concerned by the escalation in military action by Russia and the Syrian regime in Idlib. This has included horrifying reports of attacks on schools, hospitals and first responders as well as the use of barrel bombs for the first time in seven months. Over 57 civilians have been killed and over 150,000 forced from their homes in recent days.

The latest offensive, a flagrant violation of the ceasefire agreement that Russia itself agreed with Turkey, is only compounding what was already a dire humanitarian situation in Idlib.

Russia and the Asad regime must respect their obligations under the Sochi agreement and international humanitarian law. They must also remember that any future use of chemical weapons in Syria would be met with a swift and appropriate response.

**International Humanitarian Law: We lack enforcement and accountability**

**Foreign and Commonwealth Office**

**1 April 2019**

*Statement by Ambassador Jonathan Allen, UK Deputy Permanent Representative to UN, at the Security Council briefing on International Humanitarian Law:*

Thank you Mr President.

As our briefers have made clear, and as we all know, International Humanitarian Law consists of a comprehensive and universal framework to which all Member States are not only committed but bound. It's important of course that we enhance that framework whenever we see an opportunity. And our briefers have mentioned today, Security Council Resolution 2462 passed just last week at the initiative of the French delegation on terrorist financing which contained important provisions on humanitarian action. Also 2417 of 2018 on starvation of civilians as a weapon of war.

But Mr President, we don't lack law. We lack enforcement and accountability. And sadly, we are too regularly used to hearing terrible humanitarian stories around this table. Time and time again, from Syria to South Sudan to Yemen, the DRC, in fact in every conflict situation on this council's agenda, we witness the human cost of the lack of respect for humanitarian principles and International Humanitarian Law.

The most appalling incidents become notorious and are brought not only to our attention by those agencies and operatives on the ground, but also often brought to our peoples on their TV screens. For example, attacks on aid workers or the bombing of hospitals. But we hear much less about the routine and insidious actions which nevertheless have a human cost in the end. I'm talking about such things as denial of visas for humanitarian staff; removal of medical items from aid convoy; medical leave procurement and transport processes; looting and diversion of preposition goods by armed actors or by the authorities; taxes and fines on goods and people; the closure of crossings; denial of registration of NGOs. There is a long long list.

The human cost is clear: people starve; they suffer; they die when the humanitarian space is not respected and we lose the development gains that we've taken years to achieve.

To give one example from South Sudan which we've talked about a lot in this council. An international NGO within in country staff of fewer than 200 people estimates that it spends approximately \$350,000 per year in South Sudan on administrative taxes and fees. These financial costs are primarily paid to official or quasi-official entities and this is all money which should be going to protecting the people that those officials are in place to serve.

So as well as documenting attacks on humanitarian personnel or other egregious crimes, we need to gather data on the bureaucratic impediments and the actions which impede humanitarian access and in

that respect, let me commend the work that OCHA is doing to map out how access constraints relate to the severity of needs and humanitarian assistance received.

Let me also say that the UK is supporting research to ensure that the nature, frequency, scale and impact on attacks on health care in conflict is better understood through improved data collection analysis as called for in Security Council Resolution 2286. All of this data should be brought to the attention of the Security Council and its Sub-Committees.

Mr President, for its part the United Kingdom is always looking for innovative ways to promote compliance in International Humanitarian Law. On the 11 March, we published our first voluntary report on the implementation of International Humanitarian Law at domestic level. Publishing specific examples of our practice to implement International Humanitarian Law is intended to help improve understanding of it and encourage and inform dialogue on these issues both at home and abroad. We hope it will encourage other states to publish details of their activities to implement International Humanitarian Law at the domestic level, to identify best practice and to improve implementation and compliance.

But Mr President, more can be done of course by state actors. Mark Lowcock talked about the importance of increasing the understanding and training of some countries' armed forces. But he also spoke about the need to do so with non-state actors - a point made also by Peter Maurer. I think this is an area to which Security Council could give greater focus. We can look both at education and training and ensuring Commanders are aware of their liabilities under International Law whether those are state or non-state actors and look at tackling actions through sanctions in particular of non-state actors.

Mr President, I hadn't intended to talk today about Syria which this Council regularly discusses. But the Russian Representative today chose to continue his government's misinformation campaign against the White Helmets. The Russian government does so to try to deflect attention away from the appalling war crimes committed by the Syrian regime. Its attacks on its own people including by its use of chemical weapons. So let us not have our attention deflected from the fact that Physicians for Human Rights corroborated 553 attacks on medical facilities in Syria in 2018. 498 of these 553 attacks were committed by the Syrian regime and its allies.

Mr President, it is very welcome that you have organised this briefing today and all here have reaffirmed their commitments. Good ideas have been shared by our briefers and by colleagues. However, I'm struck by the contrast between our willingness to stake out a clear position in the abstract while at the same time not tackling humanitarian violations in country-specific conversations. So in addition to today's meeting, I think that we need to:

- 1) Ask for, gather and then discuss data about not just the most egregious violations of International Humanitarian Law but also the

bureaucratic impediments of interference in humanitarian assistance which kills so many of those in most desperate need;.

2) Ensure that the UN system is able to support states in spreading understanding of International Humanitarian Law and training armed forces and wider government officials;

3) We should consider how such understanding and training could be expanded to non-state actors and ensure they also are held to account.

4) We could call out consistently violations of International Humanitarian Law by all actors in our regular business in our country-specific conversations, whether that's South Sudan, Syria, Myanmar or elsewhere;

5) We could put greater attention on humanitarian violations when designing and implementing sanctions regimes;

6) We should push consistently for accountability mechanism where states cannot or will not act. As Peter Maurer said, International Humanitarian Law and its upholding relies on our common acceptance that there are limits to war. We all therefore have a stake in upholding it and strengthening it for our common humanity.

Thank Mr President.

**Foreign Secretary statement on military action in Hodeidah**  
**Foreign and Commonwealth Office**  
**13 June 2018**

Foreign Secretary Boris Johnson calls for all parties to respect international humanitarian law and prioritise the protection of civilians.

Foreign Secretary Boris Johnson said:

Following the start of military action by Coalition-backed forces to take Hodeidah port back from Houthi militia, I call on all parties to respect international humanitarian law and prioritise the protection of civilians.

We are in regular contact with the Coalition about the need to ensure that any military operations in and around Hodeidah are conducted in accordance with international humanitarian law, including on the protection of civilians, and do not disrupt commercial and humanitarian flows through the port. The Coalition have assured us that they are incorporating humanitarian concerns into their operational plans. It is vital to maintain the flow of food, fuel and medical supplies into Yemen. For their part the Houthis must not compromise port facilities or hinder the humanitarian response.

The ongoing Coalition intervention in Yemen came at the request of the legitimate Government of Yemen after Houthi rebels took the Yemeni capital by force in 2014. Houthi forces have consistently failed to adhere to UN Security Council Resolutions, including by launching missile attacks against Saudi Arabia and shipping in the Red Sea. They have obstructed access for humanitarian supplies leading to significant suffering among civilians.

It remains imperative to resume work towards a comprehensive political settlement. Lasting peace and stability in Yemen will require dialogue and negotiation. UN Special Envoy Martin Griffiths is due to update the Security Council soon on his proposals for a negotiated settlement. We call upon all parties to throw their weight behind his efforts, for the sake of the Yemeni people and the security of Yemen's neighbours.

**Acting within the core Security Council mandate to protect civilian populations affected by conflict**

**Foreign and Commonwealth Office**

**22 May 2018**

*Statement by Ambassador Jonathan Allen, UK Deputy Permanent Representative to the UN, at the Security Council Open Debate on Protection of Civilians and International Humanitarian Law:*

Thank you Minister Czaputowicz for convening this debate, and thank you also to the Secretary-General, to Director-General Daccord, and to Ms. Edwar for briefing the Council today. And I would in particular like to thank Ms. Edwar for reminding us of the human suffering, the human tragedy of war, and I salute your determination to focus on people and not on stones.

Mr President, the core mandate of this Council is to maintain international peace and security. As recognised by this Council, large-scale human suffering can fuel conflict and threaten that security. Therefore, aside from the clear moral reasons for doing so, it is within its core mandate that this Council should act to protect civilian populations affected by conflict.

However, despite our many efforts, attacks on innocent civilians and civilian infrastructure continue to take place. The Secretary-General raised the bombings in Syria. The harrowing images from Eastern Ghouta of homes bombed to rubble, and of innocent civilians – many of them children – killed indiscriminately by the Syrian regime and its backers, should shock and appal all of us. Attacks on civilians and the preventing of humanitarian aid and medical supplies from reaching them, have been a weapon used by the regime.

In Ukraine, despite repeated calls by the European Union and others to immediately stop ceasefire violations around critical civilian infrastructure, notably the Donetsk water filtration station, the indiscriminate shelling continues. And the Education Cluster, co-led by

UNICEF and Save the Children, reported that in Ukraine, parties to conflict damaged 42 schools in 2017, representing an increase from 26 schools the previous year.

These attacks damage the very foundations of the systems that are essential to sustain some of the most vulnerable societies throughout periods of conflict and reconstruction.

Mr President, sadly, around the world healthcare workers are threatened and killed. Their facilities are looted and destroyed, affecting communities' access to healthcare for years to come. Schools also face attack, and the teachers and boys and girls within them are the target of recruitment, of sexual violence, and other abuses. Those who dedicate their lives to providing essential aid to civilians affected by conflict are also targeted. In South Sudan, more than 100 humanitarian workers have been killed since the conflict began five years ago.

We, the members of this Council, and we, the international community, must do more to protect civilians who are affected by conflict. The intentional targeting of civilians and civilian infrastructure is a war crime. International humanitarian law is our framework. As Yves Daccord said, it is our fundamental principle of humanity. We must ensure that it is enforced and that perpetrators are held to account.

Let me highlight three areas where the protection of civilians could be improved through the application and enforcement of international humanitarian law.

Firstly, concrete steps must be taken to integrate the protections provided by international humanitarian law into national policies and programmes. We urge states to engage constructively in the inter-governmental Strengthening Respect for International Humanitarian Law Initiative which can help States share best practice and overcome challenges to the practical implementation of international humanitarian law. The UK has recently endorsed the Safe Schools Declaration, and in line with this and international humanitarian law, we will continue to take all feasible measures to ensure the protection of schools, their teachers, and students – including particularly girls, whose access to education is disproportionately affected by attacks. And we urge others, likewise, to endorse the Declaration and take such action. To strengthen compliance with international humanitarian law by the United Kingdom, nationally, we ensure that all of our military personnel receive robust training throughout their careers. And we are proud to share our expertise with other countries to strengthen compliance, including through making more effective military justice systems.

Secondly, effective monitoring and reporting of compliance with international humanitarian, human rights, and refugee law in situations of conflict is critical to raising awareness of protection issues and can provide the necessary evidence base for timely political and legal action. The UK strongly supports technological advancements for monitoring and reporting of violations, including the World Health Organisation's real-time Surveillance System of Attacks on Healthcare. We also support effective international criminal justice systems, which have an important role to play in bringing the perpetrators of atrocities to justice when

States are either unable or unwilling to do so. As the Secretary-General said, we must end the climate of impunity.

And third, UN peacekeeping missions play a vital role in protecting civilians in some of the most fragile regions in the world where the application of international humanitarian law is critical. We welcome efforts to support the strengthening of human rights components in UN peacekeeping operations as well as the deployment of UN civilian human rights monitors to countries affected by conflict. Worryingly, we see at times the General Assembly seeking to weaken mandates agreed by this Council and its Fifth Committee by defunding human rights posts. This must stop. We welcome the efforts of the Secretary-General to mobilise all partners and stakeholders in support of more effective UN peacekeeping through his "Action for Peacekeeping" initiative. Improving the efficiency and effectiveness of peacekeeping missions – including through better long-term planning, the right troops and equipment, the increased participation of women, and a clear framework for monitoring and evaluating performance within missions – will further improve their ability to protect civilians.

Mr. President, today millions of innocent civilians are suffering due to appalling violations of international humanitarian law. This leads to enormous suffering and destroys the social fabric of communities, which in turn threatens peace and security. We must ensure that these violations are not ignored, that perpetrators are held to account, and that we make it ever more difficult in the future for would-be violators to get away with such actions unseen.

Thank you, Mr President.

**[ECOSOC Humanitarian Segment: UK statement on international humanitarian law and the humanitarian principals](#)**

**UK Mission to the United Nations Geneva**

**22 June 2017**

*This UK statement was delivered during the panel discussion: Reaching people in need and promoting respect for international humanitarian law and the humanitarian principals at the ECOSOC Humanitarian Segment on 22 June 2017.*

The UK welcomes this panel discussion on promoting respect for IHL and the humanitarian principles. Without respect for IHL we continue to see thousands of innocent people caught in conflict abused and killed, and decreasing security for those who bravely try to assist.

We must place more emphasis on training and awareness-raising on IHL compliance before the outbreak of hostilities. We need to see more effort on IHL dissemination to Non-State Armed Groups. As more and more non-international armed conflicts occur we must not forget that Non-State Armed Groups have obligation and responsibilities under IHL too.

For both States and Non-State Armed Groups, non-compliance should mean no impunity. The UK fully supports the work of the International

Criminal Court and ad hoc criminal tribunals which, together with national criminal courts, hold to account those who do not comply with IHL.

As States here today, we can only solve these issues by talking. To this end the UK supports the work of the ICRC and the Swiss Government to promote this discussion through a forum of states. We must ensure UN Resolution 2286 on medical missions is implemented.

We have to work together to stop the indiscriminate attacks on health facilities, their staff and equipment which has seen so many people left with no access to vital care when they need it most. Hospitals are protected under IHL yet the attacks carry on. The need for provision of neutral, impartial medical assistance on the battlefield was the founding premise of the Red Cross. But today, in their line of work, ICRC staff and many other humanitarian staff, many of whom are brave nationals of the States involved, come under attack and are killed with depressing regularity. Failure to comply with IHL increases the misery of war.

All of us here today must recommit to ensuring compliance with IHL and to allowing humanitarian actors to work according to humanitarian principles. Respect for neutral, impartial humanitarian assistance is what stands between continued, prolonged and protracted crises and the humanity we all share to end the suffering of those affected.

The UK stands fully committed to taking forward this agenda.

**The Syrian Regime are using starve or surrender tactics. That is abhorrent and a clear breach of International Humanitarian Law**  
**Foreign and Commonwealth Office**  
**2 May 2017**

*Statement by Ambassador Matthew Rycroft, UK Permanent Representative to the United Nations, at the Security Council meeting on Syria:*

Thank you Madam President and thank you also to you, Stephen, for your important briefing today and indeed for all your sterling work.

I want to begin as you did Stephen by wholeheartedly condemning the terrorist attack on desperate civilians as they were being evacuated as part of the Four Towns agreement. It is utterly tragic that over 120 people, including a very high number of children, were brutally killed. The United Kingdom condemns this terrible attack. We will work to ensure that whoever is responsible is held to account. I wish also to salute the unity and bravery of the humanitarian response including the response of the White Helmets.

Despite a ceasefire being in place since the end of 2016, we continue to witness terrible ongoing violence. In April alone, we know that the Regime or its allies have carried out aerial attacks on at least six hospitals and three schools in Syria. Six hospitals. Three schools. This is utterly deplorable. I hope others will join me in condemning all such incidents. All of us need to do everything in our power to bring the

suffering to an end. And so I ask my Russian colleague, what is Russia doing with its leverage to ensure the Regime stops attacking schools and hospitals?

These attacks once again bring into laser focus the urgent and desperate humanitarian needs of 13 million people in Syria. I am especially concerned by the difficulty in reaching the 1.5 million people who live under siege-like conditions and a further 3.2 million in other hard to reach areas in Syria. All of them urgently require food, water, and medicine.

Roughly 5 million Syrians live in besieged and hard-to-reach areas, but the only regime-besieged area to be reached in 2017 was Khan al Shieh, where 6,000 people were reached with aid. The other besieged areas reached are Deir Ez Zour, besieged by Daesh, where the UN carries out air drops; and the Four Towns, besieged by the Iranian-backed Hizballah and armed opposition groups. This is a tiny proportion of aid reaching those people who are in most need of it.

Let me be clear. The Syrian Regime are using starve or surrender tactics. That is abhorrent and a clear breach of International Humanitarian Law.

I am especially concerned about the 420,000 innocent civilians in the besieged part of Eastern Ghouta, where supplies are rapidly running out. There are urgent medical needs, shortages of basic food items, and no water or power supplies.

I fully support Stephen's call for a pause in fighting to allow the UN and its humanitarian partners to safely enter Eastern Ghouta.

At the International Syria Support Group meeting in Geneva on 20 April, Russia committed to press the Regime to allow the UN and its humanitarian partners to access Douma, one part of Eastern Ghouta. What is the situation one week later? The Regime has not acted. There is still no convoy. We owe it to the people of Douma to do everything we can to improve this situation.

The UN has received the requisite assurances from the relevant armed opposition groups to allow them to deliver assistance to Douma, and it has identified a safe route to enter. The only things now lacking are for the Assad regime to issue a facilitation letter and to pause its aerial bombardment of the area for long enough for the UN and its humanitarian partners to enter.

If Russia is unable to ensure that the regime allows access, we call on the Security Council to act to ensure the UN is able to deliver urgent supplies to Douma in the first instance.

Madam President, I will reiterate now what I have said many times before, there can be no sustainable peace until there is a political transition. The Asad regime bears overwhelming responsibility for the suffering of the Syrian people. I implore the whole of the Security Council to work in unity to end the conflict for the sake of the Syrian people.  
Thank you.

## 4. PQs

### [Papua: Armed Conflict](#)

11 Jun 2019 | 259909

**Asked by: Helen Goodman**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what steps the Government is taking to tackle the political and conflict situation in West Papua as part of its role as the UN Security Council penholder on peacekeeping and protection of civilians in armed conflict.

**Answering member: Mark Field | Department: Foreign and Commonwealth Office**

The British Government follows the situation in Papua closely. We respect the territorial integrity of Indonesia. Officials at the Embassy in Jakarta, visit Papua and West Papua provinces regularly. I met the Indonesian Ambassador in January and raised Papua with him, and I addressed a parliamentary debate on the issue on 8 May.

We fully support efforts by the UN High Commissioner for Human Rights (OHCHR) and her officials to arrange a visit to Papua at the invitation of the Indonesian government. Officials in our Embassy in Jakarta have discussed the proposed visit with the Ministry of Foreign Affairs, and encouraged Indonesia to agree dates as soon as possible.

### [Syria: Islamic State](#)

17 May 2019 | 252489

**Asked by: Tom Brake**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what steps the Government is taking to ensure that the global coalition against Daesh fulfils its legal obligations towards civilians in the Tanf de-confliction zone.

**Answering Member: Andrew Murrison | Foreign and Commonwealth Office**

British armed forces fully adhere to international humanitarian law when conducting military operations. We expect all members of the Global Coalition to do likewise.

### [Libya: Undocumented Migrants](#)

02 May 2019 | 248760

**Asked by: Dan Carden**

To ask the Secretary of State for International Development, if her Department will support the urgent humanitarian evacuation out of Libya of refugees and migrants held in detention centres in that country.

**Answering Member: Harriett Baldwin | Department for International Development**

We are deeply concerned by reports of violence in Libyan detention centres, and are calling on all parties to allow civilians, including

refugees and migrants, to be evacuated to safety. We continue to closely monitor the humanitarian situation in Libya, including conditions in detention centres.

The UK Government is clear that all parties to the conflict must do all that they can to prevent any further loss of life, including by respecting their obligations under International Humanitarian Law and engaging with the UN and humanitarian community to get aid to those in need and for the wounded and those at risk to be safely evacuated.

### **Conflict, Stability and Security Fund**

**09 Apr 2019 | 241001**

**Asked by: Nia Griffith**

To ask the Secretary of State for Defence, what mitigation of human rights risks is being applied with regard to the (a) Sudan Improving International Standards in the Defence Sector programme, (b) Iraq CSSF security and justice programme and (c) North East (NE) Nigeria security and conflict and stabilisation programme.

**Answering member: Mark Lancaster | Department: Ministry of Defence**

The Overseas Security and Justice Assessment (OSJA) process ensures that risks to human rights are actively managed and are under constant review. Our training always includes a focus on the protection of civilians and international humanitarian law.

The listed programmes have all undergone full assessments of the risk they pose in relation to human rights, in line with the OSJA process.

### **Syria: Peacekeeping Operations**

**05 Mar 2019 | 225582**

**Asked by: Catherine West**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent discussions he has had with coalition partners on peacekeeping in the Afrin region to protect Kurdish civilians from extremist forces.

**Answering member: Alistair Burt | Department: Foreign and Commonwealth Office**

We have had no recent discussions with coalition partners on peacekeeping in the Afrin region, as the coalition does not operate in this area. We continue to monitor the situation in Afrin, and have made clear to Turkey the importance we attach to protection of civilians there.

### **Armed Conflict**

**28 Feb 2019 | 224475**

**Asked by: Ann Clwyd**

To ask the Secretary of State for Foreign and Commonwealth Affairs, with reference to the report entitled, Protecting Children in 21st

Century Conflict, published by Save the Children in February 2019, whether the recommendations in that report will be included in his Department's Protection of Civilians Strategy.

**Answering member: Mark Field | Department: Foreign and Commonwealth Office**

The Government is currently reviewing its global strategy on Protection of Civilians in Armed Conflict, and is committed to ensuring that its approach benefits all civilians, including children. The Government welcomes recent research carried out by academics and NGOs in this field, and will consult with them and take their work into account as it undertakes its own review.

**[Armed Conflict](#)**

**20 Feb 2019 | 222035**

**Asked by: Chris Law**

To ask the Secretary of State for Foreign and Commonwealth Affairs, when his Department plans to update the Government Strategy on the Protection of Civilians in Armed Conflict in order to reduce the number of babies dying as a result of armed conflict.

**Answering member: Mark Field | Department: Foreign and Commonwealth Office**

The Government is reviewing its strategy on Protection of Civilians in Armed Conflict now, and we will have more information in due course. The review coincides with the twentieth anniversary of UN Security Council Resolution 1265 (1999) and the adoption of the Protection of Civilians as an item on the Security Council's agenda.

**[Syria: Turkey](#)**

**10 December 2018 | 198886**

**Asked by: Chris Stephens**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what discussions he has had with his Turkish counterpart on the Turkish invasion of Afrin; the effect of that military operation on civilians in Afrin; and the adequacy of medical (a) services and (b) equipment to treat those civilians.

**Answering Member: Alan Duncan | Foreign and Commonwealth Office**

During the Turkish operation in Afrin, the UK Government called for de-escalation of the military conflict and the protection of civilians, while recognising Turkey's legitimate interest in the security of its borders. UK Government Ministers urged their Turkish counterparts to do everything possible to minimise humanitarian suffering including the need to facilitate access for life-saving humanitarian aid in accordance with international humanitarian law.

DFID partners are delivering limited humanitarian assistance in Afrin and to those displaced from the district, where access allows. This includes

medical consultations, immunisations and nutrition support for mothers and children.

### **Yemen: Military Intervention**

**21 Nov 2018 | 190929**

**Asked by: Kate Osamor**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what diplomatic steps his Department is taking to protect the civilians trapped in Hodeidah, Yemen.

**Answering member: Alistair Burt | Department: Foreign and Commonwealth Office**

We are in regular contact with the Coalition about the need to ensure that any further military operations in and around Hodeidah are conducted in accordance with international humanitarian law, including on the protection of civilians, and do not disrupt commercial and humanitarian flows through the port. The UK has been at the forefront of the humanitarian response to the Yemeni crisis and addressing this is a priority for the Government. The Foreign Secretary discussed humanitarian issues with King Salman bin Abdulaziz and Crown Prince Mohammed bin Salman of Saudi Arabia on 12 November. I spoke about these issues to the Saudi Foreign Minister on 30 October, and to the Emirati Deputy Foreign Minister on 7 November.

### **Armed Conflict**

**23 October 2018 | 181241**

**Asked by: Ian Murray**

To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will make an assessment of the adequacy of his Department's strategy on the protection of civilians in armed conflict on the protection of children in conflict.

**Answering Member: Mark Field | Foreign and Commonwealth Office**

The principles of the 2010 Protection of Civilians Strategy continue to guide our work and we consistently review our cross-Government approach. We aim to address the growing challenges of protecting civilians affected by conflict through political engagement, strengthening accountability, peace support operations, ensuring respect for international humanitarian law in UK military operations, strengthening state and non-state capacity, humanitarian action, and offering refuge to those in need of protection. The continuing evolution of our approach is demonstrated by the UK's endorsement, in April 2018, of the Safe Schools Declaration which supports the protection and continuation of education in armed conflict.

International humanitarian law (IHL) provides a robust legal framework for the protection of all civilians, including children. The UK works closely with states and NGOs to promote compliance with this legal framework. We regularly call on states and non-state actors engaged in

armed conflict to respect IHL and act in accordance with their obligations under it.

### **Armed Conflict**

**11 October 2018 | 176616**

**Asked by: Ian Murray**

To ask the Secretary of State for Foreign and Commonwealth Affairs, whether he plans to update the protection of civilians strategy; and if he will make a statement.

**Answering Member: Mark Field | Foreign and Commonwealth Office**

The principles of the 2010 Protection of Civilians Strategy, continues to guide our work and we consistently review our cross-Government approach. We aim to address the growing challenges of protecting civilians affected by conflict through political engagement, strengthening accountability, peace support operations, ensuring respect for International Humanitarian Law in UK military operations, strengthening state and non-state capacity, humanitarian action, and offering refuge to those in need of protection. The continuing evolution of our approach is demonstrated by the UK's adherence, in April 2018, to the Safe Schools Declaration which supports the protection and continuation of education in armed conflict.

### **Yemen: Military Intervention**

**13 Sep 2018 | 171378**

**Asked by: Kate Osamor**

To ask the Secretary of State for International Development, what assessment she has made of the adequacy of access to Saada by humanitarian relief organisations after the military operations in that area in August 2018.

**Answering member: Penny Mordaunt | Department for International Development**

Insecurity, damaged infrastructure and bureaucratic constraints throughout Yemen, including in Sa'ada, continue to threaten the access of humanitarian relief organisations to the 22.2 million Yemenis in need of assistance across the country. As of August 2018, the UN assess Sa'ada district as having high access constraints.

We continue to work closely with our UN and NGO delivery partners, in Sa'ada and northern Yemen, who are operating under difficult circumstances to reach the most vulnerable. We also urge all parties to the conflict to ensure rapid, safe and unhindered humanitarian and commercial access across Yemen, including in Sa'ada, and to do everything possible to protect innocent civilians and demonstrate their commitment to International Humanitarian Law.

### [Geneva Conventions](#)

02 Jul 2018 | 157611

**Asked by: Sir Nicholas Soames**

To ask the Secretary of State for Foreign and Commonwealth Affairs, whether he has plans to seek to reform the Geneva Convention; and if he will make a statement.

**Answering member: Mark Field | Department: Foreign and Commonwealth Office**

The UK has a strong history of upholding and promoting the principles of international humanitarian law (IHL). The four Geneva Conventions of 1949 constitute the bedrock treaties of IHL. There are no plans to seek reform of these globally recognised Conventions. We believe that efforts should be directed primarily at improving compliance with IHL. To this end, we consistently call on states and non-state actors engaged in armed conflict to respect IHL and act in accordance with their obligations under it. We are also an active participant in the intergovernmental process, facilitated by the International Committee of the Red Cross and government of Switzerland, aimed at strengthening respect for IHL.

### [Armed Conflict: Civilians](#)

13 Jan 2017 | 58516

**Asked by: Tom Brake**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what his policy is on whether designating whole cities with civilian populations as military targets is a contravention of international humanitarian law.

**Answering member: Mr Tobias Ellwood | Department: Foreign and Commonwealth Office**

International Humanitarian Law (IHL) provides that civilians shall not be the object of attack, and prohibits indiscriminate attacks that fail to distinguish between legitimate military targets and civilians or civilian objects. IHL also provides that attacks should not be carried out if they would cause disproportionate harm to civilians.

The UK is a strong supporter of the standards set out in IHL, including the principles of distinction and proportionality, and considers that attacks that deliberately target civilians or that fail to distinguish between civilians and legitimate military targets violate IHL.

Whether or not there has been a violation of IHL in any particular instance depends on all of the circumstances. If designation of a whole city with a civilian population as a military target leads to prohibited attacks on civilians and civilian objects this would be a violation of international law.

## 5. Other Parliamentary material

### 5.1 Debates

#### [Protecting Children in Conflict Areas](#)

25 April 2018 | House of Commons | 639 cc359-81WH

Agreed to on question.

#### [International Human Rights Day](#)

20 December 2017 | 633 cc423-30WH

Agreed to on question.

### 5.2 Statements

#### [Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level](#)

11 Mar 2019 | HCWS1394

**Jeremy Hunt (Secretary of State for Foreign and Commonwealth Affairs):** I am delighted to inform the House that the Foreign and Commonwealth Office (FCO) has today published the United Kingdom Government's first 'Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level'.

The publication of this report reflects the UK Government's determined commitment to the proper implementation of, and compliance with, International Humanitarian Law (IHL). This is a vital responsibility of all States. IHL is the manifestation of the long-standing determination of the international community to limit the effects of armed conflict. In an age where IHL continues to be violated frequently by both States and non-State parties to conflict, it is critical to reinforce these fundamental humanitarian rules that form an integral part of the international order in times of conflict. We are proud of our strong record of IHL implementation and compliance.

The Voluntary Report aims to explain in a single document the key steps that the United Kingdom has taken at a domestic level to implement IHL. Publishing specific examples of our practice to implement IHL is intended to help improve understanding of IHL, and encourage and inform dialogue on IHL issues both at home and abroad. We hope it will encourage other States to publish details of their activities to implement IHL at the domestic level, to better identify best practice and ultimately to improve implementation and compliance with IHL.

I am grateful to the United Kingdom National Committee on International Humanitarian Law for leading the compilation of this Voluntary Report. The British Red Cross, in its capacity as an auxiliary to the UK Government, deserve special thanks for assisting the FCO with the production of this Voluntary Report.

The Voluntary Report will be available on the [gov.uk](http://gov.uk) website. I will also place a copy in the library of the House.

## Update on humanitarian situation in Idlib Governorate, Syria

13 Sep 2018 | HCWS969

### **Penny Mordaunt (Secretary of State for International**

**Development):** The Syrian regime's systematic and blatant disregard for international humanitarian and human rights law during the eight years long civil war has resulted in the worst humanitarian catastrophe of this century so far. An estimated 400,000 people have been killed, 13 million people are in need of humanitarian assistance, 6.2 million have been internally displaced and 5.6 million refugees have fled to neighbouring countries.

The UK remains extremely concerned over escalating military action in the Northwest of Syria by the Syrian regime and its international backers, putting at risk almost 3 million people, many of whom have fled to the region to seek shelter. The last few days has seen dozens of Russian and regime airstrikes against areas of Idlib. Last weekend, we received reports of three hospitals, two White Helmets offices and three ambulances being attacked and put out of service, leaving thousands with no access to medical care. Last month alone there were over 100 civilian fatalities, and since the start of this month, already 30,500 people have been displaced.

A disaster in Idlib is still avoidable. It is not too late for the Syrian regime and Russia to change tack. The British Government continues to call on them to work with Turkey, the UN Security Council and the rest of the international community to find a negotiated way forward to avoid the needless loss of human life. If they were genuinely concerned about the presence of terrorist groups, this is what they would do. Sadly, the experience of Aleppo, Eastern Ghouta and elsewhere is that this is just a pretext, and that their real intention is to reimpose regime control through brutal military means regardless of the cost.

So, in addition to our diplomatic efforts, we are working with the UN, Turkey, humanitarian agencies and our international partners to undertake contingency planning in case the regime and Russia indeed launch a full-scale offensive against Idlib in the coming days and weeks. Our aim is to ensure that the lives of innocent Syrian civilians are saved.

For this reason today I announce that the UK will provide additional aid funding of up to £32 million for the Northwest Syria. This money will help to provide shelter, clean water and sanitation, mental health services, and support health workers and facilities. This is our second uplift of emergency funding for Northern Syria in recent weeks. On 17 August I announced a £10 million package of support, including the provision of emergency assistance and vital support for medical centres and mobile medical clinics.

Sadly, Northwest Syria is just the latest target for the regime in eight years of devastating civil war. Over that time the UK has been at the forefront of the international response, providing life-saving and life-changing support for millions of people in places like Idlib, Aleppo, Eastern Ghouta and most recently Southwest Syria. We are the second largest bilateral donor and have pledged £2.71 billion to date, our

largest ever response to a single humanitarian crisis. Last year our support in Idlib governorate provided approximately 653,000 people with access to clean drinking water, immunised 1,335,000 children under five, helped 321,000 children access education and provided 398,000 medical consultations.

But money alone is not enough. We are working with the UN to ensure robust planning and preparation for Northwest Syria. With our international partners, the UK continues to use our position in the UN Security Council and the International Syria Support Group to advocate above all else for the protection of civilians, and calls on all parties to allow humanitarian agencies unfettered access to deliver aid to those most in need.

Regardless of what happens in Idlib, this sadly won't be the end of the suffering of the Syrian people. To achieve that requires a political solution, leading to an inclusive, non-sectarian government which can unite the country and protect the rights of all Syrians. That is why we continue to support the UN-led Geneva process aimed at reaching a negotiated settlement

### **UK Support and Funding for International Criminal Justice** **17 Jul 2018 | HCWS864**

**Jeremy Hunt (Secretary of State for Foreign and Commonwealth Affairs):** Today is the Day of International Criminal Justice, which provides an opportunity to update Parliament on UK support for the principles and institutions of international criminal justice in the previous calendar year.

The UK maintains that those who commit atrocities should be held to account. As such, support for international criminal justice is a fundamental part of the UK's foreign policy. Our approach is not limited to punishing the perpetrators – it seeks to help victims and their communities come to terms with the past, contribute to lasting peace and security, and deter those who might otherwise commit such violations in the future.

The International Criminal Court (ICC) is the world's first permanent independent international criminal court with jurisdiction over the most serious crimes of international concern, and is complementary to national criminal jurisdiction. The UK government believes that the ICC can play an important role in pursuing accountability when national authorities are either unable or unwilling genuinely to do so. We provide both political and financial support to the Court, contributing £8.9 million in 2017. As of the end of 2017, the Court had issued 31 arrest warrants, handed down verdicts in six cases and convicted nine individuals, one of whom has since been acquitted on appeal. It is currently considering cases from Africa, the Middle East, Europe, South East Asia and South America.

During the course of 2017, the Court made reparations awards to the victims of Thomas Lubanga Dyilo and Germain Katanga, both convicted of war crimes in the Democratic Republic of Congo, and Ahmad Al Faqi

Al Mahdi, convicted of destroying cultural heritage sites in Timbuktu. The UK contributed £400,000 to the Court's Trust Fund for Victims to support its work, which has included counselling for rape victims, provision of prosthetics and work to remove any stigma that may attach to child soldiers in Uganda and the Democratic Republic of Congo.

When the Rome Statute entered into force in 2002, three crimes were agreed to be within the immediate jurisdiction of the ICC: war crimes, crimes against humanity, and genocide. The Court's jurisdiction over a fourth, the crime of aggression, was postponed pending further consideration by States Parties. In December 2017, the ICC Assembly of States Parties agreed to activate the Court's jurisdiction over the crime of aggression. It did so on the basis that all States Parties explicitly agreed and confirmed in a consensus-based decision that, in the case of a state referral or proprio mutuo investigation, the Court shall not exercise its jurisdiction regarding a crime of aggression when committed by a national, or on the territory, of a State Party that has not ratified or accepted the relevant amendments to the Rome Statute. The UK has no plans to ratify the crime of aggression amendments and welcomes the decision as an authoritative, unqualified and clear interpretation of the amendments to the Rome Statute on the crime of aggression, in accordance with article 121 paragraph 5 of the Rome Statute. The activation of the Court's jurisdiction for this crime takes place today.

The International Criminal Tribunal for the former Yugoslavia (ICTY) closed at the end of 2017. In its 24 years of operation, the Tribunal indicted 161 individuals for serious violations of international humanitarian law and provided a comprehensive historical record of the atrocities committed during the Balkans conflicts. One of its last acts was the conviction and sentencing of former Bosnian Serb military leader Ratko Mladić to life imprisonment for the Srebrenica genocide and other serious crimes during the 1992-1995 conflict in Bosnia. Any outstanding work of the ICTY will now pass to the Mechanism for International Criminal Tribunals (MICT), which also assumed the residual functions of the International Criminal Tribunal for Rwanda in 2016.

In addition to the MICT and ICTY, the UK provides practical and financial support to the Extraordinary Chambers in the Courts of Cambodia, which was established to prosecute crimes committed by the Khmer Rouge regime in the 1970s; the Special Tribunal for Lebanon; and the Residual Special Court for Sierra Leone. Our contributions to these tribunals totalled £5.8 million in 2017.

The UK has also been at the forefront of international efforts to gather and analyse evidence of atrocities committed in the Middle East. In 2017, we contributed £200,000 to the UN International Impartial and Independent Mechanism (IIIM) to support the preparation of legal cases for serious crimes committed in the Syrian conflict. The UK also led efforts to adopt a UN Security Council resolution establishing an Investigative Team to collect, preserve and store evidence of Daesh atrocities in Iraq, and contributed £1m towards its eventual operation.

## [Saudi Arabia](#)

23 May 2018 | HCWS716

**Boris Johnson (Secretary of State for Foreign and Commonwealth Affairs):** The conflict in Yemen is now in its fourth year. Houthi rebels took the capital Sana'a by force in 2014 and displaced the legitimate Government of Yemen, as recognised by the UN Security Council. Coalition action is designed to facilitate the restoration of effective governance.

The Houthis have consistently failed to adhere to UN Security Council Resolutions, including by launching missile attacks against Saudi Arabia and shipping in the Bab al-Mandab strait. Saudi Arabia continues to be the subject of regular missile attacks from the Houthis in Yemen. Since November 2017, Riyadh has been targeted on at least six occasions. In addition, the Houthis continue to launch frequent rocket attacks against the southern cities of Jizan, Najran and Khamis Mushayt. The Houthis have stated their intention to continue these attacks against Saudi Arabia and to launch additional attacks against neighbouring countries, seriously endangering regional security. The UK supports the legitimate right of Saudi Arabia to respond to this critical threat. The UK has a national interest in stopping Houthi missile attacks that serve only to escalate the conflict and worsen the humanitarian situation.

The United Kingdom remains committed to supporting the legitimate security needs of Saudi Arabia and guarding against the danger of regional escalation. The UK has now agreed to work with the Saudis to mitigate the threat from these missiles. This will involve UK personnel providing information, advice and assistance limited to this particular objective. To be clear, the UK is not a member of the Saudi-Led Coalition. We do not have any role in setting Coalition policy, or in executing air strikes. All UK military personnel in Saudi Arabia remain under UK command and control.

The UK's partnership with Saudi Arabia also demands that we provide them with honest advice. We regularly remind the Saudi Government, and other members of the military Coalition, of the importance of compliance with international humanitarian law. I did so most recently with Crown Prince Mohammed bin Salman on 17 May. The UK Government takes its arms export responsibilities very seriously and operates one of the most robust arms export control regimes in the world. All export license applications are assessed on a case-by-case basis against the Consolidated EU and National Arms Export Licensing Criteria, taking account of all relevant factors at the time of the application. The Criteria state that the Government will not grant a licence if there is a clear risk that the items might be used in a commission of a serious violation of IHL.

This war has gone on for too long. The UK continues to lead diplomatic efforts to bring an end to the conflict. We are committed to supporting the work of the UN Special Envoy for Yemen. We have been clear that there can be no military solution. We continue to encourage all parties to return to negotiations and engage in the UN-led political process in good faith, to work towards a political settlement.

Meanwhile, the people of Yemen continue to suffer. As well as pressing hard for a comprehensive political solution, we are addressing the humanitarian crisis. This is a key priority for the UK. On 3 April, we pledged an additional £170 million to Yemen to cover the financial year 2018/2019. This makes the UK the fourth largest humanitarian donor to Yemen. UK funding will meet the immediate food needs of 2.5 million Yemenis, and comes on top of over £400 million in bilateral support since the conflict began in 2015.

Yemen is a priority for the Government. The solution remains political, not military. As the UN Special Envoy said to the Security Council on 17 April there is a risk that military escalation by all sides may undermine the prospects for peace. The legitimate national security interests of Saudi Arabia and neighbouring countries must be preserved. At the same time there is a need for all sides to get behind the UN Special Envoy's plans for stopping the conflict and reaching a comprehensive political settlement. This is the best way to protect the people of Yemen and address their needs. We intend that our additional support to Saudi Arabia will help to provide enough reassurance regarding their national security to enable them to focus their efforts on supporting a political solution.

### **Syria humanitarian crisis - UK response and Brussels Conference** **27 Apr 2018 | HCWS654**

**Penny Mordaunt (Secretary of State for International Development):** The Syrian regime's continued and systematic blatant disregard for international humanitarian and human rights law has resulted in an unprecedented humanitarian catastrophe. Medical facilities, schools and aid workers appear to have been deliberately targeted, aid has been blocked to starve communities into submission, and rape and sexual violence have been deployed as routine weapons of war.

13.1 million people are now in need of humanitarian assistance, including 5.6 million with acute needs. In addition, over half of Syria's population has been displaced by the violence, with 5.6 million seeking refuge in neighbouring countries.

Since the conflict began seven years ago, the UK has been at the forefront of the international response. We are the second largest bilateral donor to the crisis. Our support to Syria and the region since 2012 has provided humanitarian assistance to 17 million people, including over 27,000,000 monthly food rations and over 10,000,000 vaccines.

But now, in the eighth year of the conflict, the humanitarian needs of the Syrian people remain as grave as they have ever been. It is clear that the Regime has no intention of ending its people's suffering. The barbaric chemical weapons attack in Douma on innocent civilians, including young children, was yet another example of the Regime's flagrant disregard for its responsibility to protect civilians.

We must not turn our backs on their suffering. That is why at this week's Brussels Conference for Syria and the Region, I announced that the UK will provide at least £450 million this year, and £300 million next year to alleviate the extreme suffering in Syria and provide vital support in neighbouring countries. We have now committed £2.71 billion to the Syria Crisis since 2012, our largest ever response to a single humanitarian crisis.

Our pledge will help keep medical facilities open so doctors and nurses can save lives, and will help support the millions of Syrian refugees sheltering in neighbouring countries.

Our friends in the region, Jordan, Lebanon and Turkey in particular, continue to demonstrate extraordinary generosity in opening their doors and communities to millions fleeing the conflict in Syria.

We must continue to offer them our fullest support. Not least because as the trajectory of the Syrian war has worsened – our collective interests in a stable and prosperous region has increased. Jordan's resilience and prosperity are critical to the long-run interests of the region. That is why, in addition to the support to the region provided in our pledge, I announced that the UK will host an international conference with Jordan in London later this year: to showcase Jordan's economic reform plans, its aspiration to build/enable a thriving private sector, and to mobilise support from international investors and donors.

But money alone is not enough. We continue to support the UN-mediated process as the surest path to peace. But whilst we work towards a political solution in the future that can end this suffering once and for all, we must not give up on improving conditions in the present. In this spirit, I called upon those present at the Conference to join the UK in calling for concrete actions to enable greater protection for civilians and aid workers now. That means an immediate ceasefire and immediate safe access so that brave aid workers and medical staff can do their jobs and help the most vulnerable and the most desperate without fear of attack.

The UK is a global leader within the Syria response. I am proud that at this week's conference, we demonstrated clearly that we will not turn away from the suffering of the Syrian people – we will continue to lead the response in working with others to call out atrocities, mobilise funding, demand access for aid, protect civilians and ultimately, work towards a solution that can put Syria on a path to peace.

### **World Humanitarian Summit** **26 May 2016 | HCWS24**

**Justine Greening (Secretary of State for International Development):** I would like to update the House on my recent visit to the World Humanitarian Summit, where I headed the UK delegation.

The World Humanitarian Summit took place from 23-24 May in Istanbul. It was the first global summit on humanitarian issues and came at a time of unprecedented need: around the world, 60 million people

have been forced from their homes and 37 million children out of school in conflict-affected countries.

The Summit was truly global, bringing together participants from governments, the private sector, civil society and non-governmental organisations. Leaders welcomed the UN Secretary General's Agenda for Humanity as well as his five priority areas: global leadership to prevent and end conflicts; upholding the norms that safeguard humanity; leaving no one behind, moving from delivering aid to ending need; and investing in humanity.

It was one of a number of important events this year, including February's Supporting Syria and the Region Conference in London and the UN Secretary General's high-level meeting on refugees and migrants and the Obama Summit on Global Refugees in September. The Summit was a key moment following the global goals agreed last year, galvanising political attention on how better to serve those most affected by conflict, extreme poverty and environmental change.

At the Summit I was able to demonstrate UK leadership in addressing global crises and advance our UK objectives to:

- Secure a new approach to protracted crises, including situations of long-term displacement of large numbers of people. The UK effectively built on the important legacy from the successful Supporting Syria and the Region Conference in February, scaling up the approach that the UK pioneered in the Syria region as a global model for protracted crisis and displacement – going beyond people's basic needs and investing in education, jobs and livelihoods. As part of this, alongside existing commitments to Syrian children, I committed an extra £30 million of support to a new joint fund for education in emergencies which was launched at the Summit to help make sure no child misses out on an education. The Education Cannot Wait fund aims to reach more than 13.6 million young people living in emergency situations with quality education over the next five years, and all crisis-affected young people by 2030.
- Strengthen commitment to the protection of civilians in conflict. I reaffirmed the UK's commitment to compliance with International Humanitarian Law and ending impunity, galvanising support on protection of the medical mission and preventing sexual violence in conflict. There was strong consensus amongst participants that a lack of compliance is causing significant levels of suffering and displacement, as well as prolonging conflict. There was widespread agreement that conflict resolution and protection of civilians are the only sustainable solutions. We will now need to build quickly on this momentum.
- Call for a reformed humanitarian system, including smarter financing. The Summit marked the beginning of a new relationship between the humanitarian and development communities, with widespread agreement of the need to work together better. The UK led the way to secure agreement to a "Grand Bargain" on more efficient humanitarian financing. This will change the way donors and agencies do business, including by adopting common standards to put affected people at the centre of the response, streamlining

reporting systems and increasing the use of cash-based approaches in crisis situations. UN agencies pledged a more systematic use of shared analysis and planning. The UK, alongside other partners, will continue to drive this reform agenda in the months and years ahead.

- Ensure a stronger focus on protecting and empowering women and girls in crises. I also committed to put gender equality at the heart of 21st century humanitarian action, going beyond protection and making sure girls and women have a voice, choice, and control - even when crisis hits.

Overall, the Summit was a success with widespread agreement that the humanitarian system needs to reform and an emerging consensus on the way forward, in particular a renewed commitment to compliance with International Humanitarian Law. Improving the architecture to tackle forced displacement and migration was a major theme running throughout the Summit as was the need to ensure the most vulnerable are not left behind: girls and women, youth and people with disabilities. A more effective and efficient global humanitarian system will help to build global security and prosperity – which will, in turn, help advance the security and prosperity interests of the UK.

The Summit provided us with a compelling agenda for change – now we need to deliver. We will hold participants to their commitments, particularly the UN, and renew our efforts to roll out a new approach in crisis-affected countries.

## 5.3 Early Day Motions

### [UN Commission of Inquiry report on Gaza protests](#)

**EDM 2161 (session 2017-19)**

**7 March 2019**

**Richard Burden**

That this House welcomes the independent UN Commission of Inquiry report on protests in Gaza; notes with the deepest concern its findings that, in its widespread use of force against demonstrators, Israeli security forces committed violations of international law which may constitute war crimes or crimes against humanity; condemns the prevailing impunity for the killing and injuring of medics, journalists, children, and persons who pose no imminent threat of death or serious injury to those around them; further notes with concern the finding that, while the protests were civilian in nature, the de-facto authorities in Gaza encouraged or defended the use of incendiary kites and balloons which caused damage and fear in southern Israel; and calls on the Government to support the Commission's report at the Human Rights Council and do its part in implementing the report's recommendations relating to preventing future violations, ensuring accountability, and lifting the blockade and closure of Gaza.

**Saudi Arabia and violations of international law**

**EDM 1726 (session 2017-19)**

**18 October 2018**

**Ann Clwyd**

That this House is concerned about Saudi Arabia's on-going violations of international humanitarian law and human rights law; acknowledges that serious and systematic violations are being committed by all parties to the conflict in Yemen; notes with alarm that since 2015 the Saudi-led coalition has reportedly undertaken 18,000 airstrikes, one-third of which have hit non-military targets, including a school bus in August 2018, and allegedly caused almost two-thirds of reported civilian deaths and almost two-thirds of damaged or destroyed civilian public buildings; is appalled that up to 13 million Yemenis are facing starvation because of the war, referred to by both the UN and EU as the worst humanitarian crisis on earth, including as a result of the offensive by the Saudi-led coalition to take the port city of Hodeidah from Houthi rebels; notes with concern that in Saudi Arabia activists and critics are being silenced with increasing brutality, illustrated by the arrest and detention of more than 60 of its perceived opponents in September 2017, the subsequent arrest of women's rights activists and, most recently, the alleged murder of Jamal Khashoggi in the Saudi Arabian consulate in Ankara; and calls on the Government to condemn Saudi Arabia for these violations, and to suspend all arms sales and military support to that country immediately.

**UK arms sales to Sri Lanka**

**EDM 1480 (session 2017-19)**

**3 July 2018**

**Sir Edward Davey**

That this House notes the Tamil Information Centre's report of June 2017, Armament for Repression: Militarization of Sri Lanka, detailing the UK's arms trade with Sri Lanka and training of security forces, based on evidence from international human rights agencies and UN bodies; further notes that Sri Lanka remains of the Foreign and Commonwealth Office's list of countries with serious human rights concerns and that an estimated 200,000 military, police and intelligence personnel remain in Sri Lanka's north-east region resulting in a repressive militarised environment; acknowledges the UN Commissioner for Human Rights' report of March 2018 regarding non-implementation of key commitments on accountability and reform by Sri Lanka and continuing human rights violations and attacks on minorities; notes the Sri Lankan Defence Ministry's statement in 2016 and 2017 that some 50,000 armed forces personnel deserted since 2009, alongside reports that crimes by armed forces members rose from five per cent of reported crimes in 2013 to 18 per cent in 2014; notes the Geneva-based Small Arms Survey's estimate of 2.3 million light weapons in circulation in Sri Lanka and that no records exist of illicit weapons and their use in crime; notes that Sri Lanka is not a state party to the UN Arms Trade Treaty; believes licensing arms exports to Sri Lanka given these circumstances could contravene international humanitarian law and exacerbate conflict, with weapons being used for internal repression and crime; and

calls on the Government to end all arms exports to Sri Lanka immediately.

**United Nations Human Rights Council Commission of Inquiry into violations of international law**

**EDM 1294 (session 2017-19)**

**21 May 2018**

**Richard Burden**

That this House welcomes the resolution of the United Nations Human Rights Council (HRC) on 18 May 2018 to establish an independent, international Commission of Inquiry to investigate all violations of international humanitarian law and international human rights law in the context of large-scale civilian protests in the occupied Palestinian territory; regrets the failure of the Government to join 29 partner countries on the HRC in condemning the disproportionate and indiscriminate use of force by the Israeli occupying forces against Palestinian civilians; believes the reasons given by the Government for its abstention from the vote do not bear scrutiny as the HRC resolution calls on all parties to ensure that future demonstrations remain peaceful and to abstain from actions that could endanger the lives of civilians; calls, as the remit of the Inquiry is to investigate all human rights violations, both on Israel the occupying power and on all relevant parties to co-operate with the commission of inquiry and facilitate its access; and further calls on the Government to make good on the statements by the Minister for the Middle East to hon. Members during the Urgent Question on events in Gaza answered in the House on 15 May 2018 by giving its active support to the HRC Commission of Inquiry and upholding in practice the principle of accountability for violations of international law.

**Current situation in Afrin, Syria**

**EDM 879 (session 2017-19)**

**30 January 2018**

**Christopher Stephens**

That this House is deeply concerned about the current situation of the people of Afrin, who have been subjected to Turkish Government aggression; notes that Afrin has been one of the more stable parts of Syria and that it has become a destination for hundreds of refugees from many cities including Aleppo; further notes that its current population has risen from 400,000 before the war to roughly 750,000; believes that the true victims of Turkey's invasion of northern Syria are refugees, babies, women and children; further notes that Afrin borders Turkey on the north and is surrounded on its other sides by Syrian government forces and rebel forces including Al Qaeda; recognises that Afrin like other parts of Rojava is run democratically and peacefully with an emphasis on religious and ethnic pluralism, restorative justice, and the liberation of women and economic cooperatives; further recognises that YPG, YPJ and SDF forces, backed by the US, have been the most successful groups in defeating Daesh in Syria; is further concerned that

the Turkish government's recent actions are widely judged to have worsened the prospects for peace in Syria and wider Middle East; condemns the use of violence by Turkey's Army on the people of Afrin and the Kurdish forces in Syria; and calls on the Government, as a matter of urgency to press the importance of respect for fundamental human rights and rule of International law.

**International Health Protection Initiative on the protection of healthcare during armed conflict**

**EDM 597 (session 2017-19)**

**27 November 2017**

**Stephen Gethins**

That this House notes the International Health Protection Initiative's (IHPI) work in advocating for a new UN system for the protection of healthcare during armed conflict; understands that IHPI works to ensure that the UN upholds the Geneva Conventions and International Humanitarian Law, especially regarding the safe-guarding of health facilities, medical equipment, transport for healthcare and health-workers; observes that IHPI calls for the creation of a specially formed global health protection system, funded and established within the UN but independent of the veto accorded to the permanent members of the UN Security Council; recognises the need for the international community to unite to provide a solidified system of strong and deployable healthcare; regrets that damage to healthcare facilities is common during conflict and that there were 74 attacks on 34 health facilities in Syria and Yemen alone; further understands that this continued violence signals the limitations of UN Resolution 2286 which demands that all parties to armed conflicts fully comply with their obligations under international law and international humanitarian law to ensure the respect and protection of all medical personnel and humanitarian personnel engaged in medical duties, their means of transport and equipment, as well as hospitals and other medical facilities; and urges the Government to support the IHPI's call in this area.

**UK arms sales to repressive regimes**

**EDM 305 (session 2017-19)**

**12 September 2017**

**Ann Clwyd**

That this House notes the Government has officially invited Governments with records of serious and systematic human rights abuses, including Saudi Arabia, Bahrain and Turkey, to the Defence and Security Equipment International exhibition this week in London; is concerned that such Governments are 2017-18 priority markets for the Government's arms export agency, the Department for International Trade's Defence and Security Organisation; is particularly dismayed with the continued licensing of arms exports to Saudi Arabia, given that air strikes by the Saudi-led coalition in Yemen are continuing to result in civilian deaths in violation of international humanitarian law; believes

that by licensing arms exports to repressive regimes, or where they could be used to exacerbate internal conflicts or in contravention of international humanitarian law, the Government gives international credibility to the recipients, and could be violating its international commitments; and calls on the Government to end arms export promotion to such Governments and adopt a presumption of denial when considering licence applications for exports to them.

## 6. Further reading

[Protection of civilians in armed conflict](#), UN Security Council, Secretary-General report S/2019/373, 07 May 2019

[Afghanistan: Protection of Civilians in Armed Conflict Annual Report 2018](#), UN Assistance Mission in Afghanistan [UNAMA], 24 February 2019

[UK arms exports to Saudi Arabia: Q&A](#), Commons Library Briefing CBP-8425, 25 October 2018

[Made in America: shrapnel found in Yemen ties US bombs to string of civilian deaths over course of bloody civil war](#), CNN report, September 2018

### About the Library

The House of Commons Library research service provides MPs and their staff with the impartial briefing and evidence base they need to do their work in scrutinising Government, proposing legislation, and supporting constituents.

As well as providing MPs with a confidential service we publish open briefing papers, which are available on the Parliament website.

Every effort is made to ensure that the information contained in these publicly available research briefings is correct at the time of publication. Readers should be aware however that briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

If you have any comments on our briefings please email [papers@parliament.uk](mailto:papers@parliament.uk). Authors are available to discuss the content of this briefing only with Members and their staff.

If you have any general questions about the work of the House of Commons you can email [hcinfo@parliament.uk](mailto:hcinfo@parliament.uk).

### Disclaimer

This information is provided to Members of Parliament in support of their parliamentary duties. It is a general briefing only and should not be relied on as a substitute for specific advice. The House of Commons or the author(s) shall not be liable for any errors or omissions, or for any loss or damage of any kind arising from its use, and may remove, vary or amend any information at any time without prior notice.

The House of Commons accepts no responsibility for any references or links to, or the content of, information maintained by third parties. This information is provided subject to the [conditions of the Open Parliament Licence](#).