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United Nations General Assembly

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Sixth Committee

**Report of the International Law Commission
on the Work of its Sixty Eighth Session,
Chapter X – Protection of the environment in relation
to armed conflict [agenda item 78]**

Statement of the

International Committee of the Red Cross

October 2016

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Mr Chairman,

Turning now to the topic of the **protection of the environment in relation to armed conflict**, the ICRC commends the International Law Commission for its work on the topic, and we extend our congratulations to Special Rapporteur Dr Marie Jacobsson in particular, not only for her dedication to this topic, but also for her many years of distinguished service as a member of the Commission.

The protection of the natural environment during armed conflict is an important issue for the ICRC. There is an urgent need to find better ways of addressing the immediate and long-term consequences of damage to the natural environment in relation to armed conflict. Preventive action is also needed.

Ensuring better legal protection during armed conflict requires that existing rules of IHL be better disseminated, implemented and enforced. However, sometimes it is also necessary to address normative weaknesses through a reinforcement of the law. In the ICRC's view, one area in which the law would benefit from further clarification and development concerns the protection of the natural environment in times of armed conflict.

The law protecting the natural environment during armed conflict is not always clear; nor is it sufficiently developed. For instance, greater clarity as to how other bodies of international law may provide complementary protection to the environment, including during armed conflict, remains important. We would like to stress the importance that is attached to this topic and reiterate our strong support for its continuation into the next quinquennium.

We would also like to recall the importance of ensuring that the Commission's work on the protection of the environment in relation to armed conflict remains in line with existing rules of IHL. We look forward to continuing consultations with the Commission on this topic, including on the provisionally adopted Draft Principles and their Commentaries, and on future work, for example with respect to those IHL issues identified by the Special Rapporteur in her third report as deserving further elaboration.

Thank you, Mr Chairman.

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