

Statement by Sir Kenneth Keith
President, International Humanitarian Fact-Finding Commission

The International Humanitarian Fact-Finding Commission has had several valuable opportunities in the course of this week to make itself better known – at a workshop, at a session, at lunch yesterday, in bilateral meetings with several delegations, especially from Africa, Asia and Central America and in many cases in informal discussions in the corridors. We have also been very encouraged by the positive references made to the Commission in many statements, beginning with the speech at the opening of the conference by the federal counsellor, Micheline Calmy-Rey, and in the conference documentation, notably the International Committee of the Red Cross study of international humanitarian law including its reporting on the five regional seminars, and in the draft declaration and resolution to be considered tomorrow. And many of you will have picked up copies of our brochure. I can therefore be brief. I make four points.

The first is to recall the emphasis throughout this conference on the crying need for better implementation of international humanitarian law. That law is largely accepted as being satisfactory in substance. It is its implementation that is the real problem.

Second, much national and international practice shows the great value of inquiry and good offices, our statutory mandate under article 90 of the first additional protocol to the Geneva Conventions, as means of resolving controversies and enhancing the implementation of the law. Consider the role of national truth and reconciliation commissions and recall, again from the opening, the emphasis Viseka Dharmadasa placed on finding the truth.

My third point is about the legitimacy of the Commission. Initially it was established by the international community at the Diplomatic Conference of 1974-77 and now it gains its authority from the 161 States parties to Additional Protocol I to the Conventions. The members of the Commission are elected by the states – now 65 – from all the world's continents which have accepted its competence. The Commission's functions and rules are established and its fifteen members have a wide range of relevant experience.

Fourth and finally, the Commission stands ready to do its part to protect human dignity and to promote compliance with international humanitarian law. We urge all those present to support the Commission and to consider referring disputes about breaches of international humanitarian law to it. To quote Princess Magriet, again at the opening session, we must move beyond words to deeds.

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