



**32<sup>nd</sup> International Conference of the Red Cross and Red Crescent  
8-10 December 2015, Geneva  
Statement by Sri Lanka**

Madam Vice President,  
Excellences, Members of the national Red Cross societies,  
Ladies and Gentlemen,

At the outset my delegation wishes to thank the Swiss Government, the ICRC and the IFRC for this opportunity to discuss core humanitarian law issues of contemporary relevance, and appreciates the extensive consultation process that has been carried out over the past four years, since the last Conference in 2011.

We recognize the complex humanitarian challenges before us today that are impacting millions of people in an unprecedented manner. The efforts of the ICRC and IFRC humanitarian workers and the national societies, in reaching out to those in despair and in need of support, often amidst most dangerous and risky situations, must be commended and supported. During our own difficult experience of a protracted internal armed conflict, the ICRC played an important role in providing humanitarian assistance, and Sri Lanka expresses its appreciation of the ongoing close cooperation of the ICRC in the areas of improving conditions in detention facilities and also in addressing issues related to missing persons and their families. The Ministry of Foreign Affairs of Sri Lanka together with the ICRC will be organizing a workshop in Colombo from 27-28 January 2016, on Humanitarian and legal consequences of anti-personnel Landmines and Explosive Remnants of War.

We note the comprehensive programme for the 32<sup>nd</sup> Conference with the overarching theme 'Power of humanity: the Fundamental Principles in Action'. Sri Lanka joins in marking the 50<sup>th</sup> Anniversary of the Proclamation of the Fundamental Principles of the ICRC, which has enabled the Movement to carve out a clear identity and a distinctive role for itself. The guiding principles of humanity, impartiality, neutrality, independence, voluntariness, unity and universality has enabled ICRC to be an acceptable party to intervene in situations of complex emergencies, and to win the confidence of the global community.

In this context, we support the ICRC's efforts in enhancing compliance with IHL that aims to protect victims of armed conflicts. We hope that this Conference will be able to derive broad consensus in enhancing and ensuring effective compliance mechanism with IHL in particular, to address the existing gaps in Non International Armed Conflicts (NIACs) with a view to advance action to prevent and respond to violence. We have carefully noted the Resolutions presented on this broad theme covering in particular the issues related to 'IHL compliance', 'protection of detainees in NIACs,' and on 'sexual and Gender Based Violence (GBVs)'. We will engage in the negotiations to help build consensus on these important issues. Hence, at this point we wish to place on record that:

- We support the work done by the ICRC on detention issues. We agree that an Outcome Instrument related to detention must have the central objective of strengthening the protection of all persons deprived of their liberty in NIAC situations and must be a State Party driven process. In its applicability, the proposed Guidelines should not confer legitimacy on non-state actors and should not compromise the sovereignty of state parties. This would be consistent with the approach of precedent IHL instruments. It should not be overly prescriptive. Having sufficient flexibility to be adaptable to diverse operational situations, can make it a practical tool for all Parties.
- It is our view that a new 'Framework' on IHL compliance is timely. If it is to become a landmark achievement since the adoption of the Geneva Conventions over six decades ago, such a framework must look into bridging the gaps in relation to IHL compliance, including in NIAC as well. However, it must be done through a State Party driven process, respecting the principles of sovereignty of States. An IHL reporting mechanism that is non-binding and apolitical will have greater acceptance and wider participation, if the periodicity is decided taking into account the capacity and resource constraints of countries. Unnecessary duplication with other compliance systems, particularly in the Human Rights system, must be avoided. The mechanism should focus on important thematic areas, without adopting a country specific focus. We would therefore support working through an open-ended Working Group to define and agree on the modalities of

operationalizing an IHL compliance mechanism within a Meeting of States Parties.

When focusing on the theme of reducing disaster risks and strengthening resilience, we note the importance of compliance with standards. However, in many countries there is a dearth of capacity and resource gaps in meeting obligations, which may require extra financial and technological support. We recognize the important synergies being built between the SDGs and the Sendai Framework for Action on Disaster Risk Reduction (DRR). In Sri Lanka, the Government and the National Red Cross Society has closely collaborated during the 2006 Indian Ocean Tsunami as well as in post-Tsunami rehabilitation, including in disaster management programmes.

While much of the focus on DRR is on natural and climate change driven risks, we cannot leave out the possibility of nuclear accidents and the resulting catastrophic humanitarian consequences. As a party to the humanitarian pledge on this issue, we reiterate the call for accelerating efforts to reduce and ultimately eliminate all nuclear weapons, as such weapons could create the worst form of humanitarian consequences.

We remain committed to engage in support of the objectives of the conference, and wish to reiterate the fact that there is renewed political commitment and will in my country, to strengthen the national IHL compliance mechanism as well as on advancing measures to prevent and respond to all forms of violence including sexual and GBV, in a holistic manner. This is reflective of the clear policy of the current administration to engage positively with the international community including international organizations.

Thank you.