

Accession of the Argentine Republic to the Protocols

The Argentine Republic deposited with the Swiss Government, on 26 November 1986, an instrument of accession to the Protocols Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and Non-International Armed Conflicts (Protocol II), adopted in Geneva on 8 June 1977.

This accession was accompanied by interpretative statements, the text of which is reproduced hereafter.

Pursuant to their provisions, the Protocols will come into force for the Argentine Republic on 26 May 1987.

This accession brings to 66 the number of States party to Protocol I and to 59 those party to Protocol II.

Interpretative Statements

With reference to Article 43, paragraph 1, and Article 44, paragraph 1, of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), the Argentine Republic interprets these provisions as not implying any derogation of:

- a) *the concept of the permanent regular armed forces of a Sovereign State;*
- b) *the conceptual distinction between regular armed forces, understood as being permanent army units under the authority of Governments of Sovereign States, and the resistance movements which are referred to in Article 4 of the Third Geneva Convention of 1949.*

With reference to Article 44, paragraphs 2, 3 and 4, of the same Protocol, the Argentine Republic considers that these provisions cannot be interpreted:

- a) as conferring on persons who violate the rules of international law applicable in armed conflicts any kind of immunity exempting them from the system of sanctions which apply to each case;*
- b) as specifically favouring anyone who violates the rules the aim of which is the distinction between combatants and the civilian population;*
- c) as weakening respect for the fundamental principle of the international law of war which requires that a distinction be made between combatants and the civilian population, with the prime purpose of protecting the latter.*

With reference to Article I of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), taking its context into account, the Argentine Republic considers that the term 'organized armed groups' which is used in Article I of the said Protocol is not to be understood as equivalent to that used in Article 43, Protocol I, to define the concept of armed forces, even if the aforementioned groups meet all the requirements set forth in the said Article 43.

Republic of the Philippines: Accession to Protocol II

The Republic of the Philippines deposited with the Swiss Government, on 11 December 1986, an instrument of accession to the Protocol Additional to the Geneva Conventions of 12 August 1949 relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), adopted in Geneva on 8 June 1977.

Pursuant to its provisions, Protocol II will come into force for the Republic of the Philippines on 11 June 1987.

The Republic of the Philippines thus becomes the 60th State party to Protocol II.