

## **International Fact-Finding Commission**

### **Election of new members**

In order to guarantee the protection of victims of armed conflict, Article 90 of Protocol I additional to the 1949 Geneva Conventions provides for the establishment of an International Fact-Finding Commission, which was officially constituted in 1991. The Commission is a permanent body and an important mechanism in ensuring implementation of and respect for international humanitarian law in times of armed conflict.

#### *Powers and functioning of the Commission*

The Commission is competent to:

- (1) enquire into any facts alleged to be a grave breach or other serious violation of the Geneva Conventions or Protocol I;
- (2) facilitate, through its good offices, the restoration of an attitude of respect for the Conventions and Protocol I.

While the Geneva Conventions and Protocol I are applicable to international armed conflicts, the Commission has expressed its willingness to investigate alleged violations of humanitarian law committed in non-international armed conflicts, provided that the parties involved consent to its enquiry.

#### *Membership of the Commission*

The Commission is made up of 15 members elected by the States that have recognized its competence.<sup>1</sup> Its members serve in their personal

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<sup>1</sup> At 28 February 1997, 49 States had recognized the Commission's competence.

capacity and do not represent the States from which they originate. Each of them must be of high moral standing and acknowledged impartiality. Elections take place every five years, and the States are required to ensure equitable geographical representation within the Commission.

The new members were elected on 29 October 1996, and their term of office began following the meeting of the Commission on 24 and 25 February 1997. Their names are as follows:

Professor Luigi Condorelli, *Italy*, Law Faculty, University of Geneva

Professor Ghalib Djilali, *Algeria*, surgeon, University of Algiers (Vice-President)

Dr Marcel Dubouloz, *Switzerland*, principal consulting physician, Geneva

Professor Roman Jasica, *Poland*, Professor Emeritus of public international law and international humanitarian law, University of Silesia

Professor Frits Kalshoven, *Netherlands*, former naval officer, Professor Emeritus, University of Leyden (President)

Sir Kenneth Keith, *New Zealand*, QC, judge, New Zealand Court of Appeal, Wellington (Vice-President)

Dr Valeri Knjasev, *Russian Federation*, former naval officer, Adviser to the Ministry of Foreign Affairs, Permanent Mission of the Russian Federation to the IMO in London

Ambassador Erich Kussbach, *Austria*

Dr Pavel Liska, *Czech Republic*, Director, International Law Division, Foreign Affairs Section, Ministry of Defence, Prague

Mr Mihnea Motoc, *Romania*, Deputy Director, Human Rights Directorate, Ministry of Foreign Affairs, Bucharest

Professor Paulo Sergio Pinheiro, *Brazil*, political analyst and legal expert, São Paulo (Vice-President)

Ambassador Arpad Prandler, *Hungary*, legal adviser, Ministry of Foreign Affairs, Budapest

Mr Hernán Salinas Burgos, *Chile*, Deputy Director for Legal Affairs, Ministry of Foreign Affairs, Santiago

Dr Carl-Ivar Skarstedt, *Sweden*, former President of the Court of Appeal

Dr Santiago Torres Bernárdez, *Spain*, *ad hoc* judge and former registrar, International Court of Justice, Madrid