

Resolution adopted by the NATO Parliamentary Assembly on 15 November 1999 concerning the armed intervention in Kosovo

Respecting and Ensuring Respect for International Humanitarian Law¹

The Assembly,

Commending NATO's decision to intervene to stop massive human rights violations in Kosovo;

Appreciating the contribution of the countries in the region of South-Eastern Europe — members of the Euro-Atlantic Partnership Council — to this intervention;

Stressing that the use of force has long been subject to restraints under international humanitarian law (IHL), and praising the Government of the Netherlands for its role in the adoption of the pioneering Hague Conventions on the laws of war in 1899 and 1907;

Calling political and military authorities' attention to the Geneva Conventions of 1949 and their Additional Protocols of 1977 as the core of modern IHL and to the role of the International Committee of the Red Cross (ICRC) in ensuring the respect of these rules;

Reminding States that many provisions of the Geneva Conventions of 1949 and their Additional Protocols of 1977 are considered customary international law;

Emphasizing that the aim of IHL is the protection of victims of war including by regulation of the conduct of hostilities;

Reminding all States of their obligation, under the Geneva Conventions, not only to "respect" but also to "ensure respect" of IHL "in all circumstances";

Gravely concerned that civilians and civilian objects are increasingly the target of violence in post-Cold War conflicts;

¹1999 Annual Session, Amsterdam, 15 November 1999, Committee Resolution; <http://www.naa.be/publications/resolutions/99cc-res248.html> — See also *NATO and Hu-*

manitarian Intervention, Plenary Resolution adopted the same day; <http://www.naa.be/publications/resolutions/99as-res319-e.html>

Insisting therefore that it is more important than ever, on the occasion of the 50th anniversary of the Geneva Conventions and the 100th anniversary of the first Hague Convention, that States and non-State actors are aware of their responsibility to promote the knowledge, respect and application of IHL;

Urges member governments and parliaments of the North Atlantic Alliance:

to pursue the development of conflict mediation strategies and if this fails to ensure that all weapons and their use in armed conflict are consistent with applicable international humanitarian law;

to develop and implement comprehensive programmes of IHL education for all military and police personnel to be deployed in war, peace-keeping and peace-support operations;

to pursue actively the prosecution of war crimes by enshrining IHL rules in their national legislations, by supporting international war crime tribunals, and by ratifying the Statutes of the International Criminal Court without delay;

to ratify, if they have not done so, Protocols I and II of the Geneva Conventions and to sign and ratify the Ottawa Convention on anti-personnel mines without delay;

to ascertain that IHL becomes an integral component of the Euro-Atlantic Partnership Council (EAPC) work programme;

to take advantage of the legal expertise and assistance provided by the ICRC to improve their own implementation of IHL and its respect by other States.