

UNGA, September 2009

60th Anniversary of the Geneva Conventions “Ensuring Respect for International Humanitarian Law in a Changing Environment and the Role of the United Nations”

Trusteeship Council Chamber
UN Headquarters

Saturday, September 26, 9:00AM to 12:00PM

Remarks by Harold Hongju Koh, Legal Adviser, U.S. Department of State

I am the Legal Adviser of the United States Department of State. On behalf of the United States Government, I thank the Government of Switzerland for organizing this important event, which marks the 60th anniversary of the Geneva Conventions. Today we also pay tribute to the work of the ICRC, which over 60 years has established an astonishing record of professionalism, neutrality, bravery, independence and sacrifice.

The relationship between the United States and the Geneva Conventions has been the subject of much commentary since September 2001. Today, it is clear that individuals taken into custody by the United States must, as a matter of law, be treated humanely. The entire United States Government has worked to achieve this result, which is true to the letter and spirit of the Geneva Conventions.

As President Barack Obama said before this body earlier this week, we live our values. If there is any doubt about our character as a nation, it is revealed in the concrete actions of the past nine months. To discuss these concrete actions, I invite to speak my colleagues the General Counsel of the United States Department of Defense Jeh Charles Johnson, and Vice Admiral James Houck, the Judge Advocate General of the United States Navy.

Remarks by Jeh Charles Johnson, General Counsel, U.S. Department of Defense

Thank you to my State Department colleague, Mr. Koh. My name is Jeh Johnson. I am the General Counsel of our Department of Defense. I am pleased to be here with Vice Admiral Jim Houck, the senior military lawyer for the United States Navy.

The rule of law is a cornerstone of President Obama's approach to national security policy. I'd like to take a moment to outline some of the things our government has done in this area since President Obama took office nine months ago.

First, on his second full day in office President Obama ordered that the detention center at Guantanamo Bay be closed. We remain committed to doing that.

Second, he directed that all interrogations of detainees by anyone in the United States government be conducted in accordance with our Army Field Manual. President Obama also directed an investigation to ensure that the detention center at Guantanamo Bay is in compliance with Common Article 3 of the Geneva Conventions.

We are working with our U.S. Congress to reform the law governing our military commissions. One of the biggest changes we have made so far is to bar the admissibility in evidence of any statements taken as a result of cruel, inhuman and degrading treatment.

We are working to provide more robust review procedures for detainees in other parts of the world, to permit them an opportunity to challenge the evidence that is the basis for their detention.

We know that we have more work to do. And we look forward to working with the ICRC and others in doing that.

Madam Minister, thank you for hosting this conference on this important subject.

Remarks by Vice Admiral James W. Houck, Judge Advocate General's Corps, U.S. Navy

Thank you Madame Chair for giving us the opportunity to participate in this important meeting today. Although I am the senior military attorney in the United States Navy, I am also here today to speak for all U.S. military attorneys who are committed to the rule of law in general, and the Geneva Conventions in particular.

This morning, the Secretary General called on the parties to conflicts as well as all states to provide real-time protection to those covered by the Geneva Conventions. Our U.S. military attorneys, and those from many other nations as well, are fulfilling the spirit and letter of the Geneva Conventions every day in some of the most dangerous places in the world.

I also wish to note the strong partnership we in the U.S. military have with our civilian leadership, as demonstrated by our collective presence here this morning. Together, we are absolutely committed to fulfilling and implementing the Common Article 3 prohibitions on torture, as well as on cruel, inhumane, and degrading treatment.