



## **POTSDAM DECLARATION ON THE RELATIONSHIP BETWEEN INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS**

Meeting at the University of Potsdam for our annual conference, we, the Association of Human Rights Institutes (AHRI), recognise the fundamental importance of both international humanitarian law and human rights law. While these two branches of international law have different historical origins, we believe their mutual cross-fertilisation and reinforcement is beneficial for humanity as a whole, especially in times of trivialisation of war crimes and other forms of mass violence.

Grown since the mid-nineteenth century out of age-old customs, moral teachings and the work of some of the most highly qualified jurists, international humanitarian law aims to limit human suffering related to armed conflict. Its fundamental pillars today remain the four 1949 Geneva Conventions, the 70<sup>th</sup> anniversary of which we celebrate in the highly symbolic venue of Potsdam, as well as its two Additional Protocols.

International human rights law grew from the ashes of the Second World War, reacting against barbarous acts, which outraged the conscience of mankind, in order to protect human dignity and rights of all human beings beyond situations of armed conflict. We remain mindful of the unique historical and contemporary relevance of the 1948 Universal Declaration of Human Rights, the 70<sup>th</sup> anniversary of which AHRI celebrated at its 2018 Edinburgh Conference, and the many international treaties that codified and elaborated its principles.

AHRI welcomes and endorses today's near global agreement that international human rights law also applies in situations of both international and non-international armed conflict. Human rights law provides important protections where international humanitarian law rules are incomplete or missing and may serve to inform the interpretation of international humanitarian law in order to increase its degree of protection. At the same time, AHRI recognises that, given its distinct purpose, the application of international humanitarian law may in certain situations complicate the full application of human rights law. We call for a deeper reflection to address such challenges.

AHRI notes with concern the global increase in the number of violent conflicts in various parts of the world. The armed conflicts of the last two decades have resulted in hundreds of thousands of victims, millions of refugees and internally displaced persons, major damages on public and private property, loss of world cultural heritage, significant damage to the environment and countless violations against human rights defenders.

AHRI strongly condemns the many violations of international humanitarian law that have occurred in recent conflicts, and is gravely concerned about the blatant nature of many of

these breaches. More than ever, international humanitarian law is facing challenges of implementation which need to be addressed, including through international and national accountability and justice mechanisms. AHRI emphasises the importance of strengthening compliance with international human rights and humanitarian law and calls upon parties to an armed conflict to ensure the full implementation of the norms laid down in the four Geneva Conventions and the 1977 Additional Protocols.

We note with appreciation that international human rights bodies, including the UN Human Rights Council and regional human rights courts, increasingly take into account international humanitarian law and advance its goals by calling states and non-state armed groups to account for violations. We also note with appreciation the work of international criminal courts and tribunals, and notably the International Criminal Court, in not only fostering international humanitarian law but also in combatting the worst forms of human rights violations.

Both international humanitarian law and human rights law are under pressure today. AHRI calls on all decision-makers and stakeholders, including academic and practical experts, to continue to unabatedly advance their cause and strengthen their mutually reinforcing protection of human dignity and human lives.

Potsdam, 7 September 2019