



Kubo Macak <kubo.macak@gmail.com>

Your request for information

Hürlimann Tanja EDA HRA <tanja.huerlimann@eda.admin.ch>

Mon, Aug 22, 2011 at 10:31 AM

To: Kubo Macak <kubo.macak@some.ox.ac.uk>

Cc: Bader Daniel EDA BDD <daniel.bader@eda.admin.ch>

Dear Monsignor Macak

Finally, I have received the answer to your request. It has taken longer than usual as there are not many people working during the summer period but I thank you very much for your patience and hope the answer – see below – is of use to you.

Kind regards,

Tanja

Tanja Huerlimann

PA to the Swiss Defence Attaché

FEDERAL DEPARTMENT OF DEFENCE, CIVIL PROTECTION AND SPORT (DDPS)

Swiss Armed Forces

Embassy of Switzerland in the United Kingdom
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From: Vavricka Viktor EDA VAV

Sent: Friday, August 19, 2011 3:08 PM

To: Hürlimann Tanja EDA HRA

Subject: FW: RFI

Dear Sir,

I refer to your letter of 20 June 2011 to the Embassy of Switzerland in London concerning the current position of Switzerland on the applicability of the rules governing international armed conflicts to internationalized armed conflicts.

Switzerland, on the basis of its humanitarian tradition and as Depositary of the Geneva Conventions and their Additional Protocols, has made respect for international law, as well as its promotion and implementation, permanent features of its foreign policy. It demands strict compliance with International Humanitarian Law (IHL) and intervenes in certain conflicts at the bilateral and multilateral levels. It frequently calls on States to ratify the relevant treaties and to incorporate them into their national legislation. In the context of armed conflict, Switzerland also promotes and defends human rights, especially those of particularly vulnerable groups.

However, Switzerland does not officially qualify conflicts under IHL in general. In bilateral discussions with States involved in an armed conflict, the political messages Switzerland conveys focus on IHL and human rights law obligations in general with a particular accent on the protection of the civilian population. In this sense, Switzerland is not making any distinction between international armed conflicts (IAC) and non-international armed conflicts (NIAC).

An internal qualification of situations is undertaken in order to determine the applicable legal framework to the situation. In general, the Directorate of International Law at FDFA consults with the International Committee of the Red Cross in this regard.

I trust this information is helpful, and I wish you all the best for your research project.

Best regards,

Für Rückfragen stehen wir zur Verfügung. Mit freundlichen Grüßen,

Eidg. Departement für auswärtige Angelegenheiten EDA
Direktion für Völkerrecht DV

Viktor J. Vavricka
Chef Sektion Humanitäres Völkerrecht

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Dear Ms Huerlimann,

Thank you very much for your kind response. I will look forward to hearing from you once you have received more information.

Best wishes,

Kubo Macak

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Kubo Macak

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On Fri, Jul 1, 2011 at 3:21 PM, Hürlimann Tanja EDA HRA <tanja.huerlimann@eda.admin.ch> wrote:

Dear Monsignor Macak

May I take the opportunity to thank you for your letter about your research project.

I have contacted the person who will be able to answer your questions and as soon as I have more information I will get back to you.

Yours sincerely

Tanja Huerlimann

PA to the Swiss Defence Attaché

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