



MAR 7 2011

Dear Senators Kerry and Lugar:

We are writing with regard to an important treaty that is pending before the Senate Foreign Relations Committee: Additional Protocol II to the 1949 Geneva Conventions (Protocol II).

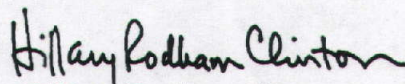
After playing a leadership role in the preparation and negotiation of Additional Protocol II, the United States signed Protocol II in 1977, which strives to provide humanitarian protections in non-international armed conflicts. Following extensive military, legal and policy review, President Reagan transmitted Protocol II to the Senate in 1987, requesting that the Senate provide its advice and consent to ratification, noting that "[i]ts ratification by the United States will assist us in continuing to exercise leadership in the international community in these matters." While each successive Administration has supported ratification, the previous Administration decided it would be prudent to conduct a review to determine whether ongoing U.S. operations would be fully consistent with Protocol II.

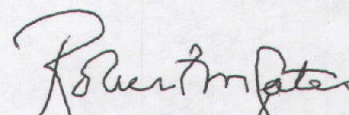
We have now completed a comprehensive interagency review of Protocol II, and, subject to reservations, understandings, and declarations that were submitted to the Senate in 1987, along with refinements and additions that we will submit, assess it to be consistent with current military practice and beneficial to our national security and foreign policy interests. Joining the treaty would improve our ability to maintain strong coalition cooperation in ongoing and future military operations, as more than 160 countries have now ratified the treaty, and most of our Allies and coalition partners are States Parties. Further confirming U.S. support for and compliance with Protocol II would also reaffirm longstanding U.S. leadership in setting and encouraging compliance with legal standards for the conduct of armed conflict.

The Administration therefore strongly supports Protocol II and intends to seek, as soon as practicable, Senate advice and consent to ratify this important treaty.

Thank you for your attention to this important matter.

Sincerely,

  
Hillary Rodham Clinton  
Secretary of State

  
Robert Gates  
Secretary of Defense