



Power of humanity

34th International Conference
of the Red Cross and Red Crescent

28–31 October 2024, Geneva

Toward a universal culture of compliance with international humanitarian law

DRAFT ZERO RESOLUTION

April 2024

EN

34IC/24/DRX.X
Original: English
Draft

Document prepared by the International Committee of the Red Cross in consultation with the
International Federation of Red Cross and Red Crescent Societies

DRAFT ZERO RESOLUTION

Toward a universal culture of compliance with international humanitarian law

The 34th International Conference of the Red Cross and Red Crescent (International Conference),

expressing that the members are conscious that the current International Conference is taking place at a time when the unacceptable cost of armed conflict demands a strong recommitment to our common humanity,

expressing deep concern about the serious humanitarian consequences of the more than 100 ongoing armed conflicts around the world, many of them receiving too little attention from governments and the media and many protracted with generations-long consequences, and *emphasizing* that cultivating better respect for international humanitarian law (IHL) is essential to preventing and mitigating those consequences,

emphasizing that compliance with IHL during armed conflict can alleviate the suffering of the people affected by it, reduce the human, economic, social and environmental cost of war, and facilitate the return to a sustainable peace,

highlighting that 2024 marks 160 years of modern IHL treaty-making and is the 75th anniversary of the adoption of the Geneva Conventions of 1949, while *acknowledging* that the law of armed conflict has deep historical roots in different religions and cultural traditions worldwide, *noting with great appreciation* the universal ratification of the Geneva Conventions, and *expressing* the hope that other IHL treaties will also achieve universal acceptance,

reasserting the commitment of all States and all components of the International Red Cross and Red Crescent Movement (Movement) to IHL, and *reaffirming* that IHL remains as relevant today as ever, even as contemporary warfare presents new developments and challenges in both international and non-international armed conflicts,

emphasizing that compliance with prohibitions and restrictions on certain weapons helps give effect to international humanitarian law, and contributes to international detente, the ending of the arms race and the building of confidence among States, and hence to the realization of the aspiration of all peoples to live in peace,

reaffirming the strict separation between the *jus ad bellum* and *jus in bello* (IHL), and *emphasizing* that, where IHL applies, it protects all persons in all circumstances, in all domains of warfare, without any adverse distinction based on the nature or origin of the armed conflict or on the causes espoused by or attributed to the parties to the conflict, and that, while the IHL protections applicable to individual persons depend on their status, vulnerabilities, treaties in force and other factors, no person may be excluded from the scope of IHL on grounds of their conduct or affiliation,

emphasizing that no party to an armed conflict is exempt from the obligation to comply with IHL, and that the obligation to comply with IHL does not depend on respect for IHL by the adversary,

welcoming with appreciation the substantial efforts that States have made to implement their IHL obligations and their willingness to share good practices in this regard, *emphasizing* that when IHL has been respected in recent armed conflicts it has saved lives, limited destruction and prevented human suffering, and *emphasizing also* the primary responsibility of each State to comply with its obligations under IHL,

reaffirming the obligation of non-State parties to non-international armed conflicts to fulfil their obligations under IHL,

reaffirming the special role of the International Committee of the Red Cross (ICRC) as set out in the four Geneva Conventions of 1949 and in the Statutes of the Movement, *reaffirming also* the ICRC's role as a neutral, independent and impartial humanitarian organization, especially its mandate to protect and assist victims of armed conflict, and *stressing* the ICRC's role as a neutral intermediary between parties to armed conflicts,

noting the significant role that the components of the Movement play in promoting the application of IHL and their mandates to do so under the Statutes of the Movement, including the role of the International Federation of Red Cross and Red Crescent Societies (IFRC), and *noting in particular* the unique role of National Red Cross and Red Crescent Societies (National Societies) as auxiliaries to the public authorities in the humanitarian field, based on which they organize, in liaison with the public authorities, emergency relief operations and other services to assist the victims of armed conflicts, as provided for in the Geneva Conventions, and the victims of natural disasters and other emergencies for whom help is needed, disseminate, and assist their governments in disseminating, IHL, take initiatives in this respect and cooperate with their governments to promote respect for IHL and to protect the distinctive emblems recognized by the Geneva Conventions and their Additional Protocols,

reaffirming the Fundamental Principles of the Movement and the particular relevance of the principles of humanity, neutrality and impartiality to humanitarian action in armed conflict, *noting* the critical importance of access by impartial humanitarian actors to victims of armed conflict, and *recalling* that States must respect the adherence by all the components of the Movement to the Fundamental Principles,

reiterating Resolution 1 of the 33rd International Conference, [“Bringing IHL home: A road map for better national implementation of international humanitarian law”](#), which remains fully operative, *welcoming* the efforts of States and Movement components to implement the resolution's provisions with the aim of preventing IHL violations, and *welcoming also* the Guidelines on the National Implementation of International Humanitarian Law, which arose out of that resolution,

welcoming the increasing number of voluntary reports published by States on the domestic implementation of IHL, including pledges to report to the International Conference, and voluntary submissions transmitted to the secretary-general of the United Nations for the secretary-general's report on the status of the Protocols additional to the Geneva Conventions,

recalling the legal and protective value of the distinctive emblems and signals, as applicable, in facilitating the identification of medical and religious personnel, medical units and transports, cultural property and members of the Movement – emblems and signals which, by virtue of their inclusion in the Geneva Conventions of 1949 and their Additional Protocols, and over 160 years of continuous practice, have become universally recognized symbols of impartial and neutral aid and protection for victims of armed conflict, and *recalling also* that it is the primary responsibility of States party to the Geneva Conventions to ensure that the emblems are, at all times, used in strict compliance with IHL,

expressing deep concern about the discrepancy between the universal commitment to IHL and insufficient respect for its rules, *calling attention* to the urgent need to improve respect for IHL,

emphasizing that enforcement of IHL when violations occur is a critical component of preventing their recurrence, and *expressing the conviction* that parties to armed conflicts have the power to prevent IHL violations,

underlining as essential to preventing IHL violations the need for long-term investment in preparedness to comply with obligations,

1. *urges* all parties to armed conflicts to comply with IHL, and *also urges* all States to work toward a universal culture of compliance with IHL;
2. *calls upon* States, together with the Movement components, to intensify their efforts to implement Resolution 1 of the 33rd International Conference, “Bringing IHL home: A road map for better national implementation of international humanitarian law”;
3. *also calls upon* States to foster a culture of compliance with IHL by ensuring that the highest levels of civilian and military leadership, including within their national security and defence institutions, systematically incorporate IHL-related considerations into their deliberations, decisions, policies and instructions, and *encourages* States to exchange good practices in this regard;
4. *further calls upon* States to strengthen the role of their national committee on IHL, or similar entity, or to establish such a committee where none exists, and *invites* States to enhance the capacity of such committees to formulate and submit recommendations to their national authorities on areas that need to be further developed domestically – including criminal law – in order to achieve better implementation of IHL; to enhance such committees’ capacity to monitor developments and progress in national law, judicial decisions, administrative provisions, governmental policies and related initiatives; and to strengthen cooperation between such committees across regions;
5. *strongly encourages* States to intensify their efforts to disseminate IHL among those called upon to implement and apply IHL, and in particular *recommends* that States, with the support of the ICRC and National Societies where possible, pay special attention to the training of judges and prosecutors, with a view to strengthening their capacity to interpret domestic legal obligations in accordance with IHL and to giving effect to the laws suppressing violations of IHL;
6. *calls upon* National Societies, with the support of the IFRC and ICRC, to further disseminate IHL and the Movement’s humanitarian ideals – as anchored in the Fundamental Principles – in educational institutions, and *encourages* States, specifically educational authorities, to engage with National Societies to integrate these subject matters into formal curricula, where this is not already done;
7. *urges* States to identify opportunities to promote compliance with IHL by other actors, including, for example, by seeking commitments at the highest levels of civilian and military leadership to respect IHL; by building their capacity to implement IHL through the adoption of domestic legislation, the development of military doctrine, training and mentoring, and other appropriate means; by assisting them in ensuring that their judicial and administrative organs are capable of effectively addressing IHL violations committed by their own forces and holding persons accountable in accordance with applicable requirements of international law; by assisting them in strengthening their national IHL committees and, for those who have not already done so, assisting them in the establishment of such committees; by exercising domestic jurisdiction in accordance with IHL and other international law; by complying with their obligations under applicable international treaties and norms regulating the use and transfer of

arms; and by using diplomatic dialogue, humanitarian diplomacy and other means of influence and State power to promote compliance;

8. *invites* States and National Societies, as well as the ICRC and the IFRC, to make pledges related to the implementation of this resolution, drawing as appropriate from the full range of potential work set out in this resolution together with the “Bringing IHL home” resolution, and focusing on specific thematic issues of particular importance to members, and further *encourages* States, their national IHL committees and the Movement components to work together in specific areas of common interest.