



Power of humanity

34th International Conference
of the Red Cross and Red Crescent

28–31 October 2024, Geneva

SUMMARY REPORT OF COMMISSION AND ITS SPOTLIGHT SESSIONS

Commission I Building a Global Culture of Respect for International Humanitarian Law (IHL)

1) OPENING PLENARY

Date and time: Tuesday 29 October 2024, 10:00–11:00

Chair/facilitator/moderator: IHL Chair Ambassador Lucy Duncan, Permanent Representative of New Zealand to the United Nations in Geneva

Rapporteur: Ellen Policinski

Speakers/panellists/presenters: Eva Svoboda, International Committee of the Red Cross (ICRC) Director of International Law and Policy; Emmanuel Jal, singer and peace activist; Ambassador Gustavo Gallón, Permanent Representative of Colombia to the United Nations in Geneva; Bolormaa Nordov, Secretary General of the Mongolian Red Cross Society; Hichem Khadhraoui, Executive Director of the Center for Civilians in Conflict (CIVIC); Assem Ellessawy, ICRC Operations Coordinator for Iraq and Syria

(A) Executive summary

The opening plenary began with the words of Emmanuel Jal, a singer and peace activist who shared his experience as a former child soldier. This was followed by opening remarks from ICRC Director Eva Svoboda, who emphasized that while IHL is under strain in the current political environment, it is a pragmatic body of law designed to apply in the worst of times. There was then an interactive discussion, where speakers emphasized the importance of IHL implementation, and the IHL Chair, Ambassador Duncan, provided guidance on what participants should keep in mind during the day's discussions.

(B) General observations and key highlights

The theme of Commission I was “Building a Global Culture of Respect for International Humanitarian Law”, the importance of which came through in the discussions during the opening plenary. The experience of people affected by armed conflict was highlighted in Emmanuel Jal's first-hand account. Concrete examples were also provided of how IHL works to protect affected people, including in the ICRC's operations in Syria and CIVIC's work on behalf of civilians. In his remarks, Ambassador Gallón stressed the need to ensure the domestic implementation of IHL, underlining the importance of compliance with IHL by the government and armed groups for the people of Colombia. Ms Nordov gave an important example of how National Societies can support their governments in implementing IHL in their domestic legal system, explaining the tripartite agreement signed between the Mongolian Red Cross, the ICRC and the Mongolian Ministry of Foreign Affairs to review how IHL has been incorporated into the country's domestic legislation. The IHL Chair closed the session by emphasizing that a successful IHL Commission would achieve two things: first, it would show that the International Conference continues to provide a unique platform for promoting IHL rules and values and principled humanitarian action and, second, it would lead to a reaffirmation of IHL and humanitarian principles through the resolutions and pledges adopted throughout the International Conference, thus demonstrating our collective commitment to action and making a difference in the real world outside these conference rooms. These goals were achieved.

2) SPOTLIGHT SESSIONS

(A) War in cities: Responding to civilian harm

Tuesday 29 October, 11:30–13:00

This session aimed to highlight the severe humanitarian impacts of urban warfare and the International Red Cross and Red Crescent Movement's initiatives to prevent and address them and to foster stronger commitments from States to reduce civilian suffering. National Society leaders and government representatives shared insights from diverse conflict zones, underscoring the global prevalence of urban warfare and its devastating cumulative effects on civilians.

Speakers illustrated short- and long-term impacts on civilian access to essential services, particularly health care, and highlighted the indiscriminate harm caused by explosive weapons and weapon contamination in populated areas. The infrastructure that supports daily life – schools, health care facilities and electricity and water systems – is devastated, and the cost of living spirals. This situation disproportionately affects children and young people, who bear the brunt of trauma and loss and are often left without parents or caregivers. Mental health crises escalate, with many individuals facing unimaginable stress and grief. The development of cities is set back by years, displacement due to conflicts causes yet more suffering, people become more susceptible to diseases, and people with disabilities face specific risks. National Societies described their response to these humanitarian effects. Security risks for Movement staff and volunteers were also discussed, as was the critical role of ensuring safe access for essential services personnel in conflict zones.

Yet, amid this darkness, there is hope. By working together to leverage technical expertise, advocacy and solidarity and championing political and humanitarian diplomacy, it is possible to reduce civilian harm and alleviate the suffering of those caught in the crossfire of urban warfare. Speakers highlighted that protecting civilians in urban combat starts with full and good-faith compliance with IHL and with effective civilian harm mitigation policies and practices. States and regional organizations shared perspectives on recent political commitments, such as the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas, and on concrete steps taken to enhance civilian protection before, during and after military operations. These include training on IHL and the civilian environment for armed forces, operational guidance to limit civilian harm and measures to ensure accountability for IHL violations through transparent investigations. The subject of the role of non-state armed groups party to an armed conflict and their obligation to comply with IHL was also raised.

The session closed with a reminder of the pledges on war in cities, which governments and National Societies can undertake jointly or individually, and of the Movement action plan designed to strengthen its efforts to prevent and respond to the humanitarian impacts of war in cities. There was also a call to governments and armed actors to significantly intensify efforts to reduce the current unacceptable levels of civilian suffering resulting from urban warfare.

(B) Promoting disability-inclusive interpretations and implementation of IHL in complementarity with the Convention on the Rights of Persons with Disabilities (CRPD)

Tuesday 29 October, 11:30–13:00

The aim of this session was to raise further awareness of the specific barriers and risks faced by persons with disabilities from military operations in armed conflict, build on existing

recommendations and encourage participants to submit pledges with a view to promoting disability-inclusive interpretations and implementation of IHL.

Participants identified some of the key risks for persons with disabilities through case studies, including the inaccessibility of advance warnings, shelters, evacuation and humanitarian relief and a lack of awareness of the diversity of persons with disabilities by armed forces. Many participants emphasized the need to sensitize and train armed forces and humanitarian staff on the specific barriers and risks faced by persons with disabilities. Further, the proper identification and registration of persons with disabilities was mentioned as a key challenge and enabler in armed conflict and other humanitarian emergencies, and tapping into locally available networks and organizations of persons with disabilities was considered crucial. States, National Societies and local networks and organizations of persons with disabilities need to be prepared in advance to address legal and practical aspects in order to meet the diverse needs of persons with disabilities, including women and children with disabilities, in armed conflicts and other emergencies.

States, National Societies and observers emphasized the need to strengthen links with persons with disabilities and their representative organizations to ensure their meaningful participation in IHL dissemination, training and humanitarian coordination mechanisms. Persons with disabilities need to be regarded as active agents, in keeping with the call for “nothing about us without us” and in line with the CRPD, which is complementary to IHL.

Some States and National Societies also shared pledges they have adopted or intend to adopt, including on promoting disability-inclusive interpretations of IHL and enhancing the meaningful participation of persons with disabilities in humanitarian programming by supporting cooperation between organizations of persons with disabilities and humanitarian organizations and ensuring a disability perspective in humanitarian preparedness activities.

(C) Protection of the natural environment in armed conflicts

Tuesday 29 October, 14:30–16:00

The aim of the session was to showcase examples of concrete measures that can be taken to improve wartime environmental protection. It spotlighted the degradation of our planet caused directly or indirectly by armed conflicts and the urgency – in these times of environmental and climate crisis – for militaries to take the environment into account more systematically as they fight. It also underlined how technology, through tools such as remote sensing, geospatial analysis, can enhance understanding of such impacts.

The discussions highlighted the international legal framework protecting the environment in armed conflict and the need to enhance compliance with these rules. During the session, States, National Societies and observers expressed concern for the environment in armed conflicts and the resulting consequences for conflict-affected populations and underlined their ambition to protect it. They shared views on practical challenges they have encountered or could encounter when seeking to protect the environment in wars. Finally, they discussed concrete measures that States and parties to armed conflict can take to improve wartime environmental protection, notably by ensuring better dissemination and implementation of IHL rules protecting the natural environment through national law, policy and practice.

Some examples of good practices shared by States include pre-deployment training of armed forces on the protection of the environment and the incorporation of specialized environmental officers to support members of the military in identifying issues of environmental concern during training and deployment. Multiple examples of the dissemination and inclusion of IHL rules on the protection of the natural environment in military manuals and training exercises were discussed. The importance of engaging in technical exchanges and continuously sharing

good practices and information on the environmental impacts of armed conflict was also emphasized.

Another important point made was that measures to protect the environment in wartime should be taken not only in the midst of armed conflict, the effects of which are now compounded by climate risks, but also during peacetime. Peacetime measures can lay a strong foundation for ensuring that the natural environment is respected in times of armed conflict. For instance, in peacetime, areas of environmental importance or fragility could be identified and designated as demilitarized zones or otherwise protected. The view was also expressed that military practices that protect the environment during armed conflict support effective operations.

The discussion demonstrated increased awareness of the environmental impacts of armed conflict and the wealth of good practices and measures that States have already put in place. However, further efforts are needed to stave off widespread climate and environmental catastrophe in the wars of today and tomorrow. In this regard, some States and National Societies shared pledges they have adopted or intend to adopt to strengthen the protection of the environment in war.

(D) Autonomous weapon systems (AWS)

Tuesday 29 October, 14:30–16:00

The aim of this session was to raise awareness of the current state of development and use of AWS and consider the likely trajectory of future developments. It included a technical briefing by the ICRC which covered definitions of AWS, the role and extent of human intervention, illustrative examples of AWS in operation, AWS development and the overlap between AWS and artificial intelligence. This segment also highlighted the central concerns raised by AWS: the potential human cost, ethical dilemmas and challenges for compliance with IHL posed by the use of AWS in conflicts.

An interactive panel discussion followed, with participants invited to consider the question of why AWS regulation is imperative, given the many other pressing humanitarian issues facing the international community, and to explore the ways in which States and the Movement could respond to the challenges posed by AWS. The panel's discussion focused on the critical need for a regulatory framework and the role of new legally binding rules to mitigate the risks associated with AWS.

Throughout the session, States, National Societies and observers expressed deep concerns about the unconstrained development and use of AWS. Discussions highlighted the lack of progress in negotiating a legally binding instrument to prohibit certain types of AWS and restrict others. Participants also reflected on concrete measures that States could adopt to promote negotiations and establish effective regulation for AWS.

3) RECONVENING PLENARY: CONCLUSIONS AND RECOMMENDATIONS

Following the summaries of the spotlight sessions delivered by the rapporteurs, we heard a moderated discussion between ICRC President Mirjana Spoljaric and IHL Chair Ambassador Duncan. Several recommendations emerged from this conversation.

President Spoljaric emphasized that IHL must be a political priority and that States must take concrete measures to make sure it is high on the political agenda. Although States are the primary duty bearers under IHL, the important role of National Societies in supporting them in this respect was also highlighted. Ambassador Duncan shared some success stories that could serve as inspiration going forward, including the adoption of the Political Declaration on

Explosive Weapons in Populated Areas and some of the initiatives undertaken by New Zealand at the national and international level.

Concrete recommendations included the following:

More must be done to develop and implement military policies and practices that address the humanitarian consequences of war in cities, in particular, the death and injury of civilians, weapon contamination, displacement, family separation, lack of access to health care and the security challenges faced by those seeking to provide humanitarian relief.

It is important to promote disability-inclusive interpretations and implementation of IHL in complementarity with the CRPD, in particular through pledges. These pledges should serve as a tool to bring together States, including their armed forces, and the Movement with persons with disabilities and their representative organizations and to follow up on existing recommendations, including those resulting from regional consultations where organizations of persons with disabilities directly interacted with armed forces.

Wider uptake of good practices is needed to help militaries take the environment into account more systematically as they fight and to further harness scientific and technological advances.

Lastly, addressing the humanitarian aspects and legal and ethical risks posed by the unconstrained development and use of AWS must be a priority.

Commission I closed with a performance by Emmanuel Jal of his song “We Want Peace”. It highlighted how important it is to keep in mind *why* we are working towards building a global culture of respect for IHL: to help create better conditions for music, poetry, art and human flourishing in general.