



ICRC



## Sixth Annual Report

# on the Implementation of the International Humanitarian Law at the level of Arab States 2010 / 2011

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## Preface

It is a great pleasure to present - on behalf of the International Committee of the Red Cross - this Sixth Annual Report on the National Implementation of International Humanitarian Law (IHL) in the Arab World, covering the period from the beginning of 2010 until the end of 2011.

During the said period, the Arab region has been experiencing historic and profound changes. In several instances, these developments resulted unfortunately also in situations of armed conflict and violence. There is no doubt that the suffering of the victims of these situations has drawn even more attention than in the past to the importance of IHL and the mechanisms for the implementation of its provisions at the national level.

This renewed interest in IHL is reflected in the regional plan of action for 2012 and 2013, adopted by the Ninth Meeting of Arab Government Experts in the field of IHL, which took place from 10- 12 January 2012 in Abu Dhabi, United Arab Emirates. As the meeting's recommendations point out, this regional plan is consistent with – and complementary to - the 4-year Plan of Action set forth at a global level by the 31<sup>st</sup> International Conference of the Red Cross and Red Crescent Movement held in November 2011 in Geneva..

The International Committee of the Red Cross could not have succeeded in its work to encourage and support States to adopt national measures for the implementation of IHL, without the remarkable initiative and commitment of the Arab States themselves – both at the level of their governments, parliaments and civil society. Indeed, the efforts exerted by the national authorities, the League of Arab States, the Arab Parliamentary Union and the National Red Cross or Red Crescent Societies were the main driving force behind the progress reached and reflected in the documents that you will find compiled in this report.

I am convinced that we will experience even more progress and achievements over the next phase of implementation of the regional plan of action, and would like to sincerely thank all those who contributed to the success of this work in the Arab countries, the League of Arab States and the Arab Parliamentary Union.

Klaus Spreyermann



Head of the ICRC Delegation in Cairo

## **Introduction**

### **Follow-up Commission on the Implementation of International Humanitarian Law in the Arab World**

The follow-up Commission on the implementation of international humanitarian law in the Arab world is honored to introduce this sixth report on national implementation in the Arab world, which covers the period until the end of 2011. Undoubtedly, efforts of Arab States in this area, as highlighted in the reports submitted by officials in charge of national implementation, reflect a growing interest in all dissemination activities of IHL provisions and training on such provisions, as well as the incorporation of the desired legislative adaptation between relevant international conventions and national laws.

The Follow-up Commission looks forward to implementing the proposed cooperation program with the Arab Parliamentary Union in order to support legislative efforts in the domains of ratification of international conventions and incorporation of their provisions into national legislation. This step comes in response to the recommendations of Arab government experts in their recent meeting held in Abu Dhabi during the period 10 -12 January 2012, in which they highlighted the need to bolster national efforts in the field of legislation.

By supporting the system of IHL implementation, in spite of grave violations of IHL provisions in the world at large and in the Arab region in particular, Arab States prove their adherence to international legality, the need to protect and preserve the rights of victims of armed conflicts and the necessity of imposing sanctions on perpetrators of such serious violations.

To conclude, we implore God Almighty to guide Arab States toward the best interests of this nation and to exert concerted efforts to uphold the provisions of IHL.

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Director of the Legal Division

## **Section One**

# **Report on the Implementation of International Humanitarian Law in the Middle East and North Africa 2010 - 2011**

**Report on National Implementation  
of International Humanitarian Law  
in Middle East and North Africa (\*)  
2010 - 2011**

**Prelude**

Thanks to the role carried out by the International Committee of the Red Cross in urging States to implement IHL provisions at the national level, and through close cooperation between ICRC, the League of Arab States and the Arab Parliamentary Union, efforts of Arab States follow the right track leading to the desired goal of respecting and ensuring respect for IHL provisions.

A reading of the regional documents and national reports presented, reveals the major achievements in 2010 and 2011 as follows:

**I - The Establishment of National Commissions for IHL**

Until 1999, there was one national commission for IHL in the Arab region, established in the Republic of Yemen.

Then, the number of NC continued to multiply; national commissions have been established in the Hashemite Kingdom of Jordan, the Arab Republic of Egypt, the Republic of Sudan, the Kingdom of Morocco, the United Arab Emirates, the Arab Republic of Syria, the State of Kuwait, Palestine, Libya, the Republic of Tunisia, the Kingdom of Saudi Arabia, the People's Democratic Republic of Algeria, and finally the Republic of Lebanon.

According to reports presented by states during the regional meeting convened in the Emirate of Abu Dhabi in early 2012, several states are on their way to completing the legislative procedures for the establishment of their national commissions, namely, the State of Qatar, the Sultanate of Oman, and the Republic of Iraq.

To conclude, 13 Arab States have already established national commissions for IHL. Only Qatar, Oman, Bahrain, Iraq and Mauritania have not yet established their own National Commissions.

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(\*) This report was prepared by the ICRC Advisory Service for IHL in the MENA region, and consequently is restricted to the States included in the competence of this department, which do not represent all states member in the League of Arab States. States included in this report are: Jordan, United Arab Emirates, Bahrain, Tunisia, Algeria, Saudi Arabia, Sudan, Syria, Iraq, Oman, Palestine, Qatar, Kuwait, Libya, Egypt, Morocco, Mauritania, and Yemen.

Undoubtedly, such commissions have contributed a great deal to promoting procedures and measures for the implementation of IHL at the national level. At the regional level, nine meetings of Arab government experts for the national implementation of IHL have been organized; six of these meetings were in Cairo in 2001 and from 2003 to 2007 respectively. The seventh meeting was held in Rabat, Kingdom of Morocco in 2008; the eighth meeting was held in Amman, Hashemite Kingdom of Jordan in 2009 and the ninth most recent meeting was held in the Emirate of Abu Dhabi, United Arab Emirates, during the period 10 -12 January 2012.

## **II - Ratification of Conventions relevant to IHL**

As to activities related to state ratification of international conventions and instruments relevant to IHL, and in accordance with the methodology of action put forth by the Follow-up Committee and regional plans of action, conventions have been classified pursuant to priorities as follows:

### **Geneva Conventions and Protocols Additional Thereto**

* Four Geneva Conventions of 1949	18 /18
* Additional Protocol I	18 /18
* Additional Protocol II	16 /18

In this regard, it is noted that all Arab countries included in this report have ratified the Four Geneva Conventions of 1949 and Additional Protocol I of 1977.

Two States have neither ratified nor adhered to Additional Protocol II so far, namely the Republic of Syria and the Republic of Iraq.

No Arab State has embarked on measures to adhere to the Third Protocol Additional to the Geneva Conventions adopted in 2005.

An overview of the ratification of other international instruments relevant to IHL reveals the following:

<b>S</b>	<b>Convention</b>	<b>Number of States</b>
1	Convention on the Protection of Cultural Property in the Event of Armed Conflict, the Hague, 14 May 1954	18/15
2	Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954	18/12
3	Protocol II for the Protection of Cultural Property in the Event of Armed Conflict, 1999	18/7
4	Convention on the Rights of the Child, 1989	18/18
5	Optional Protocol of the Convention on the Rights of the Child regarding the involvement of children in armed conflicts, 2000	18/15
6	Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, Geneva, 17 June 1925	18/15
7	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction (With Annex), 10 April 1972	18/15
8	Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976	18/5
9	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980	18/6
10	Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, Paris 13 January 1993	18/16
11	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997	18/9
12	Convention on Cluster Munitions, 2008	18/3
13	Rome Statute of the International Criminal Court, 1998	18/2

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### **III - National Legislation Relevant to IHL**

#### **1 - Legislation on the Incorporation of War Crimes**

At the level of model laws for the implementation of international instruments relevant to IHL, the Advisory Service on IHL took part in the preparation of an Arab model law on crimes under the jurisdiction of international criminal justice. The Advisory Service presented the preliminary draft of the law to the Commission of Arab Experts within the framework of a special committee set up within the Legal Division of the League of Arab States. The UAE delegation must be given credit for having introduced the necessary modifications and for the having prepared the draft that was later presented to the Council of Arab Ministers of Justice on their 21<sup>st</sup> session held in Algeria in 2005. This draft model law was adopted pursuant to Resolution No 594 and was suggested to States as guidelines to be sought when drafting their national legislation.

We note in this connection that the Republic of Sudan was the first Arab state to use this draft law as guidelines while drawing up the Armed Forces Act of 2007, and that Sudan is in the process of incorporating the same crimes into the penal code.

Apart from Sudan, several states are still studying this model law through their NC for IHL such as the Arab Republic of Egypt, the UAE, the Hashemite Kingdom of Jordan, the Republic of Yemen, the People's Democratic Republic of Algeria, and finally the Republic of Tunisia, after having concluded the ratification procedures of the Rome Statute of the International Criminal Court (ICC).

During the regional meeting held in Amman in 2009, participants decided to convene a special meeting to discuss this draft law, whereas the legislation officials within Arab States would take part together with representatives of NC, in order to study the obstacles impeding the adoption of such legislation and to seek ways to incorporate those crimes into the penal system of each state as quickly as possible. This meeting took place at the beginning of 2011 in Rabat, Kingdom of Morocco, whereas the best means of adjustment of legislation with IHL provisions have been studied.

#### **2 - Legislation on the Protection of the Emblem**

ICRC prepared a model law for the protection of the emblem. Recommendations of meetings of Arab government experts have been recurrent and called for the enactment of such legislation to ensure protection to the emblem.

An analysis of the current situation of legislation on the protection of the emblem leads to the following conclusion:

New laws have been recently enacted in Jordan, Syria, and Yemen; draft laws in Egypt, Morocco, Algeria, Tunisia and Lebanon are underway.

### **3 - Legislation on Weapons**

ICRC Advisory Service prepared a draft law for the implementation of the Convention on the Prohibition of Anti-Personnel Landmines in Arabic and it was distributed to Arab States having ratified this treaty. A set of laws has already been enacted and draft laws are currently being completed in other states.

Laws relevant to anti-personnel landmines have been adopted in Yemen, Jordan and Mauritania, and laws on chemical weapons have been enacted in Algeria, Sudan, Yemen, Saudi Arabia and Oman.

## **IV - Dissemination of and Training on IHL Provisions**

Since 1999, a great leap has been achieved in IHL dissemination and training programs. The Advisory Service targeted several categories related to the application of IHL at the national level, including magistrates, diplomats, parliament members, national commission members, government sectors concerned with the implementation of IHL in general at the national level.

In the following section we will review regional and national efforts for the dissemination of IHL, though this report cannot encompass all the activities having been carried out; for this reason we will summarize the main features as follows:

### **1 - Dissemination at the Regional Level**

#### **A - Arab Courses on IHL**

At the regional level, ICRC was able to carry out, in cooperation with the Arab Center for Legal and Judiciary Studies in Beirut, which is one of several organs of the Council of Arab Ministers of Justice, a number of regional courses on IHL. These 10-day courses are quite theme-specific and target young competent government officials as well as NC members and law professors in different universities.

The following courses have been implemented from 2004 to 2011:

<b>S</b>	<b>Title of the Course</b>	<b>Duration</b>	<b>No of Participants</b>	<b>No of States</b>
1	The First Arab Course on IHL	Beirut 31 May to 11 June 2004	53	16
2	The Second Arab Course on IHL	Beirut 30 May to 10 June 2005	51	15
3	The Third Arab Course on IHL	Beirut 29 August to 4 September 2005	36	18
4	The Fourth Arab Course on IHL	Beirut 5 - 16 June 2006	45	19
5	The Fifth Arab Course on IHL	Beirut 23 April to 4 May 2007	46	18
6	The Sixth Arab Course on IHL	Cairo 18 - 28 June 2007	35	16
7	The Seventh Arab Course on IHL	Tunis 5 - 16 May 2008	37	16
8	The Eighth Arab Course on IHL	Tunis 7 - 18 July 2008	33	15
9	The Ninth Arab Course on IHL	Beirut 23 February to 6 March 2009	59	18
10	The Tenth Arab Course on IHL	Beirut 25 January to 5 February 2010	54	17
11	The Eleventh Arab Course on IHL	Beirut 29 March to 9 April 2010	52	16
12	The Twelfth Arab Course on IHL	Beirut 7 - 18 March 2011	50	17

During the period 2009 / 2011, two TOT courses on IHL have been organized, providing an opportunity for participant Arab States to have specialists in the domain of IHL dissemination.

<b>S</b>	<b>Title of the Course</b>	<b>Duration</b>	<b>No of Participants</b>	<b>No of States</b>
1	Regional Course for Training of Trainers on IHL	Beirut 26 January – 6 February 2009	37	15
2	Regional Course for Training of Trainers on IHL	Beirut 4 - 15 April 2011	31	16

<b>Total Number of Courses</b>	<b>14</b>	<b>Total number of trainees</b>	<b>619</b>
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### **B - Regional Course for Magistrates**

In 2003 and 2004, the ICRC organized two courses in collaboration with the National Center for Judiciary Studies affiliated with the Ministry of Justice in the Arab Republic of Egypt. Seventy magistrates from 17 Arab States participated in these courses.

As a step toward the implementation of recommendations of regional plans of action, Arab states would host specialized regional centers to train judges and magistrates. Thus, the Kuwait Center for Legal and Judicial Studies negotiated with the ICRC the establishment of a regional division to train judges and public prosecutors on IHL within the Kuwait Center. On 12 October 2004, a memorandum of understanding has been signed between the government of the State of Kuwait and the ICRC regarding the establishment of this regional center.

Four courses have been organized so far in the Center as follows:

<b>S</b>	<b>Date of Course</b>	<b>No of Participants</b>	<b>No of States</b>
1	First Course: 5 - 9 March 2005	30	10
2	Second Course: 10 -14 March 2007	30	11
3	Third Course: 3 - 6 November 2008	23	10
4	Fourth Course : March 2010	25	12

Since Article three, paragraph two, of the aforementioned MOU stipulates that «This agreement shall remain valid for five years, automatically renewable for similar period(s) unless either party expresses its wish, through the usual diplomatic channels, to terminate it six months at least before its expiry»;

Consequently, the said MOU signed on 12 October 2004 is, by virtue of this provision, valid for a renewed period of five years as of 12 October 2009.

### **C - Regional Course for Diplomats**

The UAE Diplomatic Institute took the initiative to implement the recommendations of regional plans of action to host regional centers for training diplomats, to negotiate with the ICRC the establishment of a regional division to train diplomats on IHL within the UAE Institute. On 27 November 2005, a memorandum of understanding has been signed between the government of the United Arab Emirates and the ICRC regarding the establishment of this regional center.

Three courses have been organized so far as follows:

<b>S</b>	<b>Date of Course</b>	<b>No of Participants</b>	<b>No of States</b>
1	First Course: 19 - 22 November 2006	23	19
2	Second Course: 2 - 6 March 2008	28	18
3	Third Course: 8 - 11 March 2010	43	17

Since Article Three, paragraph two of the aforementioned MOU stipulates that «This agreement shall remain valid for four years, automatically renewable for similar period(s) unless either party expresses its wish, through the usual diplomatic channels, to terminate it six months at least before its expiry'»;

Consequently, this MOU signed on 27 November 2005 is, by virtue of this provision, valid for a renewed period of four years as of 27 November 2009.

### **D - Meetings with Arab Members of Parliament**

Within the context of enhancing the system of application of international humanitarian law, the International Committee of the Red Cross embarked on a process of cooperation with the Arab Parliamentary Union in order to appeal to Arab parliaments and support the adoption of national legislation to enforce provisions of IHL conventions at the national level within each State.

The first regional meeting with distinguished parliament members in the Arab World took place in Damascus, Syria during the period 20 -22 November 2005. The Syrian People's Assembly participated in the organization of this meeting alongside the Arab Parliamentary Union and the ICRC.

In early May 2010, the second regional meeting of Arab members of parliament was organized in Cairo, with the concerted efforts of the Arab Parliamentary Union, the International Committee of the Red Cross and the People's Assembly in the Arab Republic of Egypt. This meeting adopted a regional plan of action for Arab members of parliament. Enclosed herewith is the text of this plan together with other regional documents.

It should be noted that until 2001, no cooperation has taken place between the ICRC and Arab parliaments on a bilateral basis. However, it is noted that recently several Arab parliaments have been keen to support this bilateral cooperation through the organization of a number of courses for distinguished members of parliament in the following states:

- |          |            |            |
|----------|------------|------------|
| 1- Egypt | 2- Morocco | 3- Sudan   |
| 4- Syria | 5- Jordan  | 6- Kuwait  |
| 7- Yemen | 8- Bahrain | 9- Algeria |

## **2 - Dissemination at the National Level**

When addressing dissemination at the national level, we refer to national reports enclosed herewith and prepared by Arab States. We can sum up the main features of dissemination programs in that most Arab countries accord special importance to dissemination in judiciary, diplomatic and parliamentary circles.

To conclude, efforts exerted throughout these years are only the beginning of a long path toward the implementation of international humanitarian law, and a necessary prelude to forming specialized cadres and competent personnel being able to play a vital role in the national implementation of IHL.

We must commend in this instance the increased awareness and interest of Arab States and their involvement and participation in many procedures as illustrated in the state reports.

**Counselor Dr. Chérif Atlam**

**Regional Advisor  
International Committee  
of the Red Cross**

## **Section Two**

### **Regional Documents**

**This section incorporates two important documents adopted in the past two years**

- The Regional Plan of Action for the Implementation of International Humanitarian Law in Arab States for the Years 2012 - 2013, adopted at the closure of the meeting of Arab government experts convened in Abu Dhabi on 10 - 12 January 2012
- The Regional Plan of Action for Arab Members of Parliament on International Humanitarian Law, adopted by the second regional meeting of the Arab Parliamentary Union in Cairo on 4 - 6 May 2010

**REGIONAL PLAN OF ACTION  
FOR THE IMPLEMENTATION OF  
INTERNATIONAL HUMANITARIAN LAW  
(IHL) IN ARAB STATES  
FOR THE YEARS 2012 -2013**

**(adopted at the closure of the meeting of Arab government  
experts convened in Abu Dhabi on 10 - 12 January 2012 )**

Participants to the Ninth meeting of Arab government experts and representatives of National Commissions for IHL convened in Abu Dhabi on 10 - 12 January 2012;

Reiterating the obligation to respect and ensure respect for IHL by all parties concerned and in all circumstances;

Pursuant to the Resolutions of the 31<sup>st</sup> International Conference of the Red Cross and the Red Crescent convened in Geneva during the period 28 /11/ 2011 to 11/ 12/ 2011 regarding the implementation of IHL, in particular, Resolution 1 “Enhancing Legal Protection for Victims of Armed Conflicts” and Resolution 2 relating to the Plan of Action adopted by the Conference for the four coming years (2011 -2015), which complements the Regional Plan of Action for the implementation of international humanitarian law at the regional level ;

Recalling the recommendations of regional meetings of Arab parliamentarians and legislators regarding the legislative aspects of IHL implementation, which emphasized that the obligation to respect and ensure respect for IHL cannot be enforced without the adoption of the necessary legislative, regulatory and administrative measures at the national level;

Taking into consideration the desired objectives of establishing a regional judiciary center in the State of Kuwait and a regional center for diplomats within the United Arab Emirates, as well as the Resolution of the Council of Arab Ministers of Justice to mandate the Center for Legal and Judiciary Studies in Beirut to hold two regional courses every year on IHL, as well as the desired objectives of efforts geared toward the dissemination of and training on IHL provisions at the national level in different Arab countries;

Expressing the importance of capitalizing on progress in implementing IHL at the national level within the Arab World through the implementation of regional plans of action developed throughout previous years;

Conveying their satisfaction with efforts carried out by the Follow-up Commission on the Implementation of IHL at the level of Arab States, set up by the Legal Department of the League of Arab States and the ICRC Advisory Service to follow up on the implementation of regional plans of action; wishing to emphasize ongoing Arab effort to adhere to IHL provisions; and

Considering developments relevant to the implementation of IHL at the national, regional and international levels;

Approve hereby the following plan of action in conformity with the priorities set forth for 2012 -2013.

### **National Commissions for IHL**

- 1 - Proceed with efforts to establish Arab national structures for the implementation of IHL in Arab countries not having done so, which will be in charge of advising national authorities regarding the implementation and dissemination of IHL.
- 2 - Enhance further coordination and exchange of expertise and visits among existing national commissions and between them and authorities responsible for considering the establishment of national structures within states not having established them yet and; call upon the IHL Follow-up Commission to develop and implement special programs for such exchange and coordination.
- 3 - Urge governments to continue to provide the necessary requirements and resources for Arab National Commissions for the implementation of IHL so that they would fulfill their role while keeping abreast with developments at the level of implementation and dissemination of IHL, and stress the necessity of their independence from any human rights structures.

### **Adaptation of Legislation and Ratification of Relevant International Instruments**

- 1 - Advance national studies and researches on the track of adherence to IHL-related conventions that States have not yet ratified in line with each State's perceived interests.
- 2 - Continue the process of revision of national legislation carried out by National Commissions in order to draw recommendations on their adaptation with international obligations ensuing from IHL conventions States have already ratified, especially in the domains of combating war crimes, protection of the emblem, protection of cultural property, regulation of means and methods of warfare, and the protection of the rights of the missing and their families.

- 3 - Call upon national structures to implement IHL; request Arab Parliaments, the Arab Parliamentary Union, and the ICRC, to cooperate in order to support efforts of Arab parliaments to adopt legislation relevant to the national implementation of IHL.
- 4 - Call upon the follow-up committee for the implementation of international humanitarian law, in cooperation with a group of Arab experts, to prepare a comprehensive manual of model laws relevant to international humanitarian law and coordinate for its adoption by the next meeting of Arab legislation directors and by the follow-up committee set up within the framework of the Arab Parliamentary Union.

### **Dissemination of and Training on IHL Provisions**

- 1 - Proceed with national and regional efforts to disseminate IHL among concerned state authorities, especially judges, public prosecutors, military justice, diplomatic circles and members of parliament.
- 2 - Promote efforts to incorporate IHL into military training programs, and civil education, particularly university curricula of the faculties of law, political science and mass communication; support by National Commissions to Ministries of Education in States concerned in order to incorporate fundamental concepts of IHL into elementary education.
- 3 - Continue efforts to incorporate the basic concepts of IHL and relevant laws into the training programs of security forces.
- 4 - Urge National Commissions to carry out IHL dissemination programs among media actors and civil society organizations.
- 5 - Support efforts of National Red Cross and Red Crescent Societies in the dissemination of IHL provisions within the Arab region.

### **International Cooperation**

- 1 - Urge the follow-up committee to proceed with the compilation of data on the national implementation of IHL at the regional level, and legislative and practical measures to facilitate the exchange of information and documentation among various Arab countries, and publish the Arab Report on the Situation of the Implementation of IHL.
- 2 - Call upon the ICRC Advisory Service to pursue its efforts, through national and regional meetings to provide technical support and legal advice to government bodies and academic circles concerned with the implementation and dissemination of IHL so as to put this plan of action into effect; encourage the IHL Follow Up Commission to follow up and facilitate IHL implementation.

- 3 - Urge governments, national commissions, national societies and relevant NGO's to express solidarity with the international campaign calling for the protection of health care in danger launched by the ICRC.
- 4 - Invite the League of Arab States to establish a standing commission for IHL to assume responsibility for following up the implementation of IHL at the national and regional levels.

To conclude, participants express their most sincere gratitude and appreciation to the Government of the United Arab Emirates and the UAE National Commission for IHL for hosting this meeting.

## **REGIONAL PLAN OF ACTION FOR ARAB MEMBERS OF PARLIAMENT ON INTERNATIONAL HUMANITARIAN LAW**

**Adopted by the Second Regional Meeting  
of the Arab Parliamentary Union  
in Cairo on 4- 6 May 2010**

During the period 4- 6 May 2010, the second regional meeting of Arab members of parliaments on international humanitarian law was held. This meeting was co-organized by the Arab Parliamentary Union, the International Committee of the Red Cross and the Egyptian People's Assembly. Members of parliament representing the following Arab States participated in this meeting: Bahrain, Tunisia, Algeria, Saudi Arabia, Syria, Oman, Palestine, Qatar, Kuwait, Egypt and Morocco.

**At the closure of the proceedings of this meeting, participants adopted the following document:**

### **Members of Arab Parliaments**

Being conscious of the implications of contractual obligations of ratifying the Four Geneva Conventions of 1949 and the Two Additional Protocols of 1977, and the relevant conventions of international humanitarian law;

Emphasizing the plan of action drafted by the first regional meeting of Arab members of parliament, held in Damascus during the period 20 to 22 November 2005, and the various regional plans of action of the League of Arab States, starting from the plan adopted in Cairo in 2001, up to the plan of action adopted by the eighth meeting of Arab government experts in Amman on 13 October 2009;

Considering the fruitful cooperation between the League of Arab States and states member thereof on the one hand, and the International Committee of the Red Cross on the other, which culminated with the creation of fourteen governmental commissions for IHL and the adoption of a series of regional plans of action, which effectively contributed to several achievements in the sphere of implementation of IHL;

Being concerned with developments relevant to the implementation of IHL at the national level, and their completion through the promotion of a legislative system in conformity with relevant recommendations and resolutions of the International Parliamentary Union,

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**Adopt the following plan of action****Adaptation of Arab Legislation with Provisions of IHL and Ratification of Relevant International Conventions**

- 1 - Coordinate efforts to reconsider national legislation already in force in Arab States in such a way that they would be compatible with international conventions relevant to IHL in the domains of suppression of war crimes (in compliance with the Arab Model Law on Crimes Under the Jurisdiction of the ICC, adopted by the Council of Arab Ministers of Justice during the session held in Algiers in 2005) , protection of the emblem, and protection of cultural property;
- 2 - Implement the Resolution of the International Parliamentary Union on Missing Persons, issued by the 115<sup>th</sup> Session in October 2006;
- 3 - Study the possible ratification of or accession to international conventions relevant to IHL and; propose the ratification of or accession to such conventions in line with the national interests of each State;
- 4 - Call upon the Arab Parliamentary Union, in coordination with ICRC, to prepare an integrated manual on the ratification of or accession to international conventions relevant to IHL and the method of their implementation at the national level.
- 5 - Urge parliaments in Arab states which have not yet established national commissions for IHL to take the initiative to establish them due to their crucial role in promoting this law;

**Dissemination of IHL Provisions**

- 1 - Invite Arab parliaments to proceed with the elaboration of programs for the dissemination of IHL provisions in all parliaments and among parliament staff in order to reach integrated knowledge of aspects related thereto.
- 2 - Prepare simplified brochures to raise awareness of IHL and the role of members of parliament in coordination with the Arab Parliamentary Union and the ICRC.
- 3 - Urge government authorities relevant to IHL to raise awareness of this law at the widest possible scope and proceed with the dissemination of IHL culture within educational circles and in specialized training institutes.

## **Regional Cooperation**

- 1 - Develop a follow-up commission, composed of the APU General Secretariat and the ICRC Advisory Service on IHL, to put this plan into effect.
- 2 - Request Arab parliaments to set up parliamentary working groups or commissions specializing in IHL to follow up the implementation of this plan of action, coordinate with the Follow-up Commission, and exchange visits with other parliaments with the purpose of exchanging information and expertise whenever possible.
- 3 - Call upon the Follow-up Commission to issue a report, in coordination with Arab parliaments, on the follow-up of this plan of action in order to facilitate the exchange of information between different Arab States.
- 4- Request the Follow-up Commission to assist Arab parliaments to establish documentation centers on IHL in order to facilitate academic research in instruments, references and publications relevant to IHL.
- 5 - Urge the APU General Secretariat to present this document to the upcoming APU conference for adoption and distribution to Arab parliaments and governments; prepare an annual report pursuant to information received from Arab parliaments on the implementation of this plan of action.
- 6 - Invite the APU General Secretariat to convene the next meeting within a maximum period of two years in order to follow up the implementation of this plan of action.

**SECTION THREE**

**REPORTS OF ARAB STATES  
ON NATIONAL MEASURES FOR  
THE IMPLEMENTATION OF IHL  
IN 2010 - 2011**

## **Hashemite Kingdom of Jordan**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, Geneva, 17 June 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 12 August 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, the Hague, 14 May 1954.
- Protocol on the Protection of Cultural Property in the Event of Armed Conflict, 14 May 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction (With Annex), 10 April 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, Geneva, 10 October 1980.
- Protocol on non-detectable fragments (Protocol I), Geneva, 10 October 1980.
- Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III), Geneva, 10 October 1980.
- Convention on the Rights of the Child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, Paris 13 January 1993.
- Protocol on prohibitions or restrictions on the use of mines, booby traps and other devices (Protocol II amended on 3 May 1996).
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- Statute of the International Criminal Court, 1998.
- Protocol II for the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol of the Convention on the Rights of the Child regarding the involvement of children in armed conflicts, 2000.

## **II - Major achievements in 2010 / 2011 in the domain of IHL**

- 1 - The NC for IHL organized several seminars, workshops and courses on IHL encompassing civil society organizations and the media. The purpose of the activities was to coordinate with these bodies to increase the visibility of the NC at the national level, disseminate IHL and raise awareness of its provisions. Seminars were also organized for graduate students concerned with IHL.
- 2 - The NC addressed Jordanian universities in order to obtain a list of IHL interlocutors to establish a database in the domain of IHL.
- 3 - NC members and academics concerned with IHL were requested to provide the NC with articles on IHL, some of which were published in AL-INSANI Magazine published by the ICRC.
- 4 - An MoU was concluded between the NCIHL and the Ministry of Education to coordinate the dissemination of IHL in schools.
- 5 - The NC addressed authorities whose work overlaps with that of the NC, such as the National Center for Human Rights and the National Authority for Demining, in order to consider matters of common interest. The NC exchanged visits with these institutions to work jointly with them and to promote the dissemination of IHL.
- 6 - A symposium introduced IHL, the NC and the role of the latter in disseminating IHL with students of the Judiciary Institute.
- 7 - The NC participated in the roundtable on the Convention on Cluster Munitions held in Amman in cooperation with the ICRC.
- 8 - The NC took part in the Universal Meeting of NCIHL in Geneva, 27 - 29 October 2010.
- 9 - The NC participated in the expert meeting on adaptation of national legislation with IHL provisions convened in Rabat on 12 -14 January 2011. The Jordanian delegation contributed several interventions on the Draft Unified Arab Model Law prepared by the UAE.
- 10 - The NC coordinated with HE Mr. Minister of Interior to organize seminars for governors including the role of the latte in implementation of IHL. These seminars benefited nearly 120 governors in central, northern and southern governorates.
- 11 - A specialized legal library was set up in cooperation with the ICRC, including a collection of textbooks on IHL in particular. This library has become an academic reference for researchers and individuals interested in IHL.

- 12 - A research contest on IHL was announced for the youth. An academic selection committee was set up to supervise the contest. A pecuniary award was allocated as an award for the best three research papers approved by the said committee, which is currently filtering the received researches to publish the best among them.
- 13 - The general command of the armed forces was addressed to organized joint activities with the Command and Staff College and the National Defense College. The Military Training Directorate was assigned to implement these events.
- 14 - The NCIHL website was launched to highlight activities and events: [www.ncihl.org.jo](http://www.ncihl.org.jo)
- 15 - Cooperation and coordination have taken place with the ICRC and the Swiss Embassy to organize a workshop for judges and legal advisors in ministries, government circles and the armed forces/advisory opinion department. Work is underway to organize these workshops (one every month starting by the end of this year).

## United Arab Emirates

### I - Conventions Ratified

- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction (With Annex), 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Protocol on non-detectable fragments (Protocol I), 1980.
- Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III), 1980.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Protocol V of 2003 additional to the 1980 Convention on the Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

### - Conventions Signed

- Statute of the International Criminal Court, 1998.

### II - Major Achievements in the domain of IHL implementation in 2010 /2011

The NCIHL in the United Arab Emirates is one of the pioneering NC in the Arab World. It was established on November 1<sup>st</sup> 2004 and incorporated bodies concerned with IHL, namely the Ministries of Foreign Affairs, Interior, Justice the General Command of the Armed Forces, The Ministry of Higher Education and Scientific Research, State Security Service, and the Red Crescent Society. The NC has been re-structured on December 21<sup>st</sup> 2012 to include the Unionist National Council (The Parliament), the Ministry of Education, and the Institute of Training and Judiciary Studies.

**The objectives of the NC are as follows :**

- Promoting the implementation of IHL provisions and making recommendations thereupon.
- Reviewing IHL- related laws and provide recommendations thereupon.
- Collecting data and statistics relevant to state contribution in this domain.
- Enhancing cooperation and exchange of expertise with unions, associations, and organizations operating in the field of IHL.
- Developing plans and training programs; organizing seminars to disseminate IHL and raise awareness of its provisions.
- Carrying on any tasks assigned by the Council of Ministers or any other specialized State authority.

The NCIHL launched its plan of action for 2011 -2012 in a press conference held on 22<sup>nd</sup> of June 2011 at the MFA headquarters, for the purpose of carrying out the tasks it is entrusted with. During the press conference, the plan of action was adopted and three sub-commissions have been set up as follows:

**The Information, Guidance and Publication sub-commission:** having as objective to raise awareness of IHL through the organization of field visits, publication of the annual report and a periodic bulletin including NC activities.

**Training and Education sub-commission:** having as objective to incorporate IHL as a stand-alone subject in military training programs and curricula of faculties of law, political science and mass communication; making efforts to establish a graduate diploma in IHL and; identify the content and concepts of IHL to be incorporated into the pre-university curricula in coordination with the Ministry of Education.

**Legislation sub-commission:** having as objective to identify the IHL-related legislation in force within the state, and review them in terms of their adjustment with international obligations derived from IHL conventions that the State had ratified, and present them to the Commission for consideration and suggestion of recommendations thereupon.

**During the period 2010 - 2011, the NC carried out several efforts to achieve the objectives it was set to fulfill, including:**

**In the domain of legislation**

- The Legislation sub-commission carried out an opinion poll among competent State authorities regarding the ratification of IHL conventions that the UAE has not

yet ratified. It also reconsidered legislation in force to probe their harmony with international obligations emerging from IHL conventions the UAE had ratified. The NC will prepare a study including the necessary recommendations in this regard, and will refer it to the competent authorities.

### **In the domain of dissemination of IHL**

- The NC prepared a portfolio including the experience of states in incorporating IHL into school curricula and made efforts in coordination with the MINEDUC to incorporate IHL into the curricula of elementary education in the form of stories.
- The NC organized in October 2011 an introductory seminar on the role it plays and its objectives in October 2011, in coordination with the Institute for Judiciary Training and Studies.
- The NC organized in cooperation with the Journalist Association in the Emirates, the ICRC and the UAE Red Crescent a workshop on "IHL and the Media" on 16 and 17 February 2011 in Abu Dhabi. More than 35 journalists from various journalistic and media foundations participated in this workshop, together with ICRC experts as lecturers.
- The Academic Association of the Faculty of Law in Sharjah University organized a seminar on «The Impact of IHL in crises and disasters», with the participation of ICRC experts and professors from the Faculty of Law.
- The MININT established an office for the culture of respecting the law to play an awareness-raising role among members of society regarding the legal culture, including IHL culture.

### **In the domain of participation in events**

- Some NC members participated in the training course organized by the National Center for Judiciary Studies in Beirut, Lebanon.
- The UAE armed forces participated in the annual course organized by the International Institute for Humanitarian Law in San Remo, Italy in July 2011, on the Law of Armed Conflict and IHL during peacekeeping operations.
- The UAE armed forces participated in a workshop in San Remo, Italy in September 2011 on human rights and IHL for members of the armed forces.
- The UAE armed forces participated in a course on the role of jurist and physician officers in the armed forces during armed conflicts, which was held in Switzerland and organized by the ICRC and the Swiss Ministry of Defense annually.

### **In the domain of humanitarian assistance for victims of natural disasters and conflicts**

- The MININT established an office for victims of disasters and crises for the purpose of providing data on the missing and victims of natural disasters and crises.
- The UAE Red Crescent Society established a camp in Tunisia in March 2011 to provide relief assistance to victims of the armed conflict in Libya and emergency assistance to the affected persons and the wounded;
- The RC Society set up a team of outstanding jurists to disseminate IHL in society; it organized also a TOT course for ten jurists.
- The RC donated during the past 18 months one billion Dirham in the form of assistance, projects and awareness-raising programs in the humanitarian field for more than 60 countries worldwide
- The RC Society organized a four-day course on the Draft Humanitarian Charter and the minimum standards in the sphere of disaster preparedness and response, with the participation of 25 RC members. The objective of the course was to improve the quality of assistance provided to the disaster-affected population.

## **Kingdom of Bahrain**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I for the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on the Rights of the child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Protocol II for the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol to the Convention on the Rights of the Child regarding the Involvement of Children in Armed Conflicts, 2000.

### **Signed Conventions**

- Statute of the International Criminal Court, 1998.

### **II - Major Achievements in the domain of IHL in 2010 /2011**

- 1 - A national commission for the prohibition of chemical weapons was set up on February 10<sup>th</sup> 2011, pursuant to Royal Decree No 5 for the year 2011 of His Royal Highness Venerable Prince Khalifa Bin Salman Al-Khalifa, based on Law No 51 of 2009 regarding the prohibition of the development, production, stockpiling and use of chemical weapons and their destruction.

A national commission was set up with the presidency of the MFA and membership of the Bahrain Defense Force, the Ministry of Health and the General Administration of Civil Defense, the Custom Service, the Ministry of Industry and Commerce, the Municipal Affairs and Urban Planning, the General Authority for the Protection of Marine Resources, the Environment and Wildlife, and the National Oil and Gas Authority.

- 2 - A national commission for the use of nuclear power for peaceful purposes was set up pursuant to Prime Minister Decree No 29 for the Year 2009 on the establishment of the national commission for the use of nuclear power for peaceful purposes, based on Law No 13 of 2009 on the ratification of the agreement between the Kingdom of Bahrain and the International Atomic Energy Agency (IAEA) to implement guarantees provided for in the Treaty on the Non-Proliferation of Nuclear Weapons and its additional protocol
- 3 - An IHL committee was set up within the Ministry of Defense in 2009, upon the Resolution of the General Commander of the Bahrain Defense Force.

### **Activities**

- Organizing courses for the military sectors in cooperation with the ICRC.
- Teaching IHL in different military schools and training institutes.
- Participation in joint meetings of GCC countries to coordinate the dissemination of IHL culture and unify training curricula.
- Teaching IHL in different public and private universities.
- Organizing specialized courses in the Judiciary institute for judges, prosecutors and lawyers.
- Organizing lectures for diplomats at the MFA in cooperation with the ICRC.
- Organizing lectures for media personnel and journalists in cooperation with the ICRC .
- Coordinating with the Ministry of Education to incorporate IHL in school curricula, parallel to human rights
- Coordinating the establishment of NCIHL with competent authorities.
- Signing an MoU between the MININT and the ICRC to visit penitentiary and detention centers and to upgrade the level of officers working in both human rights and IHL.

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## The Republic of Tunisia

### I - Conventions Ratified

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 12 August 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 1968.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- OAU Convention on the Elimination of Mercenaries in Africa, Libreville, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Protocol on non-detectable fragments (Protocol I), 1980.
- Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III), 1980.
- Convention on the Rights of the Child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Protocol on Blinding Laser Weapons (Protocol IV) of 1995.

- Protocol on prohibitions or restrictions on the use of mines, booby traps and other devices (Protocol II in its amendment form in 1996).
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- The Rome Statute of the International Criminal Court, 17 July 1998.
- Optional Protocol to the Convention on the Rights of the Child Regarding the Participation of Children in Armed Conflicts, 2000.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, Geneva, 10 October 1980, Article 1 in its amended form, 21 December 2001.
- Protocol V of 2003 additional to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
- Convention on Cluster Munitions, 2008.

### **Draft laws having been ratified but not yet proclaimed**

- Draft law on the protection and use of the emblem.
- Draft law on the incrimination of violations under the jurisdiction of the ICC.
- Draft law on the protection of cultural property.

## **II - Major achievements in the domain of IHL in 2010/ 2011**

### **1 - Ministry of National Defense**

The Ministry of National Defense issued in the second half of 2009 the first edition of the IHL manual, addressing primarily students of military schools, for the purpose of introducing the principles of IHL at various levels of military training, and empower officer training schools with a reference for study, research and setting of programs.

### **2 - The Ministry of Interior**

#### **- In the sphere of training police officers**

Throughout 2011, IHL has been incorporated into the training program of the Higher School of Internal Security Forces. Meanwhile, credit hours have increased from 2 hours in 2006 to 4 hours in 2008, then to 8 hours in 2009 to finally reach 9 hours in 2011.

Lectures given at the Higher School develops the cognitive reservoir of staff at different security units at the provincial and local levels regarding IHL provisions and its role at the international and national levels.

IHL has been incorporated into test subjects for admission of qualified personnel into the security apparatus.

#### **- Dissemination of IHL among students of**

- \* The Higher School of Internal Security Forces.
- \* The National School of Training of National Security Personnel and National Police Force in Salambou.
- Spreading knowledge of IHL culture as a branch of international law, the mechanisms and scope of its implementation, the organizations overseeing its principles and watchful of its respect, and the role of security institutions in this regard (UN peacekeeping operations - protecting civilians, historical, artistic and religious objects during wars – prosecuting war criminals).
- The library of the Higher School of Internal Security Forces is provided with textbooks in cooperation with the ICRC office in Tunis.
- IHL is a subject of several graduation theses at the Higher School of Internal Security Forces.
- Within the Ministry's plan to disseminate IHL culture, credit hours dedicated to IHL will be supported in the year to follow within the main training program. The close relationship between the principles and regulations of this subject and the requirements of security work will be highlighted.

### **3 - The Ministry of Foreign Affairs**

Lectures on international protection have been organized in November 2011 (in Arabic), in cooperation with San Remo Institute for IHL and the Office of the High Commission for Refugees in Tunis.

### **4 - A two-day seminar for awareness raising has been organized in cooperation with the ICRC for media personnel in November 2011.**

## **III - Plan of Action for 2012/ 2013**

- Proceed with training courses for judges law-enforcement officers, as well as media personnel and academics, with the possibility of organizing courses for members of the Constituent Assembly.

- Three working groups are preparing the following draft laws under the supervision of the General Coordination of Human Rights within the Ministry of Justice:
  - \* Draft law on the protection of cultural property.
  - \* Draft law on the ICC.
  - \* Draft law on the protection of the emblem.
  - \* Draft law on the protection of refugees.
  
- On the sidelines of events witnessed in the region during the past year, particularly the armed conflict in Libya and the influx of a huge number of Libyan and other refugees from African countries through the Tunisian-Libyan borders, the NCIHL organized a meeting at the Ministry of Justice to coordinate the efforts of national institutions and associations to cope with the situation and provide the necessary humanitarian assistance. This meeting culminated with a resolution to create a follow-up committee on the situation over the Tunisian-Libyan borders at the level of the Ministry of Social Affairs.
  
- This committee held several meetings which had a positive reverberation among all the interlocutors. The committee achieved the desired goals and managed to coordinate the efforts of all interlocutors in order to provide the best conditions for refugees and new arrivals into our country, which reached nearly 1.235.349 persons during the period 20 February to end of December 2011.
  
- Following our country's ratification of several international conventions after the Glorious Revolution, a committee has been created within the Ministry of Justice to follow up on the recommendations of various UN and regional human rights committees regarding the firm implementation of Tunisia's human rights obligations and guiding ministries concerned with this file. It is favorable to organize this committee through a legal provision in order to regulate its tasks and structure accurately and ensure it would fulfill its set tasks.

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## **The Democratic Popular Republic of Algeria**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, Geneva, 17 June 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- OAU Convention on the Elimination of Mercenaries in Africa, Libreville, 1977.
- Convention on the Rights of the Child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- Optional Protocol to the Convention on the Rights of the Child Regarding the Participation of Children in Armed Conflicts, 2000.

### **Conventions Signed**

- Statute of the International Criminal Court, 1998.

### **II - Major achievements in the domain of IHL in 2010 /2011**

- 1- Organizing a training course for journalists on the role of journalists in armed conflicts in the headquarters for the accommodation of magistrates on 21 January 2009.
- 2- A NC member participated in the first regional training course on IHL held in Beirut during the period 26 January to 6 February 2009.

- 3 - Participation of a representative of the NCIHL in a workshop on «IHL and Islamic jurisprudence», organized by the Ministry of Religious Affairs and Endowments, in cooperation with the ICRC Delegation in Algiers, which was held in Al Imam House in Mohammadiyah, Algiers (18 - 19 February 2009).
- 4 - The head of the NCIHL participated in the proceedings of the international forum on «war crimes and crimes against humanity in Gaza: material documentation and legal qualification for international criminal prosecution», held in Hilton Hotel, Algiers, on 18 January and 1 March 2009).
- 5 - A training course was organized for Algerian doctors on the role of doctors in armed conflicts, held in the headquarters for the accommodation of magistrates on 20 May 2009.
- 6 - An information day was organized on the occasion of the first anniversary for the establishment of the NC, in order to introduce the NC and IHL, at Al Mujahid Newspapers headquarters on 8 June 2009.
- 7 - A NC member, representative of the Ministry of Vocational Training participated in the first training course on IHL in Beirut during the period 25 January to 5 February 2010.
- 8 - A member of the NC Permanent Secretariat participated in the second training course on IHL held in Beirut during the period 29 March to 9 April 2010.
- 9 - A NC member participated in the ordinary training course for judges on IHL held in the High School of the Judiciary headquarters on 26 - 28 February 2010.
- 10- Members of the NC participated in the seminar on the role of members of parliaments in the incorporation of IHL provisions in national legislation, held in the National Popular Council headquarters on 29 February 2010.
- 11- A member of the NC representative of the MINJUS participated in the course on presentation techniques for trainers on IHL held in Cairo during the period 31 May - 3 June 2010.
- 12- Two NC members participated in the Third Universal Meeting for NC on the Implementation of IHL, held in Geneva on 27 - 29 October 2010.
- 13- A national seminar was held for deans of faculties and directors of institutes on teaching IHL on 17 March 2011.
- 14- A NC member representative of the MINJUS participated in the organization of the legal course on IHL for magistrates, held in the high school of the judiciary on 6 - 8 June 2011.

### **III- Plan of Action for 2012 /2013**

#### **In the Sphere of Training:**

The NC will organize training courses for the following beneficiaries:

- Training course at the MFA for diplomats, at the Higher Diplomatic Directorate.
- Training course at the MININT for police forces, at the High Police School.
- Training course at the Ministry of Higher Education and Scientific Research for university professors.
- Training course at the Ministry of Culture for specialists in archeology, in order to raise their awareness on the protection of cultural property in the event of armed conflict.
- Training course for members of the Muslim Scouts.

#### **Seminars**

The NCIHL will organize the following seminars:

- One-day seminar on the development of IHL rules.
- One-day seminar on the development of international criminal justice.
- One-day seminar on the protection of cultural property in the event of armed conflict.
- One-day seminar on the protection of children in and from armed conflicts.
- One-day seminar on the complementary jurisdiction of the ICC.
- One-day seminar on crimes under the jurisdiction of the ICC after the adoption of the crimes of aggression.
- One-day seminar on the standpoint of IHL vis-à-vis the participation of mercenaries in wars.
- One-day seminar on IHL and the participation of Private Military Companies in armed conflicts.

## **Djibouti**

### **I - Conventions Ratified**

- The four Geneva Conventions of 1949.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Protocol on non-detectable fragments (Protocol I), Geneva, 10 October 1980.
- Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III), Geneva, 1980.
- Convention on the Rights of the Child 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Protocol on prohibitions or restrictions on the use of mines, booby traps and other devices (Protocol II prior to its amendment in 1996).
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- The Rome Statute of the International Criminal Court, 17 July 1998.
- Optional Protocol to the Convention on the Rights of the Child Regarding the Participation of Children in Armed Conflicts, 2000.

### **Conventions Signed**

- Convention on Cluster Munitions, 30 May 2008.

## Kingdom of Saudi Arabia

### I - Conventions Ratified

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflicts, 1954.
- Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Protocol on non-detectable fragments (Protocol I), 1980.
- Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III), 1980.
- International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, 4 December 1989.
- Convention on the Rights of the Child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Protocol on Blinding Laser Weapons (Protocol IV) of 1995.
- Protocol II for the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol to the Convention on the Rights of the Child Regarding the Participation of Children in Armed Conflicts, 25 May 2000.
- Protocol on the Explosive Remnants of War (Protocol V), additional to the 1980 Convention, 28 November 2003.

## **II - Major Achievements in the domain of IHL in 2010 /2011**

- 1 - The NC strives to communicate with the Legislature to incorporate and adapt IHL provisions, namely the Geneva Conventions and other IHL-related conventions with national laws of the Kingdom.
- 2 - The Permanent NCIHL is composed of several government bodies concerned with IHL, and encompasses in its membership representatives of the Ministries of Interior, Justice, Defence, the Red Crescent Society and the Human Rights Body, the Ministry of Education, the Ministry of Higher Education, the Ministry of Information, and the Ministry of Economy and Planning. The NC has developed a strong feeling of personality vis-à-vis implementing the principles of IHL and has set forth regulations to clarify the mechanism of action.
- 3 - The NC prepares an annual plan of action with tasks divided on its four sub-commissions:

The executive sub-commission, the legal sub-commission, the media and publication sub-commission, and the Training and scholarship sub-commission.

The activities of these sub-commissions as well as those of individual NC members represent the outcome of the NCIHL action.
- 4 - It is noteworthy that the KSA participated in the first course of the government working group assigned to draft an international legal framework for controlling, monitoring and supervising the activities of private military and security companies, held in Geneva on 23 - 27 May 2011. The legal sub-commission has studied recently a draft convention on private military and security companies in order to participate with the international governmental group commissioned to prepare a legal framework for supervising activities of PMC's. It is worth mentioning in this regard that the NC had already considered the Montreux Document and reached the conclusion that it was necessary to participate in the drafting of the said convention.
- 5 - Members of the NCIHL participated in the forum organized by Nayef University for Security Sciences entitled «The First Academic Forum of Red Crescent Societies», held in cooperation with the Arab Red Crescent and Red Cross Organization (ARCO) and the International Organization for Civil Protection. Members of the NCIHL participated in the proceedings of the academic forum on IHL and human security organized by Nayef University in Beirut on 11 - 13 May 2010.

- 6 - The NC is keen to participate in relevant conferences and meetings, mainly the meeting held in Rabat in January 2011 on the adaptation of IHL provisions and the ICC Statute with domestic legislation.
- 7 -The NC values the participation of its members in training courses on IHL and seminars on international law and human rights, in order to develop their capacities and help them acquire knowledge and expertise that would ultimately contribute to developing the work of the NC.
- 8 -The communication and publication sub-commission is currently studying a media plan to raise awareness of the NC and the role it plays, and to transmit a legal enlightening and awareness-raising message to society.

## **The Republic of Sudan**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, 1972.
- Protocol I Additional to the Four Geneva Conventions, 1977.
- Protocol II Additional to the Four Geneva Conventions, 1977.
- OAU Convention on the Elimination of Mercenaries in Africa, Libreville, 3 July 1977.
- Convention on the Rights of the child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Ottawa Treaty on the Prohibition of the Use, Stockpiling, production and Transfer of Anti-Personnel Mines and on their Destruction, 1997.
- Optional Protocol of the Convention on the Rights of the Child, 2000.

### **Conventions Signed**

- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Statute of the International Criminal Court, 1998.

### **II - Major Achievements in the domain of IHL in 2010 / 2011**

- 1 - Promulgation of the Law of the Sudanese Red Crescent Society. The draft law had been delivered to the ICRC prior to its adoption for comments, which were taken into consideration and the protection of the emblem has been incorporated in the core of the said law.
- 2 - Enactment of the amended Criminal Code in 2010, whereas a full chapter on war crimes, crimes against humanity and genocide has been added. Hence, the government of Sudan fulfilled all the procedural requirements and has now a law incriminating violations committed in the event of armed conflicts.

- 3 - A national law on the prohibition of landmines was drafted in coordination with the NCIHL and the ICRC. The latter received a copy of the draft law for official comments, which were assimilated. It is noteworthy that Dr. Chérif Atlam participated in commenting on the law in the first draft stage.
- 4 - An MOU was signed between the ICRC and the armed forces to incorporate and teach IHL. This agreement already exists but was renewed for the purpose of follow up, coordination of standpoints and support whenever needed. The three-year-agreement provides for follow up, after the integrated teaching program has been laid out at different levels.
- 5 - The Law of the Armed Forces was enacted and includes an entire chapter on war crimes, crimes against humanity and genocide. The General Commander and the Chief of Staff issued directives to the joint forces to respect and observe provisions of the law, particularly IHL.
- 6 - There is a trend to develop a special curriculum for special forces such as the air force etc.
- 7 - The Sudanese IHL Network was incorporated into the membership of the NCIHL with the purpose of involving university professors in the activities of the NC and advance the process of dissemination of IHL through teaching in universities and higher institutes in Sudan.
- 8 - The number of universities teaching IHL at the undergraduate and graduate levels reached seven universities in Sudan.
- 9 - The Convention on Cluster Munitions of 2010 was studied for ratification.
- 10- The final study on the CCW was deposited.
- 11- The Convention for the Protection of All Persons from Enforced Disappearance was considered for ratification. The final study of the convention was completed and referred to the competent authorities.
- 12- The Kampala Convention for the Protection and Assistance of IDPs of 2009 was studied.
- 13- The Protocol additional to the Convention on the Protection of Cultural Property was referred to the Council of Ministers for the purpose of ratification.
- 14- The Arab Charter for Human Rights was referred to Parliament for ratification.
- 15- Several workshops on the prevention of trafficking in humans were organized, since Sudan is a transit state to countries of the Horn of Africa.

### **Other Achievements of the NCIHL:**

- 1 - The NCIHL updated a brochure on the NC structure and major activities, and a brief introduction to IHL.
- 2 - The NC prepared several programs to disseminate the concepts and rules of IHL, including:
  - Setting up a committee to collect information from IDP camps in Darfur State regarding abducted women and children
- 3 - The NC made an agreement with the ICRC to convene a quarterly meeting for coordination and joint action.
- 4 - The NC cooperated with the Sudanese Red Crescent Society in several activities regarding humanitarian action in southern Kurdufan.
- 5 - The NC led awareness-raising and solidarity with the Palestinian people and explained the dimensions of the Israeli attacks on Gaza and the Occupied Territories.
- 6 - The NC participates regularly with the Arab Women Committee for IHL, by nominating an expert in IHL.
- 7 - Intensifying efforts in the domain of teaching and dissemination of IHL through the IHL network.
- 8 - Participating in the drafting committee of the manual for training police forces on IHL and human rights.
- 9 - Organizing two workshops on 3 March and 15 October 2010 on the protection of journalists in armed conflicts.
- 10 - Organizing a workshop on Peace, Justice and Human Rights in Sudan under the auspices of the Minister of Justice, with the objective of promoting the concepts of justice, peace and human rights following the signature of the Peace Accord in Doha.
- 11 - Several meetings and deliberations took place with the ICRC to discuss the proposal put forth by the ICRC to visit prisons and places of detention; negotiations are still ongoing.
- 12 - Participation in the meeting on the draft Arab model law on the crimes in ICC Jurisdiction held in Rabat on 12 - 14 January 2011 and the regional meeting on adaptation of legislation with IHL provisions.
- 13 - Several Central Reserve Police Officers participated in the eight-day course organized by ICRC in Khartoum on IHL. The NC delegate from the MININT had an appreciated role in making this course a success.

- 14- Contributing a paper on the role of the NCIHL in the implementation of IHL in Academic Circles, to the workshop organized by Khartoum University in cooperation with the ICRC in October 2011.
- 15- Preparing the mandate and competence of the Human Rights and IHL Unit within the Ministry of Humanitarian Affairs, which is a new unit established upon the recommendation of the NC and; preparing a plan of action for this unit for the year 2012.
- 16- Adopting a reference for voluntary work, emergency and humanitarian assistance pursuant to IHL in November 2011.

## **Arab Republic of Syria**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions, 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Convention on the Rights of the child, 1989.
- Optional Protocol to the Convention of the Rights of the Child regarding the involvement of children in armed conflicts, 2000.

### **Conventions Signed**

- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Rome Statute of the ICC, 1998.
- Protocol II on the Protection of Cultural Property in the Event of Armed conflict, 1999.

### **II - Major achievements**

- 1 - The Syrian Law of the Emblem No 36 was adopted on 1 / 12 / 2005, which approved the Red Crescent and Red Cross emblems and assigned the Syrian Red Crescent Society with the task of supervising the use of the emblem. The said law also identified the bodies and institutions authorized to use the emblem. One of the main provisions of this law was the punishment for the crime of perfidy, which the law specified as imprisonment with provisional hard labor for a period between 3 and 15 years.
- 2 - The NCIHL, set up pursuant to Prime Minister Decree No 2989 for the year 2004 carries out several activities in the domain of implementation of the law, including:

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- Establishment of a documentation and information center at the NC headquarters including documents, reports, and laws relevant to IHL.
  - Coordination and cooperation with Arab and foreign NC to exchange information and expertise.
  - Identify IHL-related international conventions Syria had ratified to single out the obligations requiring national procedures for their implementation.
  - Follow up on efforts carried out to introduce IHL, particularly the incorporation of principles and provisions of this law into the curricula; inviting several audio-visual and printed media to draft a media plan to explore the best means to disseminate IHL at the widest scope possible.

### **The NCIHL in Syria carries out several activities also in the domain of training**

- 1 - The NC organized a two-day course for MINJUS judges in December and a two-day course for Syrian members of parliament.
- 2 - The NC organized a meeting to specify the priorities and methods of action.
- 3 - Teaching IHL in the faculties of law at Damascus and Aleppo universities, whereas IHL has been incorporated within the faculty regulations for both undergraduate and graduate levels.
- 4 - Teaching IHL for political science students and at the Higher Judicial Institute and the National Management Institute, the Police Faculty and military faculties and academies, and a training course for members of the diplomatic corps.
- 5 - Finally, the age of penal responsibility of children was raised from 7 to 10 years in the Syrian Juvenile Delinquent Act of 1974, in an attempt to adapt national legislation with international conventions.

## **Democratic Republic of Somalia**

### **I - Conventions Ratified**

- Geneva Conventions of 1949.

### **Conventions Signed**

- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Convention on the Rights of the Child, 1989.
- Optional Protocol to the Convention on the Rights of the Child regarding the Involvement of Children in Armed Conflicts, 2000.
- Convention on Cluster Munitions of 2008.

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## Republic of Iraq

### I - Conventions Ratified

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, Geneva, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions, 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Four Geneva Conventions of 12 August 1949 on the Protection of Victims of Armed Conflicts, 8 June 1977.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Ottawa Treaty on the Prohibition of the Use, Stockpiling, production and Transfer of Anti-Personnel Mines and on their Destruction, 1997.
- Optional Protocol to the Convention on the Rights of the Child regarding the involvement of children in armed conflicts, 2000.

### Conventions Signed

- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Convention on Cluster Munitions, 30 May 2008.

### II - Major achievements in the domain of IHL in 2010/ 2011

- 1 - Project of establishment of NCIHL still ongoing.
- 2 - Establishment of the Human Rights Institute to organize training courses in the domains of human rights and IHL.

- 3 - IHL courses being organized by San Remo Institute for IHL in Italy; the same courses were organized in Baghdad also in cooperation with the Italian Embassy.
- 4 - Opening up IHL departments in competent ministries such as the MFA and Ministry of Human Rights.
- 5 - A copy of Iraq's accession document to Protocol I Additional to the Geneva Conventions of 1949 has been deposited.

## **The Sultanate of Oman**

### **I - Conventions Ratified**

- The four Geneva Conventions, 12 August 1949.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Protocol II additional to the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol to the Convention of the Rights of the Child regarding the involvement of children in armed conflicts, 2000.

### **Conventions Signed**

- Rome Statue of the ICC, 1998.

### **II - Major achievements in the domain of IHL in 2010/ 2011**

- 1 - Ratification of the second protocol to the Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict, pursuant to Royal Decree No 54 /2011.
- 2 - The Military Justice Code has been enacted by virtue of Royal Decree No 110 /2011. This law incorporates crimes of genocide, crimes against humanity, war crimes, crimes of captivity, ill-treatment of the wounded, crimes of spoliation, squander, pillage and other crimes.
- 3 - Several lectures have been offered to introduce IHL provisions to various government officials (judges, prosecutors, diplomats, military personnel and legal advisors).
- 4- The Council of Ministers approved the creation of the NCIHL and advised the competent authorities to issue the decree for its establishment. We hope it will be proclaimed in the near future.

5 - Recommendations of the UN Human Rights Council regarding the ratification of international conventions relevant to human rights were approved. These conventions include:

- The International Covenant on Civil and Political Rights.
- The International Covenant on Economic Social and Cultural Rights.
- The Convention on the Prohibition of Torture.
- The Convention on the Protection of All Persons from Enforced Disappearance.

## Palestine

### I - Conventions Ratified

- The Four Geneva Conventions, 1949.
- Protocol I Additional to the Geneva Conventions Relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.

### II - Major achievements

- 1 - Preparation of a training manual on IHL for guidance in training courses in the field of IHL.
- 2 - Continuation of work with Exploring Humanitarian Law program incorporating the Ministry of Education and Higher Education, the Palestinian Red Crescent Society and ICRC; it should be noted that IHL has become part of the curriculum of some grades in the preparatory phase.
- 3 - Proceeding with training workshops for Palestinian Red Crescent Society volunteers .
- 4 - Educating hundreds of school students on international humanitarian law through summer camps.
- 5 - Circulating several educational publications in the field of IHL.
- 6 - Participating in all international and Arab meetings / conferences relevant to IHL.
- 7 - Raising the awareness of Palestinian security service staff through tens of educational courses on IHL.
- 8 - Educating segments of Palestinian society (journalists, lawyers, staff of civil society institutions).
- 9 - Documenting Israeli violations of IHL provisions such as:
  - \* Attacks on medical staff and disruption of their activities;
  - \* Excessive use of force;
  - \* Monitoring of settlement activity in the Palestinian Occupied Territory
  - \* Monitoring the damage caused by building the annexation and expansion wall.
- 10- Follow-up on the implementation of the Memorandum of Understanding between the Palestinian Red Crescent and Magen David Adom, and preparing periodic evaluation reports on that matter.

11- Completion of the draft law of the emblem and present it to the Council of Ministers.

12- Issuing a number of reports on Israeli violations in the Gaza Strip.

13- Lecturing on IHL at the Palestinian Security Academy and the Police Faculty.

**Key features of the plan of action on international humanitarian law in the State of Palestine:**

- Work on the proclamation of the law of the emblem.
- Work on a draft comprehensive plan on IHL to be applied in Palestine.
- Continue with the dissemination and education of IHL among sectors of the Palestinian society.
- Incorporate IHL into the teaching at the Palestinian Security Academy, the Police Faculty and Palestinian universities.

## **The State of Qatar**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Protocol on non-detectable fragments (Protocol I), 1980.
- Protocol on prohibitions or restrictions on the use of mines, booby traps and other devices (Protocol II), 1980.
- Protocol on prohibitions or restrictions on the use of incendiary weapons (Protocol III), 1980.
- International Convention against the Recruitment, Use, Financing and Training of Mercenaries, 1989.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- Protocol II additional to the Hague Convention 1954 regarding the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol of the Convention on the Rights of the Child regarding the Participation of Children in Armed Conflicts, 2000.

## **II - Major achievements in the domain of IHL in 2010/ 2011**

- 1- The Center for Judiciary and Legal Studies affiliated with the Ministry of Justice organized a course on IHL and International Criminal Justice in cooperation with the ICRC and the Qatari Red Crescent Society on 13 - 15 May 2008.
- 2 - The Center organized another introductory course on IHL, its development, principles and respect on 29 -30 May 2011.
- 3 - The regional conference on the ICC was organized in Doha on 24 - 25 May 2011.
- 4 - The Military Commission for IHL was set up in the armed forces in June 2009.
- 5 - Two courses on IHL were organized in coordination with the ICRC Regional Delegation in Kuwait and the IHL Commission in the armed forces:

**A) the first Course** was a TOT on IHL in February 2009.

**B) the second** was a training course on IHL provisions in December 2011.

- 6 - Lectures on IHL in courses within the armed forces during 2010 - 2011 for army officers.

The future commission will be composed of representatives of the ministries and institutions concerned, and would be an advisory reference to national authorities regarding the implementation of IHL. A draft decree for the establishment of the NC for IHL was prepared and it is currently being considered by the General Secretariat of the Council of Ministers.

## **Plan of Action regarding the implementation of IHL until the end of 2013**

### **A) In the domain of dissemination and training**

- Approve plans and programs for the dissemination of IHL; develop the legal awareness of IHL provisions among various segments of society.
- Approve the organization of seminars, conferences and other events relevant to IHL at the national level.
- Reconsider curricula at the Ahmed Bin Mohamed Military School within the army, so that the curriculum would be academic and would follow the system of credit hours; prepare curricula for military institutes within the Qatari armed forces.
- Prepare for the regional seminar for senior army officers in GCC countries for heads of training, military justice and military intelligence, scheduled to take place during March 2012, in coordination with ICRC regional delegation in the State of Kuwait and the IHL Commission within the Qatari armed forces.

**B ) In the domain of enactment of national legislation**

- Study draft national laws for the protection the Red Cross and Red Crescent emblems and other emblems protected under IHL, to ensure their proper use, prevent their misuse and provide for the necessary sanctions in case of breach.
- The National Commission for the Prohibition of Weapons shall prepare a draft law on biological weapons.

**C ) In the domain of ratification or accession to conventions relevant to IHL**

- IHL brought about sublime and noble values and projected them in legal terms with obligations on States Party to the conventions constituting this set of laws.
- The major rules and principles of IHL represent a set of values approved by the international community in its entirety.
- It should be noted that conventions set forth general rules and require from States Party to take the necessary measures at the national level to ensure their respect. Hence, the State of Qatar accedes to these conventions voluntarily, and assesses the extent of their compatibility with Qatari interests. This logic is in line with the principle of sovereignty and reciprocity. The State of Qatar continues to study the ratification of IHL conventions.

**D ) In the domain of development of NC activities**

None.

## **Republic of Comoros**

### **I - Conventions Ratified**

- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions, 1949.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- OAU Convention on the Elimination of Mercenaries in Africa, Libreville, 3 July 1977.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- Statute of the International Criminal Court, 1998.
- Convention on Cluster Munitions, 2008.

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## **State of Kuwait**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions, 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 1968.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Ottawa Treaty on the Prohibition of the Use, Stockpiling, production and Transfer of Anti-Personnel Mines and on their Destruction, 1997.
- Optional Protocol of the Convention of the Rights of the Child regarding the involvement of children in armed conflicts, 2000.

### **Conventions Signed**

- Statute of the International Criminal Court, 1998.

## **II - Major achievements in the domain of IHL in 2010 /2011**

The NC carried out a set of tasks and considered several issues that the bodies represented in its membership have referred to it or issues the NC addressed upon its own initiative by virtue of its competences. The NC addressed the competent authorities regarding the said issues subsequently. The NC also received many proposals and research papers from its members. The NC participated, through its members, in several regional, international and local events on the implementation of the rules of IHL. Finally, the NC has adopted several drafts and proposals, closely considered them to decide on their potential promotion and entry into force. We will go through the details in the following points:

### **A ) Papers prepared by the NC**

- 1- Memo prepared by the NC on 28 /10 /2010 in response to suggestions and recommendations made by some members of the National Assembly on the tragic events experienced by humanitarian aid flotillas bound for Gaza Strip.
- 2- Memo prepared by the NC on July 28<sup>th</sup>, 2010 in reply to the letter of the MFA No. 812 / 1 / 48, including some of the recommendations made by member States to the Human Rights Council requesting the State of Kuwait to ratify the Rome Statute of the ICC.
- 3- NC member visions and perceptions regarding the proposal to prepare a TV show to raise awareness of IHL and the experience of the State of Kuwait through the work of the NC.
- 4- NC member remarks on the draft national law on crimes against IHL.
- 5- Review of members' perceptions on the title and themes of the International Symposium to be held on IHL.
- 6- NC letter to the Secretary-General of the League of Arab States and the Secretary General of the Organization of Islamic Conference on September 26<sup>th</sup>, 2010 regarding the situation of the population of Jerusalem in the Occupied Palestinian Territories.
- 7- NC note on 18 /5/ 2011 regarding measures enacted to promote and disseminate the culture of IHL upon the request of the UN Secretary General.

### **Reports**

- 1- Presentation of the results of participation of Mr. Chairman of the Committee in the meetings of the Ninth Session of the Assembly of States Parties to the ICC from 6 to 10 December 2010.

- 2- Presentation of the results of the participation of the NC delegation in the Third Universal Meeting of NCIHL, held in Geneva on 27 - 29 November 2010.
- 3- Presentation of the results of the participation of the NC delegation in the meeting of the IHL follow-up committee at the Arab level, held in Rabat during the period 12 -14 January 2010.

### **Participation and Meetings**

- 1- At the local level: several lectures on the dissemination of the culture of IHL at the Kuwait Institute for Legal and Judiciary Studies.
- 2- Participation in international and regional events relevant to international humanitarian cooperation and the ICC.

### **Studies and Proposals adopted by the NC**

#### **1- The NCIHL completed the national draft law on crimes against IHL, following the footsteps of the Arab Model Law in this regard**

The NCIHL adopted the said draft law since its second session, in line with the State of Kuwait's position vis-a-vis certain provisions of the ICC Statute. Kuwait only signed this Statute without ratification because of a conflict between some of its provisions and certain articles in the Kuwaiti Constitution. This approach is based on the promotion of the principle of complementarity enshrined in the preamble to the ICC Statute, which confirms that the jurisdiction of the ICC is complementary to the jurisdiction of national justice.

The delay in the issuance of this draft law is attributed to the fact that the NC was seeking to demonstrate the importance of the ratification of the ICC Statute during the second and third sessions, since ICC is one of the most important international institutions striving to prosecute and punish heinous crimes against humanity. The NC presented a number of studies and explanatory memos in this regard, for example, the memo presented by HE Dr. Chairman of the NC to Deputy Prime Minister and Minister of Foreign Affairs.

the NCIHL participated in the delegation of the State of Kuwait as observer in the last Review Conference of the Rome Statute held in Kampala, Uganda in 2010. Though this status limits the effective contribution in the proceedings of the conference, the delegation of the State of Kuwait made several strong and constructive interventions in the conference discussions, particularly in sessions dedicated to discussing the definition of the crime of aggression. Furthermore, the Chairman of the NC delivered a speech on the occasion of the tragic events experienced by the Freedom flotilla, which coincided with the conference sessions.

Since the beginning of the current session, the NC accelerated the pace of work on the draft national law on crimes against IHL, following in the footsteps of the Model Arab Law. This draft law would be a legal substitute to fill the legislative gap on crimes under the jurisdiction of the ICC, based on the principle of complementarity referred to in the preamble of the Statute. The latter principle provides that the Court is complementary to national judicial authorities. Hence, ICC jurisdiction would subside regarding any of the issues under its jurisdiction when a national law regulating these crimes would exist and they would be prosecuted and adjudicated before national courts.

The NC proceeded with its activities on this matter during the third and fourth sessions of its convening. Efforts carried out by the Commission culminated with the adoption of the final version of the aforementioned draft law. Subsequently, the NC referred the draft law to the legislation review committee of the Ministry of Justice, in message No. 34 of 62011/6/ for review of wording and for remarks, as a prelude to its submission to the Minister of Justice. The draft will in turn be referred to the Council of Ministers then to the National Assembly as a draft law.

## **2- Follow up on the preparation for an international symposium on one of topics of international humanitarian law**

The NC's persistence to organize an international symposium on a topic of IHL stems from its firm belief in the importance of this branch of law in our contemporary time, especially with the impact of the ICC on the course of regional and international events recently. For example, after the traumatic events in Bosnia-Herzegovina, Darfur, and Libya recently, the NC should necessarily unleash its jurisdiction in this regard through awareness-raising seminars, discussions and dialogues.

In this regard it should be noted that the agenda of the International Symposium to be held subsequently has been finalized, including the main theses for debate. However, the executive procedures have been postponed until after the completion of the final version of the draft national law on crimes within the jurisdiction of the ICC, which the NC considers as top urgent, and so that this law would be one of the topics to be discussed as one of the themes of this symposium.

## **3- Preparation for a TV show on IHL**

Among the issues the NC considered as pursuant to its terms of reference, especially in the domain of dissemination of the IHL culture and raising awareness on its provisions, was the presentation of an educational and educational TV show on IHL. The NC thought it would be expedient to take advantage of the representation of the Ministry of Information as a NC member to facilitate the implementation of this proposal.

The NC had already a proposal in this regard, which was presented to the members for observation. The NC reached the conclusion that the final perception of this documentary work would be contingent upon its financial cost.

#### **4- Preparation of a comparative study on ICC and ICJ**

Due to the confusion among the public and many professionals between the provisions of public international law and international humanitarian law, a confusion always follows between the ICC and the International Court of Justice (ICJ). Following the discussions that took place between NC members regarding the importance of teaching IHL provisions in relevant faculties and colleges, namely faculties of law, military colleges, and the Saad Al Abdullah Academy, the NC addressed the Faculty of Law at the University of Kuwait in this regard. However, the NC has not received a formal response from the university to date.

Accordingly, the NC recommended a brief study to elucidate the difference between the ICC and the ICJ as a contribution in clarifying the mechanism of action of both important international institutions to lawyers and the interested public. A draft has already been prepared of this study under the supervision of Dr. Chairman of the Committee. It will be published in booklet form by the Commission in the near future.

#### **Prospects for the future development of the NC work**

The NC believes that it should continue to pursue the development of its work and promote the functions assigned to it and enshrined in ministerial decrees. The NC is conscious that all themes relevant to IHL have become one of the most important laws at the international level. Furthermore, the role played by the ICC has been maximized in the rapidly evolving events on the international scene nowadays. Thus the NC felt that it would be necessary to continue with the vision it had already adopted during the previous session, marked by the importance of education and awareness of IHL provisions, particularly the idea of documentary awareness of IHL provisions through the media.

In spite of having completed the draft national law on crimes within the jurisdiction of the ICC, the NC will continue to work on opening up discussion prospects with the relevant authorities for the adoption of this law and highlighting the importance of the Rome Statute. This would allow the State of Kuwait to interact in a positive and influential manner with international resolutions issued either by the UN Security Council or the ICC Assembly of States Parties, and to reflect Kuwait's interest in issues relevant to the security and stability of the international community.

In a related context, the NC will promote in the next session its competence associated with harmonizing the four Geneva Conventions with relevant articles in Kuwaiti laws, particularly the Penal Code and the Code of Criminal Procedure.

The National Commission will also strive in the upcoming session to boost cooperation and communication with counterpart commissions at the regional and international levels, in order to exchange expertise and benefit to the utmost from regional and international meetings. The NC will also seek to increase the extent of cooperation and communication with the ICRC regional delegation in the State of Kuwait, as well as all national bodies interested in IHL, such as the Kuwait Institute for Legal and Judiciary Studies, the University of Kuwait, and the Kuwait Red Crescent Society, through the organization of awareness-raising, educational and introductory seminars on topics of international humanitarian law.

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## **The Republic of Lebanon**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions, 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Convention on Cluster Munitions, 30 May 2008.

### **Conventions Signed**

- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Optional Protocol to the Convention on the Rights of the Child regarding the Involvement of Children in Armed Conflicts, 2000.

### **Draft laws that have been adopted but not proclaimed yet**

- Draft law on the protection of the emblem, within the bounds of the Lebanese Red Crescent Society.
- Draft law on the missing.
- Draft law on DNA in the context of tracing missing persons.

## **II - Major achievements in the domain of IHL in 2010/ 2011**

1- The NC for IHL has been established by virtue of Decree No.

Since the NC has been established recently, it has been mainly concerned with the adoption of regulations and budget. A meeting will be held to adopt a two-year-plan of action.

2- Training courses in the Defense and Interior Ministries.

## Republic of Libya

### I - Conventions Ratified

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 1968.
- The Treaty on the Non-Proliferation of Nuclear Weapons, 1968.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on the Elimination of Mercenaries in Africa, Libreville, 1977.
- International Convention Against the Recruitment, Use, Financing and Training of Mercenaries, 1989.
- Convention on the Rights of the Child, 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- The Comprehensive Nuclear Ban Treaty, 1996.
- Protocol II on the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol of the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts, 2000.

In early 2010, Resolution No 345 was issued to review military codes and adapt them with international conventions and treaty Libya had ratified.

- The Commission set up for this purpose presented its report at the closure of 2010, and concluded that the first section of the code should be dedicated to crimes provided for in relevant IHL conventions.
- Due to the Revolution of 17 February, the enactment of this law has been disrupted.
- A committee has been already set up to reconsider the drafting and terminology which were influenced by the former regime (the so-called Jamahiriya regime).

### **National draft laws that have been adopted but not enacted yet**

- The National Order from the Chief-of-Staff has been approved and enacted (Decree on the mandatory incorporation and observance of IHL provisions in educational curricula and in action).
- An IHL curriculum was adopted for teaching in military educational institutions.
- A specialized IHL periodical was approved under the supervision of the Commission.
- A website of the Human Rights and IHL Commission was approved, for the purpose of disseminating IHL provisions and communicating with the NC through Internet.

## **II - Major achievements in the domain of IHL in 2010/ 2011.**

- 1 - Proceed with the first step referred to in the 5th report on the Implementation of IHL.
- 2 - courses in coordination with the ICRC and international experts in 2009:
  - \* (introductory-basic-TOT) during the period 20 - 30 June 2009;
  - \* courses by local lecturers in 2010;
  - \* (course for jurists in August – TOT course for duty officers in November – TOT course for brigade 32 officers in December).
- 3 - IHL has been incorporated in the educational programs of all military education institutions.
- 4 - IHL has been incorporated in curricula of the Command and Staff College.
- 5 - IHL has been incorporated in the training plan of combat brigades.
- 6 - Minister of Defense Decree No 6 for the year 2011 was issued regarding the restructure of the said IHL Commission, and it was renamed as «The Human Rights and IHL Commission».

7 - The newly structured Commission (pursuant to the aforementioned Decree) embarked on training qualified personnel, and in the preparation of curriculum and the national order.

- \* The source of the national order is the chief-of-staff Decree on the mandatory incorporation and observance of IHL provisions in educational curricula and in action.
- \* Adoption of the said curriculum in educational institutions.
- \* A draft MoU on joint action was referred to the ICRC delegation in Tripoli, in the context of training of cadres.

### **III - State plan of action for 2010 / 2013**

#### **- Dissemination:**

Publish the first edition of the IHL periodical under the supervision of the Commission; activate the website and open the door for communication with the Commission through it.

#### **- Training:**

- \* proceed with training as soon as the MOU signed with the ICRC enters into force.
  - \* Meanwhile, courses will continue with local experts in the domains of introduction and dissemination of provisions.
- The Commission** is considering international conventions and once it reaches conclusions regarding the expediency of ratification of each convention or treaty separately, recommendations will be submitted to competent authorities directly.
- \* Strive to obtain a resolution from the prime minister regarding the activation of the Commission.
  - \* Set a schedule and well-thought out steps to achieve the purposes of dissemination and training and adapt domestic laws with international conventions.

## **Arab Republic of Egypt**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol I on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 1976.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- OAU Convention on the Elimination of Mercenaries in Africa, Libreville, 1977.
- Convention on the Rights of the Child of 1989.
- Protocol II on the Protection of Cultural Property in the Event of Armed Conflict, 1999.
- Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts, 2000.

### **Conventions Signed**

- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction of 1972.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1980.
- Rome Statute of the ICC, 1998.

### **II- Major achievements in the domain of IHL in 2010 /2011**

- 1 - The necessary procedures have been launched to proclaim the law on the regulation and protection of the international emblems and signs, but the dissolution of Parliament prevented the completion of these procedures.

- 2 - The draft law on war crimes and genocide is being considered as a prelude to its adoption.
- 3 - Cooperation program with MININT to disseminate IHL and train on its provisions in the Security Academy and institutes affiliated therewith.
- 4 - Several lectures and training programs were organized for judges, diplomats, police officers etc... in the domain of dissemination of IHL.
- 5 - Several lectures were offered in the universities of Cairo, Alexandria, Assiut and Ain Shams for the purpose of disseminating of and training on IHL provisions.
- 6 - 6 judges and 5 police officers participated in training courses on IHL organized in Beirut under the auspices of the Institute for Judiciary and Legal Studies affiliated with the League of Arab States.
- 7 - 3 police officers joined the Arab TOT course.
- 8 - The activities of the legislative sub-commission of the NCIHL were promoted and developed.
- 9 - New qualified and specialized personnel joined the NC to support its activities.
- 10 - Proceed with dissemination and training efforts with competent sectors, particularly judges, prosecutors, members of the diplomatic corps, police officers, university and pre-university education sectors.
- 11 - Fine-tuning the draft law for the protection of cultural property.
- 12 - Pursue the necessary measures to enact the law on the regulation and protection of international emblems and signs when the new legislature is in action.
- 13 - Complete the procedures relevant to the ratification of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980 and Protocols I and IV additional thereto, when the new legislature is in action.
- 14 - A plan for the development of the activities of the NCIHL is underway.

## **Kingdom of Morocco**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 12 August 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, the Hague, 14 May 1954.
- Protocol on the Protection of Cultural Property in the Event of Armed Conflict, 14 May 1954.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction (With Annex), 10 April 1972.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, Geneva, 10 October 1980.
- Convention on the Rights of the Child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, Paris 13 January 1993.
- Protocol on Blinding Laser Weapons (Protocol IV), Vienna, 13 October 1995.
- Protocol on prohibitions or restrictions on the use of mines, booby traps and other devices (Protocol II in its original form prior to its amendment in 1996).
- Optional Protocol to the Convention on the Rights of the Child regarding the Participation of Children in Armed Conflicts, 2000.

### **Conventions Signed**

- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 10 December 1976.
- Rome Statute of the ICC, 1998.
- Protocol II of the Hague Convention 1954 regarding the Protection of Cultural Property in the Event of Armed Conflict, the Hague, 26 March 1999.

## II - Major achievements in the domain of IHL in 2010 /2011

It is noteworthy that the Constitution of the Kingdom of Morocco of 2011 provided for requirements relevant to IHL. The preamble to the Constitution, which is part and parcel of the body of the Constitution, provided for the following:

«The Kingdom of Morocco, a unified and fully sovereign state, constitutes a part of the Great Arab Maghreb, reaffirms its commitment and determination to abide by the universally recognised human rights and international humanitarian law systems, and to contribute to their development, while observing the universal and indivisible nature of these rights».

Article 23 of the said Constitution stipulates in the last paragraph that:

«The Law shall punish for the crime of genocide, other crimes against humanity and war crimes, and all other serious and systematic violations of human rights».

- 1 - IHL has been incorporated in the higher military education and university education at the Royal Military Academy, pursuant to Decree No 11.2909, published in the Official Gazette on 15 December 2011;
- 2 - Training course on IHL for civil society associations on 3 December 2009 at the headquarters of the Human Rights Advisory Council (the National Human Rights Council at present) in Rabat;
- 3 - Roundtable on the ICC Statute for NC members, 5 January 2010 at the Higher Judiciary Institute;
- 4 - One-day awareness-raising seminar for the Royal Gendarmerie on IHL, 8 January 2010 in Casablanca;
- 5 - Training course on IHL for cadres of prison institutions, 10 May 2010 at the Higher Judiciary Institute;
- 6 - Training course on IHL for National Security Service, 12 May 2010 at the Royal Police Institute in Qunaytera;
- 7 - Roundtable at the House of Parliament on «Sanctions in IHL» on 7 December 2010;
- 8 - Training course on IHL in the world today for national security cadres on 5 May 2011;
- 9 - Roundtable on ICC in the world today on 14 June 2011 in Parliament;
- 10- Lecture on ICC in the world today for NCIHL members and some civil society organizations on 15 June 2011 in Rabat;

- 11- Training seminar for civil society organizations on «IHL in the world today», on 17 October 2011;
- 12- Roundtable on the incorporation of provisions of IHL - related international conventions into national legislation, for legal affairs departments in competent ministries on 18 and 19 October 2011;
- 13- The NCIHL organized the Regional Meeting for Arab Government Experts in the domain of IHL on the Adaptation of Domestic Legislation with IHL Instruments, 10- 14 January 2011 in Rabat;
- 14- The NCIHL program of activities during the period July 2009 to December 2011 included the dissemination of IHL and the drafting of a legislative study including proposal for accession to IHL instruments;
- 15- Dissemination activities included the organization of seminars and training courses on IHL for members of the NCIHL, MPs, civil society organizations, media personnel and law-enforcement officers (national security cadres, royal gendarmerie and prison institutions);
- 16- The NCIHL prepared a study on the ratification of the 1977 Protocols Additional to the Geneva Conventions of 1949. It also included the updating of the Law regulating the use and protection of the Moroccan Red Crescent emblem;
- 17- Given the importance of dissemination, the NCIHL plans to proceed with the organization of training and awareness-raising courses on IHL in 2012 / 2013, targeting the following categories:
  - \* Members of parliament.
  - \* Law-enforcement officers (judges, security cadres, national security, royal gendarmerie, auxiliary forces).
  - \* Civil society organizations.
  - \* Academic circles.
  - \* Journalists and media personnel.
- 18- The NCIHL updated and amended the law regulating the use and protection of the Moroccan Red Crescent Emblem and it will be presented to the Prime Minister;
- 19- Given its advisory role, the NCIHL will make itself available to the Prime Minister for advice on draft laws relevant to IHL referred to it;

20 - Given the status of IHL in the Moroccan Constitution, the NCIHL will strive to achieve the following:

- \* amending the decree of its establishment to enhance its competences, by including provisions for government referral the NC of draft laws for advice on their compatibility with international conventions.
- \* developing its activities in order to produce studies on IHL instruments, raise awareness regarding IHL provisions to achieve further involvement in IHL system.
- \* concluding a partnership and cooperation agreement between the NC and other NC's to exchange expertise, and with San Remo Institute for IHL to benefit from its expertise.
- \* preparing and publishing a periodical and launching its own website on IHL.

## **Islamic Republic of Mauritania**

### **Conventions Ratified**

- The four Geneva Conventions of 1949.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention Against the Recruitment, Use, Financing and Training of Mercenaries, 4 December 1989.
- Convention on the Rights of the Child of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, 1993.
- Ottawa Treaty on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, 1997.
- Convention on Cluster Munitions, 30 May 2008.

## **Republic of Yemen**

### **I - Conventions Ratified**

- Protocol on the Prohibition of the Use of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, 1925.
- Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The four Geneva Conventions of 1949.
- Convention on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Protocol on the Protection of Cultural Property in the Event of Armed Conflict, 1954.
- Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 1968.
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and Their Destruction, 1972.
- Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques, 10 December 1976.
- Protocol I Additional to the Geneva Conventions and relating to the Protection of Victims of International Armed Conflicts, 1977.
- Protocol II Additional to the Geneva Conventions and Relating to the Protection of Victims of Non-International Armed Conflicts, 1977.
- Convention on the Rights of 1989.
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, Paris 13 January 1993.
- Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti- Personnel Mines and their Destruction, Ottawa Treaty, 1997.
- Optional Protocol to the Convention on the Rights of the Child, 2000,

### **Conventions Signed**

- Rome Statute of the ICC, 1998.
- Protocol II of the Hague Convention 1954 regarding the Protection of Cultural Property in the Event of Armed Conflict, 1999.

## **II- Major achievements in the domain of IHL in 2010 / 2011**

- 1 - IHL has been approved as a standalone subject in the curriculum of graduate studies at the Higher Institute of Justice since the academic year 2010 -2011.
- 2 - IHL provisions have been incorporated into the subject of international law in Sanaa University, Faculty of Sharia' and Law four years ago. Teaching IHL has also been approved in the faculty of law in Aden and Ta'ez Universities.
- 3 - The Yemenite Bar Association organized in cooperation with Frederich Ebert Foundation office and under the auspices of the Minister of Justice, a seminar on international instruments in domestic legislation and practice in October 2009.

Participants included judges, members of prosecution, and lawyers. It incorporated several themes related to the adaptation of national legislation with international conventions, the mandatory power of provisions of international instruments, and the legal and judiciary problems faced by law-enforcement officers (judges, prosecutors, lawyers). The seminar discussed also IHL-related international conventions.

- 4 - A workshop has been organized at the Higher Institute of Justice in January 2004 on IHL for a number of judges and prosecutors.
- 5 - The executive mechanism of the Gulf Initiative for resolving the Yemen crisis, signed by all members on 23 /11/ 2011 included several obligations regarding IHL, such as:
  - A) Item (10/b) stipulates that candidates to the government of national coalition should abide by human rights and IHL.
  - B) Item (19/h) provides that a conference for comprehensive national dialogue should convene and discuss several issues, including the enactment of measures aiming to achieve national interests, transitional justice, and ensuring the necessary procedures to avoid the recurrence of violations of human rights and IHL in future.

## **III- Measures and procedures at the national level to implement IHL in future**

- A permanent national commission for IHL has been established in 1999 by virtue of Republican Decree No 407 of 1999, and incorporated in its membership ministries of foreign affairs, justice, legal affairs, health and information, in addition to the Secretary General of the Yemeni Red Crescent Society as member and rapporteur. The regulations and special budget of the NC have been issued since 2005.
- The Yemeni government has enacted a number of procedures and practical measures to avoid and address the political crisis witnessed in Yemen in 2011. A module was prepared to implement the recommendations included in the report of the High Com-

missioner for Human Rights mission and the Human Rights Council Resolution regarding the crisis in Yemen on 29/9/2011. Among the procedures and measures:

\* In late 2011, the Council of Ministers issued Resolution 68 of 2011 setting up a committee, headed by the Minister of Foreign Affairs and including the membership of the Ministries of Legal Affairs, Justice and Interior to investigate allegations regarding the participation of children in the conflict, and their recruitment and to take the necessary measures to prevent the continuation of the breaches in case of their occurrence.

\* A module was prepared to implement these recommendations, including the following:

A) A mechanism to implement the recommendation regarding immediate measures to put an end to attacks against civilians and civilian objects, in line with Yemen obligations pursuant to international human rights law and IHL, as well as the use of firearms.

B) The Ministry of Justice was commissioned to put forth a comprehensive perception on the implementation of the recommendation regarding the setting up of a transparent and independent investigation committee in conformity with relevant international norms in the context of credible allegations of serious violations of human rights committed by government security forces.

- Chapter Three of the Law on crimes and military sanctions included provisions on war crimes and sanctions imposed on any person having committed such acts.

Article 21 of the said law provides that any person subject to provisions of the present law and having committed during war any of the acts harming protected persons and property, shall be punished by imprisonment for a term not exceeding ten years, or with any other sanction commensurate with the consequences of such crime. The following acts are considered war crimes in particular and are punishable:

- Killing or ill-treatment of prisoners of war, or intentionally inflicting severe suffering on them, or subjecting them to any scientific experiments.

- Intentionally inflicting serious harm to the physical integrity or mental health of military or civilian prisoners, or forcing them to serve in the military forces of the adversary. .

- Illegally detaining persons, or taking them as hostages, or using them as human shields during military operations.

- Perfidiously using the distinctive emblem of the Yemeni Red Crescent or any other internationally recognized protective emblems.
- Attacking civilian populations and persons hors de combat; pillaging property; the law provides for their restitution or paying warranty for the damaged property etc.

The law also provides in Article 22 that the lawsuit in the said crimes provided or in this chapter are not subject to statutory limitations.

The aforementioned provisions are a case in point that the Yemeni legislation conferred great importance to observing the UN Charter and generally recognized rules of international law. Furthermore, the law on crimes and military sanctions specified the acts considered as war crimes, whether against prisoners of war, civilian populations, and persons hors de combat. It also provided for respect of international emblems of the Red Crescent and other protective emblems, incriminating their use in perfidy. The Law also stipulated that war crimes are not subject to statutory limitations.

**Section Four**  
**Teaching International**  
**Humanitarian Law**

## **I - Historical Background**

The ICRC organized a meeting in Beirut in September 2005 in coordination with the Arab Center for Legal and Judiciary Studies, with the participation of the Secretary General of the Union of Arab Universities, the Secretary General of the Academic Association for Arab Faculties of Law, and the contribution of 28 participants from 11 Arab States. The nomination of participants representing respective Arab States took place through the ministries of higher education having received the invitation from ICRC to send officials responsible for the development of curricula of law, and the ministries in turn chose their representatives to this meeting.

The main conclusions of this meeting were as follows:

### **Why should IHL be taught?**

- Contractual obligation on all States Party to the Geneva Convention.
- In addition to this general obligation, since the end of World War II, the Arab world has been witnessing a series of struggles and armed conflicts, which highlights the necessity of attributing special importance to IHL provisions in our Arab region.
- The necessity of developing special curricula on this aspect, while underscoring the particularity of the Arab society, and that several provisions of the Geneva Conventions are derived from Islamic Shari'a.
- In support of the contractual obligation stipulated in the Geneva Convention, IHL is there to protect the weak. Due to the nature of conflicts currently taking place in the Arab World, at least part of the general culture of Arab jurists should focus on protection provided by IHL.

### **To Whom should IHL be Taught?**

After long and multi-faceted discussions, participants concluded that the following faculties should incorporate IHL respectively:

- Faculties of Law and Shari'a.
- Faculties of Political Science.
- Faculties of Mass Communication.

Participants viewed that this is the minimum level that should be targeted in teaching IHL provisions, since it reflects the link between theoretical study and practice, after students graduate from these faculties.

## **Where should it be taught?**

Participants reviewed issues related to this question in their respective universities. Some dedicated a full curriculum to this subject (both elective and mandatory) as a standalone subject, while others incorporated some of the basic concepts of IHL into public international law. A third group thought that this subject should be taught in post graduate programs.

After deliberations and discussions, participants agreed to take into consideration the situation of university curricula and the difficulty of introducing new subjects, in addition to the scarcity of specialized university staff to teach IHL. Therefore, they suggested the following:

### **At the Undergraduate Level:**

- Participants unanimously thought it would be necessary to include fundamental provisions and concepts of IHL in public international law curriculum.
- Many participants suggested that IHL be incorporated as an elective in the third year (junior) of the faculties of law, bearing in mind that many of the mandatory courses started as electives. Some participants expressed reservations that the elective course might be limited and that this should not undermine the trend aiming to ensure that all graduates of the faculty of law grasp the fundamental concepts of this law.

### **At the Graduate Level:**

- In this framework, participants unanimously expressed their wish to have IHL as a standalone course, within the international or public law diploma, and that it should be mandatory.
- During the discussion, some participants tended to suggest the option of a special IHL diploma at a following stage.
- All participants recommended that professors of international law guide graduate and post-graduate (Ph.D.) students to select different IHL- related subjects.

## II- The Situation of Teaching IHL in Arab Universities

### Hashemite Kingdom of Jordan

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Philadelphia	Law	X			
2	Jordanian University	Law	X			
3	Mou'tah	Law	X			
4	Jarash National University	Law	X			
5	Amman Arab University for Higher Studies	Higher Legal Studies			X	
6	Al-Zarqaa'	Law	X			
7	Irbid National University	Law		X		
8	Yarmouk	Law		X		
9	Al-'Israa' (private)	Law	X		X	
10	Al Beit	Jurisprudence and Legal Studies		X		X
11	Applied Sciences (Private)	Law	X			
12	Amman National University	Law		X		
13	Zaytouneh	Law	X			
14	Jedara	Law		X		
15	Middle East	Law			X	

### United Arab Emirates

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Emirates	Shari'a and Law		X		

### Kingdom of Bahrain

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Bahrain	Law	X			

### Republic of Tunisia

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Safaqs	Law		X		X
2	7th of November - Carthage	Legal, Economic and Social Sciences		X		X

### Popular Democratic Republic of Algeria

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Batna	Law			X	
2	Annaba	Law			X	
3	Alger	Law				X
4	Bleida	Law				X

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
5	Tiaret	Law			X	
6	Tlemcen	Law			X	
7	Chelf	Law			X	
8	Constantine	Sciences Islamiques				X
9	Alger	Sciences Islamiques				X
10	Oum El Bouagui	Law		Human Rights law	X	

### Kingdom of Saudi Arabia

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Imam Mohamed Bin Saud University	Higher Institute for Justice		X		X
2	King Saud	Management		X		X
3	King Bin Abdul Aziz, Jeddah	Economics and Management, Systems Department (Law)	Proposed in the new section			
4	Institute of Diplomatic Studies	Ministry of Foreign Affairs	Is taught in training programs and in Diplomatic Studies Diploma			

### Republic of Sudan

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Oum Dorman Islamic Univ.	Faculty of Shari'a and Law	X			
2	National Bond	Police Sciences and Law	X			
3	Al-Nileen	Law		X		
4	Shindi	Law	X		X	
5	Munificent Qur'an and Islamic Sciences	Shari'a	X		X	
6	Legal Training and Reform Institute	International Law Department		X		
7	The Azharite Leader	Shari'a and Law	will be taught as a standalone course			

### Arab Republic of Syria

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Al-Qalmoun -Private	International and Diplomatic Relations	X			
2	Aleppo	Law				X
3	Damascus	Law		X		X

### Republic of Iraq

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Baghdad	Law		X		
2	Suleymania	Law, Political Science		Public International Law		
3	Dohuk	Law, Political Science	X	Public International Law, third phase		
4	Basra	Law		Public International Law		
5	Salah Al Deen in Erbil	Law, Political Science	X	Public International Law		X
6	Kufa	Law		Public International Law		
7	Qadisia	Law		Public International Law		
8	Karbala	Law	X			Private Law
9	Babylon	Law		Public International Law		Public International Law
10	Al Mustansiris In Baghdad	Law		Public International Law		
11	Al Nahrain In Baghdad	Law		Public International Law		

### Sultanate of Oman

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Muscat	Shari'a and Law		X		

### Palestine

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
			Elective	Compulsory	Elective	Compulsory
1	An-Najah - Nablus	Law	X	X		X
		Sharia		X		
2	Birzeit - Ramllah	Law and Public Administration	X	X	X	X
		Cultural Studies		X		
3	Bethlehem	Cultural Studies		X		
4	Arab American - Jenin	Law	X	X		
5	Al-Quds	Law	X	X	X	X
		Quran, Da'wa and principles of Religion		X		
6	Hebron	Fiqh and Law		X		
7	Palestine Ahliya University - Bethlehem	Law	X			
8	Da'wa Islamic college	Sharia		X		
9	Azhar university - Gaza	All faculties - Law faculty	X	X		
10	Islamic University - Gaza	All faculties		X		

### State of Qatar

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	qatar	Law	X			

### The State of Kuwait

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Kuwait Institute for Judicial and Legal Studies		X			
2	Kuwait	Law		Human Rights in Peacetime and in war		

### Republic of Lebanon

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Holy Spirit - Catholic	Law-IHL- Public International Law		X		
2	Saint Joseph	Law and Political Science		X		
3	Al Imam Al Hadi Center					X

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
4	Beirut Arab University	Law		X	X	
5	Islamic University	Law		X		X
6	Lebanese University	Law, Political Science and Management		X		

### Arab Republic of Egypt

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Faculty of Police	Is Taught in Senior (fourth) Year		Law of International Relations		Crisis Management Diploma, and Criminal Sciences Diploma
2	Ain Shams	Law		X	X	
3	Zagazig	Law		Public International Law	X	
4	Helwan	Law		Public International Law		
5	Assiout	Law		Public International Law		Public Law Diploma, International Law Diploma
6	Beni Soueif	Law		X		
7	Tanta	Law		Public International Law		Public Law Diploma
8	Cairo	Law		X	X	
9	National Center for Judiciary Studies	The subject was incorporated into the training program of public prosecutors, magistrates, and officers of the general administration for military justice	X			

### Kingdom of Morocco

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Agadir	Legal ,Economic and Social Sciences	X			
2	al-Qadi' Ayyadh	Faculty of Law, Marrakech	X	Public International Law, and human rights	X	
3	Moulai Ismail -Meknes	Law	X			
4	Mohamed V Al- Sweissi	Law		Public International Law		Masters of Human Rights and Humanitarian Freedoms
5	Abdul Malek Al-Saadi	Multi -disciplinary		International Relations		
6	Abdul Malek Al-Saadi	Law- Tangiers		Public Inter-national Law	X	
7	Mohamed I	Legal, Economic and Social Sciences	X			International Relations, Criminal Sciences
8	Sidi Mohamed Abdallah	Faculty of Law, Fes	X	X		
9	Al-Hassan II	Law- al Muhammadiyah		Human Rights		

### Islamic Republic of Mauritania

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Nouakchott	Legal Sciences and Humanities	There is a proposal for teaching HL			

### Republic of Yemen

S	University	Faculty	Senior Year		Graduate Studies	
			As standalone course	As part of another subject	As standalone course	As part of another subject
1	Ta'izz	Law	X			
2	Aden	Law	X	X		
3	al-Hudaydah	Shari'a and Law	X	X		X
4	Sanaa	Shari'a and Law		X		X
5	Applied and Social Sciences, Aden	Law		X		

**Section Five**  
**Table of Content of CD**

## **The CD enclosed herewith includes the following**

- THE DOMESTIC IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW MANUAL.
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### **Aim of this manual**

The ICRC's Advisory Service was established within the ICRC Legal Division in 1996. Since then, the number of States that are parties to instruments of international humanitarian law (IHL) has increased significantly. Much work remains to be done by States, however, to ensure that the obligations set out in these instruments are adequately reflected in domestic law and applied in practice.

This manual has been drafted mainly for policy-makers and legislators, and for those assisting them in their efforts to comply with their obligation to ensure respect for IHL. It aims to assist them in the ratification of relevant instruments and to offer guidelines in the implementation process, thus enabling them to bring their laws and practice in line with the requirements of IHL.

The manual emphasizes general principles and obligations as much as possible; it does so in order to reach beyond differences in legal traditions and in levels of institutional development. It follows a treaty-based approach: for instance, one important chapter (Chapter Four) is on the core instruments of IHL, i.e. the universally ratified Geneva Conventions of 1949 and their Additional Protocols of 1977 and 2005. Other chapters deal with complementary instruments concerning

the protection of specific persons and property during armed conflict (Chapter Five), weapons (Chapter Six) and the International Criminal Court (Chapter Seven). All the chapters provide succinct overviews of the contents of treaties; they do not discuss a treaty's every provision in detail. Because the manual is for use primarily by legislative drafters or those assisting them, it focuses on those provisions that require

action in the form of legislative or regulatory measures. General information on IHL and its implementation is provided in the introductory chapters (Chapters One to Three), which also discuss the links between IHL and criminal law at the domestic

level. The manual offers some practical tools: an extensive bibliography – with titles in English, French and Spanish – as well as annexes containing model laws and guidelines developed by the ICRC and other specialized organizations.

This manual does not set out to provide definitive legal interpretations of the provisions of the instruments that it describes. It should be regarded as a practical tool that the ICRC's Advisory Service makes available to all those involved in the implementation of IHL. It reflects the expertise accumulated during its close to 14 years of experience in implementing IHL. Combined with the ICRC's web-accessible databases on national implementation measures (<http://www.icrc.org/ihl-nat>), which provide examples of legislation and jurisprudence from countries around the world, and on IHL treaties and documents (<http://www.icrc.org/ihl>), which show the current state of signatures and ratifications, this manual should provide a number of answers.

The ICRC's Advisory Service on IHL stands ready to assist States in their efforts to further respect for IHL obligations. It may be contacted through its network of regional legal advisers or in Geneva at the address below:

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