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FOLLOW-UP TO THE 28th INTERNATIONAL CONFERENCE

**PART 2:
Implementation Report on General Objective 2 of the Agenda for Humanitarian
Action: Addressing the human costs of the availability, use and misuse of
weapons in armed conflicts**

**Document prepared by the
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PART 2:

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INTRODUCTION

This report summarizes the action taken during the period 2003-2007 by participants in the 28th International Conference of the Red Cross and Red Crescent to implement the commitments made under General Objective 2 to "*strengthen the protection of civilians in all situations from the indiscriminate use and effects of weapons and the protection of combatants from unnecessary suffering and prohibited weapons through controls on weapons development, proliferation and use*". The document is based on reports by the 32 States party to the Geneva Conventions and the 53 National Societies who submitted questionnaires on their implementation of the Agenda for Humanitarian Action by 31 July 2007. Other sources of information include the ICRC's Advisory Service treaty database and ICRC Special Reports on Mine Action.

The report is divided according to the five Final Goals and proposed actions. It outlines key developments in each area and summarizes Movement and State activities, providing a few examples as illustration. A short summary of the actions proposed for States and components of the Movement is provided at the beginning of each section.

It is not possible to reflect the full range and scope of the activities reported in the questionnaires, but more details can be found in the database *Follow-up to the 28th International Conference*.¹ Information about the follow-up to the pledges made by the different Conference participants can also be found in this database. Conference participants, including 43 governments, 10 National Societies, one observer and the ICRC, signed up to 33 pledges relating to Objective 2 of the Agenda for Humanitarian Action. As questionnaires were submitted by a limited number of States and National Societies, the report represents only a partial picture of the actions undertaken by Members of the Conference to implement the Agenda for Humanitarian Action. Further questionnaires may be received and made available through the database in the period before the Conference.

¹ Available at <http://www.icrc.org/web/eng/siteeng0.nsf/html/conf30>

Final Goal 2.1: End the suffering caused by anti-personnel mines

Thirty States and 43 National Societies reported on their implementation of Final Goal 2.1.

Pledges under Final Goal 2.1 were made by Argentina, Belarus, Bosnia and Herzegovina, Canada, the Czech Republic, Eritrea, Japan, Mexico, New Zealand, the Republic of Korea, South Africa, Switzerland and Thailand, and also by the Red Cross Society of Bosnia and Herzegovina, the Canadian Red Cross, the Czech Red Cross and the Thai Red Cross Society.

Background

Actions proposed for States under this Final Goal included:

- providing assistance for the care, rehabilitation and social and economic reintegration of war-wounded, including mine victims, and for mine-awareness and clearance programmes, in partnership with the components of the Movement;
- pursuing the ultimate goal of global elimination of anti-personnel mines and considering adherence to the Convention on the Prohibition of Anti-Personnel Mines at the earliest opportunity;
- for those States already party to that Convention, developing, in time for the First Review Conference, national programmes for clearance, stockpile destruction, mine awareness and victim assistance consistent with the Convention's deadlines, increasing their efforts to ensure the resources necessary to fully implement the Convention, and adopting all necessary measures to implement it, including criminal sanctions and the harmonization of military doctrine with the Convention's obligations.

The ICRC committed itself to continuing to play a lead role in the implementation of the Movement Strategy on Landmines. National Societies—in partnership with the ICRC and States—committed themselves to maintaining mine action among their priorities and developing their capacity in that regard.

I. Assistance for mine action

Fourteen States, including one mine-affected State (Croatia), reported on the assistance they had provided for mine action activities. This included support for mine clearance, physical rehabilitation and socio-economic reintegration of survivors of anti-personnel mine incidents, mine risk education, capacity-building in mine action for military and civilian personnel, and research on and development of mine detection and clearance technology. Assistance was provided on a bilateral basis and through multilateral mechanisms or international organizations. Austria, Finland, the Netherlands, Norway and the United Kingdom highlighted their contributions to the work of the ICRC and National Societies in this area, and to the ICRC's Special Fund for the Disabled. Support for research and cooperation with non-governmental organizations were also mentioned by some States.

*The **United Kingdom** has provided £4.7 million for the construction and running of the International Mine Action Training Centre (IMATC) in Kenya. The Centre aims to build the capacity of mine-affected countries by training military and civilian personnel.*

Both financial and technical support has been provided for mine clearance. A number of States, including Belgium, Iceland, Norway, Poland and Switzerland, have provided experts or personnel, often from national military forces, to assist with demining in affected States.

With regard to victim assistance, a number of States described different projects and initiatives that they had supported. These included efforts to improve the access of mine victims to emergency services and hospital care, to facilitate the social and economic reintegration of mine survivors and ensure that they have a productive role in society, to establish national plans for victim assistance, and to improve health and welfare services for all disabled people.

II. Adherence to and implementation of the Convention on the Prohibition of Anti-Personnel Mines²

The international effort to eliminate the suffering caused by anti-personnel mines has made substantial progress since 2003, with adherence to the Convention on the Prohibition of Anti-Personnel Mines (Ottawa Convention) steadily increasing and significant advances being made in its implementation.

More than three-quarters of the world's countries are now party to the Ottawa Convention. The majority of States reporting on their activities under this Final Goal were already party before 2003. Thirteen States—Bhutan, Brunei Darussalam, Cook Islands, Estonia, Ethiopia, Haiti, Indonesia, Iraq, Kuwait, Latvia, Montenegro, Ukraine and Vanuatu—have ratified the Convention since the 28th International Conference. Two non-States Parties, Finland and Poland, highlighted their support for the annual UN General Assembly resolution supporting universalization of the treaty and the elimination of anti-personnel mines. Further, they underlined that they did not produce or transfer anti-personnel mines and that they were planning to destroy their stocks of these weapons. Finland affirmed that it intended to ratify the Convention in 2012. Seven States confirmed that they had national implementing legislation in place, while eight States specifically highlighted existing criminal legislation. Croatia passed a national law to implement the Ottawa Convention in 2004, while the Republic of the Congo and Cyprus have national legislation under way.

Six States emphasized their active contributions to the work of the Convention, including as chairs for the Standing Committee meetings held bi-annually in Geneva to examine implementation

Switzerland has undertaken various activities to promote the Ottawa Convention with non-State armed groups. These include organizing seminars in 2004 and 2005 on the issue and providing support for the non-governmental organization Geneva Call, which seeks to engage armed groups in the anti-personnel mine ban.

in the areas of victim assistance, mine clearance, stockpile destruction and the general status and operation of the Convention. Several States emphasized efforts they had made to promote universalization of the treaty with States not yet party.

A major milestone in the life of the Ottawa Convention during this period was the First Review Conference, also called the Nairobi Summit on a Mine-Free World, which was held at the end of 2004. The Conference celebrated the achievements of the Convention, but also took stock of the significant challenges that it faced over the following five years, notably with regard to the first mine-clearance deadlines which will begin to fall in 2009. States Parties reaffirmed their commitment to overcoming these challenges in the Nairobi Declaration on a Mine-Free World, signed by some 60 high-level government representatives, and in the

² For further details on accession/ratifications to the main IHL treaties, see Annex A of the report *Implementation of the Declaration in the Field of International Humanitarian Law*.

Nairobi Action Plan 2005-2009, which contains 70 specific commitments on all aspects of universalization and implementation of the Convention. The Review Conference also provided an opportunity for several governments to renew their commitment of resources to mine action.

On 8-22 November 2007, Jordan will host the 8th Annual Meeting of the States party to the Ottawa Convention. This will be the first time that the States Parties to the Ottawa Convention will meet in the Middle East.

*The year 2007 marks the 10th Anniversary of the adoption of the Convention. Anniversary events were held or planned in various countries, including **Austria, Belgium, Norway and Canada**. The ICRC is using this opportunity to organize visits for interested journalists to mine-affected countries.*

The Jordanian government is using this opportunity to promote the Ottawa Convention in the region, as are other actors such as the Convention's Implementation Support Unit at the Geneva International Centre for Humanitarian Demining and the International Campaign to Ban Landmines. In pursuance of this goal, the ICRC hosted two sub-regional meetings in Kuwait and Tunisia on landmines and explosive remnants of war (ERW), and implemented a communication strategy with its delegations in the Middle East.

A large number of States reported on past and current efforts to meet their obligations under the Convention. These include destroying stocks of anti-personnel mines within four years, clearing mined areas within 10 years, assisting victims and taking action to protect civilians from the effects of mines, including mine risk education. Ten States reported on completed, ongoing or planned mine clearance activities and on the marking and fencing of mined areas. Two States (Cyprus and Turkey) highlighted ongoing mine risk education activities. Twelve States confirmed that they had completed their stockpile destruction obligations. Some of these retain small quantities of anti-personnel mines for training purposes as allowed under the Convention. Cyprus, Croatia and France made reference to their national commissions for the elimination of anti-personnel mines or National Mine Action Centres. The Republic of the Congo reported that the establishment of a national commission was under way. The existence of national plans for demining and the fulfilment of other obligations under the Convention were referred to by Croatia, Cyprus and Greece. Belgium, Croatia, Norway, the United Kingdom and Venezuela reported that the rules of the Convention were reflected in their military doctrine or in the training given to the armed forces.

***Greece** reported that its demining plan, which was due to be completed in 2011, had been modified. Clearance is now scheduled to be completed in 2010, four years before the deadline under the Ottawa Convention.*

Several mine-affected States detailed the support they were providing to assist victims of anti-personnel mines. Croatia referred to its cooperation with the Croatian Mine Victim Association and another Croatian association that facilitates education, job placement and psychological counselling for mine survivors. Reconstruction of the Centre for Psychosocial Reintegration in Rovinj in Croatia is also due to be completed in 2007. The Republic of the Congo has put in place several structures to support victims, including an orthopaedic centre, the High-Commissariat for Veterans and War Victims and the army hospital. Both the Republic of the Congo and Côte d'Ivoire highlighted their cooperation with the ICRC in the area of medical care and physical rehabilitation. Information about victim assistance activities was also provided by El Salvador, Greece, Mali, Morocco, Turkey and Venezuela. In relation to this issue, Austria and Norway emphasized the importance of signing the UN Convention on the Rights of Persons with Disabilities, which was adopted in December 2006.

III. Implementation of the Movement Strategy on Landmines

The Movement Strategy on Landmines (1999) sets out the mine action policy for the components of the Movement. It assigns to the ICRC the lead role among the components of the Movement for mine action activities. Since 2003, the components of the Movement have made significant efforts to implement this Strategy, notably in the areas of victim assistance, preventive mine action, and the promotion of relevant legal instruments. In 2003, the Movement Strategy was extended to cover explosive remnants of war. Specific activities in this regard are detailed under Final Goal 2.2, Section II, below. However, most of the victim assistance and preventive activities described below address the consequences of both mines and ERW, depending on the nature of weapon contamination in each context.

In the field of care and rehabilitation, the ICRC has provided substantial assistance to victims of mines and ERW by assisting with or providing surgical services for war-wounded, supporting first-aid services—often run by National Societies—and running or providing support for physical rehabilitation services in conflict-affected countries. In 2006, the ICRC supported hospitals in 18 countries, and assisted 77 physical rehabilitation projects in 24 countries. This included support for 10 of the 24 States party to the Ottawa Convention which have significant numbers of landmine survivors (Afghanistan, Angola, Cambodia, Chad, Colombia, Democratic Republic of the Congo, Ethiopia, Sudan, Tajikistan and Yemen). In Afghanistan, Angola, Cambodia, Ethiopia, Myanmar and Iraq—all countries where the ICRC has provided physical rehabilitation services for at least a decade—the ICRC remains the main international organization providing or supporting such services. Survivors of mines and ERW account for between 32% and 89% of the amputees treated at ICRC-assisted centres in these countries. The ICRC Special Fund for the Disabled (SFD) helps ensure the continuity of physical rehabilitation services by providing technical and material assistance to rehabilitation centres, many of which have previously been supported by the ICRC. This ensures access to services for a large number of survivors of incidents involving mines and ERW. In 2006, the SFD supported 56 projects in 27 countries. A few National Societies, including those of Colombia, Egypt and Tajikistan, mentioned victim assistance activities in their reports.

In 2005, the ICRC adopted a "Preventive Mine Action Operations Framework" aimed at developing a comprehensive approach to reducing the impact of mine and ERW contamination on civilian populations. This was based on lessons learned from a decade of preventive activities in the field. It highlights the fact that the Movement has a broad potential for reducing the consequences of weapon contamination which goes well beyond traditional awareness-raising activities to include a range of pragmatic measures aimed at preventing incidents and reducing impact.

Following the adoption of this framework, efforts have been made to develop and reorient ongoing activities. The ICRC is currently engaged in such activities in around 20

*Since 2005, the **Red Crescent Society of Azerbaijan** has been implementing a safe play area project, supported by the **ICRC** and the **Norwegian Red Cross**. More than 30 playgrounds have been constructed to create a safe environment for children to play and to keep them away from contaminated areas.*

countries. The large majority of these activities are implemented by National Societies, with technical and financial support from the ICRC. They include programmes run by the National Societies of Afghanistan, Albania, Angola, Azerbaijan, Bosnia and Herzegovina, Cambodia, Colombia, India, Iran, Iraq, Jordan, Syria and Tajikistan.

A key part of the ICRC Preventive Mine Action Operations Framework is the development of a Movement approach, which includes development of National Society capacity in affected countries as an integrated part of long-term national mine action plans. This has been done in some of the most contaminated countries in the world, such as Afghanistan, Angola and

Cambodia. It also includes development of the Movement's capacity to ensure a rapid response to humanitarian problems caused by mines and ERW in emergencies. Finally, a Movement approach includes close cooperation with National Societies working internationally. As one step in this direction, the Norwegian Red Cross supports activities in Colombia which are implemented by the ICRC and the Colombian Red Cross through an integrated mine action partnership. The Norwegian Red Cross is also actively supporting the implementation of the ICRC's framework for preventive mine action operations by providing both financial resources and staff. The Swedish Red Cross has facilitated an agreement between the ICRC and the Services Rescue Agency to ensure a survey and clearance capability when responding to urgent humanitarian needs as part of the ICRC's rapid response capacity.

Eleven National Societies reported on various mine action activities they had undertaken. Among these, 10 had been involved in mine risk education (the

***Colombia** is one of the few countries in the world where casualties caused by landmines are significantly increasing as a result of the armed conflict. In 2005, the **Colombian Red Cross** adopted a National Strategy on Anti-Personnel Mines and Explosive Remnants of War. Action is to be taken in four areas: promotion of legal norms, risk education, protection activities and victim assistance.*

National Societies of Armenia, Azerbaijan, Bosnia and Herzegovina, Burundi, Colombia, Croatia, Iraq, Tajikistan, the Former Yugoslav Republic of Macedonia and Ukraine), two in risk reduction (Azerbaijan and Colombia), and four in data collection (Armenia, Azerbaijan, Iraq and Tajikistan).

The promotion of legal norms is another key element of the Movement Strategy. Since 2003, the ICRC has promoted ratification and implementation of the Ottawa Convention through dozens of seminars and workshops at national and regional levels. Legal advice has also been provided for numerous States on national implementation of the Convention, and its rules have been disseminated among arms bearers, including organized armed groups, in countries all over the world. The ICRC has also participated actively in the work of the Convention, including in the Meetings of States Parties and the Intersessional Work Programme. The ICRC made it a priority to contribute to the success of the First Review Conference of the Ottawa Convention in Nairobi in 2004. It played an active role in the inter-governmental preparations for this meeting and organized regional meetings for West African and East African States. A global communication strategy was also carried out with the aim of rekindling interest in the landmines issue among political authorities, the media and the general public, and eliciting renewed commitment to the success of the Ottawa Convention. A number of National Societies contributed to the success of this communication strategy, in particular by sponsoring the participation of journalists from national media outlets in visits to mine-affected countries.

Many National Societies have also promoted adherence to and national implementation of the Convention, including the National Societies of Colombia, Finland, Poland, Slovakia and the United Kingdom. A large number of National Societies reported that they had incorporated promotion of the Convention's norms in dissemination activities with national authorities, armed forces or the general public. These included the National Societies of Armenia, Belgium, Bulgaria, Canada, Chile, Cuba, Ecuador, Egypt, Lithuania, the Netherlands, Panama, Poland, Slovakia, Trinidad and Tobago, Qatar, Uruguay and the United Kingdom. The National Societies of Armenia, Bosnia and Herzegovina and France highlighted their participation in the development of national policies or laws in this area, including through participation in national commissions on anti-personnel mines.

Significant financial support has been provided by a number of National Societies for the ICRC mine action appeal, the ICRC Special Fund for the Disabled and the International Federation, or to mine action activities organized by other National Societies. Ten National Societies reported such support, namely those of Australia, Austria, Denmark, Finland, Germany, Norway, Portugal, Sweden, Switzerland and the United Kingdom. The Armenian Red Cross engaged in fundraising for its mine risk education activities.

*In 2006, together with local radio stations, the **Belgian Red Cross** and the **Netherlands Red Cross** organized a major fund-raising campaign on the landmine issue. This campaign raised over 5 million euros, most of it for the ICRC's 2007 mine action appeal and the ICRC Special Fund for the Disabled. The campaign included a media visit to Cambodia supported by the ICRC and the **Cambodian Red Cross**.*

Final Goal 2.2: Minimize suffering from weapons that may be excessively injurious or have indiscriminate effects

Twenty-nine States and 37 National Societies reported on their implementation of Final Goal 2.2.

Pledges under Final Goal 2.2 were made by Bulgaria, Burkina Faso, Canada, Croatia, Denmark, Germany, Mauritius, Mexico, Norway, Panama, Slovakia, South Africa and Switzerland. A collective pledge was also made by EU Member States and the Presidency of the Council of the European Union. In addition, pledges were made by the Canadian Red Cross and the Norwegian Red Cross.

Background

Actions proposed for States under this Final Goal included:

- considering ratification of the Protocol on Explosive Remnants of War to the Convention on Certain Conventional Weapons (CCW);
- addressing the global human and social costs of explosive remnants of war (ERW) through increased international efforts in the fields of clearance, risk education, victim assistance and implementation of the Protocol on ERW;
- continuing efforts to reduce the effects of mines, booby-traps and similar devices by considering ratification of amended Protocol II to the CCW;
- considering measures to minimize the risk of explosive ordnance becoming explosive remnants of war and to reduce the human costs of mines other than anti-personnel mines;
- rigorously applying the rules on distinction, proportionality and precautions in attack to minimize civilian deaths and injuries resulting from certain munitions, including submunitions;
- ensuring full implementation of the Protocols to the CCW to which they are party and considering adherence to those Protocols and to the extension of the Convention's scope of application, if they had not yet done so.

The components of the Movement made a commitment to implementing its Strategy on Landmines as extended to ERW, to developing its capacity for this purpose, and to

continuing to promote measures to avoid civilian casualties resulting from ERW and submunitions.

I. Adherence to and implementation of the CCW and its Protocols³

Since 1 December 2003, nine States have ratified the CCW (Cameroon, Liberia, Montenegro, Paraguay, Sierra Leone, Sri Lanka, Turkey, Turkmenistan and Venezuela). This puts the total number of States Parties at 102. All nine States ratified the Convention's Protocol I on Non-Detectable Fragments, while 13 States ratified Amended Protocol II on the Use of Mines, Booby-Traps and Other Devices during this period. In addition, Montenegro ratified the original Protocol II. Protocol III on Incendiary Weapons and Protocol IV on Blinding Laser Weapons were ratified by seven and 12 States respectively. The Amendment to Article 1 of the CCW, which extends the scope of the Convention to non-international armed conflicts, was ratified by 30 States and now has 51 States Parties. The Republic of the Congo, Iceland and Madagascar reported that the process of ratification of the CCW was under way. Côte d'Ivoire also stated its intention to join the CCW. Mexico reported that it was considering ratifying Amended Protocol II.

Protocol V on ERW was adopted on 28 November 2003, just before the 28th International Conference. Having received the requisite 20th ratification in May 2006, the Protocol entered into force on 12 November 2006. The Protocol had been ratified by 33 States as of 1 September 2007. Austria, Belgium and Cyprus reported that preparations for ratification of the ERW Protocol were under way. The Republic of the Congo and the United Kingdom stated that they planned to ratify it, while the Dominican Republic and Mexico reported that they were currently examining the possibility of ratification.

The third Review Conference of the CCW took place in 2006. The Conference agreed on additional measures to promote universalization and implementation of the CCW. A plan of action was adopted to promote the Convention and its five Protocols with States not yet party to it and a sponsorship programme was created to encourage developing countries to attend future CCW meetings. The Review Conference also agreed on a procedure to assist in the implementation of and compliance with the Convention's rules.

A number of States reported on their efforts to promote adherence to or implementation of the CCW, including through active contributions to the work of the Group of Governmental Experts and the 2006 Review Conference. Austria said it supported the decision of the 3rd Review Conference on a new compliance mechanism and would have appreciated an even stronger decision on this issue. A number of States also outlined their contributions to the discussions on anti-vehicle mines, ERW and cluster munitions. Further details on these issues are provided below.

Germany, in its capacity as EU Presidency, initiated a series of EU Troika demarches to support the Plan of Action adopted by the 2006 CCW Review Conference to promote universalization of the treaty. A total of 91 States were approached between mid-February and late April 2007 to promote ratification of the CCW. As a result, 14 States announced that they had initiated an adherence process, while another 15 States stated their inclination to do so. The EU is preparing a global Joint Action, including regional seminars, to further promote the CCW.

II. Action to address the human and social costs of ERW

The adoption in 2003 of the Protocol on ERW provided the first systematic framework to minimize the danger posed by all unexploded and abandoned ordnance. This constituted a

³ For further details on accession to/ratification of to the main IHL treaties, see Annex A of the report *Implementation of the Declaration in the Field of International Humanitarian Law*.

significant strengthening of the CCW and of international humanitarian law (IHL). In November 2007, the first Meeting of States Parties to the Protocol on ERW is likely to adopt several mechanisms to facilitate the Protocol's implementation. Switzerland reported on its active participation in the preparations for this meeting. The ICRC has also participated in this work, highlighting the need for the Meeting of States Parties to focus on putting the commitments contained in the Protocol into practice and ensuring that priority is given to addressing the problem of existing ERW.

The provision of international assistance to reduce the impact of ERW was highlighted in their reports by a number of States, including Belgium, the Czech Republic, France, Germany, Norway and the United Kingdom. This included financial assistance for clearance of ERW, measures to reduce the risk to civilian populations and victim assistance. The involvement of national armed forces in demining operations in affected countries was also mentioned. Germany pointed out that it did not distinguish between support for landmine and for ERW clearance since in practice most clearance operations addressed both threats. The Republic of the Congo, Mali, Morocco and Croatia provided information about existing national mechanisms intended to ensure the clearance of ERW and protection of civilians from their effects. These included the marking and fencing of dangerous areas and risk education.

III. Implementation of the Movement Strategy on Landmines as extended to ERW

In 2003, the Council of Delegates extended the Movement Strategy on Landmines to cover ERW (Resolution 11). In this Strategy, the Movement is encouraged to promote relevant international norms, to reduce the humanitarian impact in areas contaminated by mines and explosive remnants of war, and to ensure that victims have equal and impartial access to proper care and assistance.

The ICRC has played an active role in promoting adherence to and implementation of the Protocol on ERW. ICRC delegations have organized national and regional meetings in Asia, Africa, Europe, the Middle East and Latin America to encourage governments to join this and other CCW Protocols. The ICRC has also prepared and distributed a variety of materials for ICRC delegations and National Societies to use in their promotional work. These include ratification kits, brochures, videos and other documentation. Many National Societies have also worked to promote adherence by their governments to the Protocol, including the National Societies of Belgium, Bulgaria, Colombia, the Republic of the Congo, France, Lithuania, Panama, Poland, Sweden, Trinidad and Tobago and the United Kingdom. Promotion of the CCW and its other Protocols and the inclusion of their rules in dissemination activities has also been carried out by the National Societies of Colombia, Mexico, Slovakia, Trinidad and Tobago, Ukraine and Uruguay.

The Colombian Red Cross has worked with UNICEF and the national Observatory on Anti-personnel Mines to raise awareness of the ERW Protocol and to promote its ratification.

The ICRC and National Societies have undertaken a range of operational activities to reduce the impact of ERW contamination on civilian populations. The ICRC's Preventive Mine Action Operations Framework, adopted in 2005, highlights the fact that the Movement's efforts to reduce the consequences of weapon contamination for civilian populations address a wide variety of weapons, depending on the nature of the local problem. The threats related to ERW are therefore an integral part of any operational response to prevent incidents and minimize other problems in vulnerable communities. A key focus is on the reduction of risk for the civilian population by offering interim solutions such as providing alternative water sources in safe areas; ensuring short-term fuel supplies if people have to enter contaminated areas to gather fuel; construction of safe playgrounds for children; and income-generating activities to reduce forced risk-taking because of economic needs. Other activities include

data collection to facilitate planning and prioritization of clearance and other related activities by mine action organizations and, where necessary, efforts to raise awareness of dangerous areas and promote low-risk behaviour in affected communities. These efforts are described in more detail under Final Goal 2.1, Section III, above.

A number of National Societies reported on operational activities undertaken to implement the Movement Strategy on Landmines and ERW. Eight National Societies have been involved in some aspects of risk education (Bosnia and Herzegovina, Croatia, France, Iraq, the Former Yugoslav Republic of Macedonia, Morocco, Tajikistan and Ukraine), and one has created safe play areas for children to keep them away from hazardous areas (Azerbaijan). In addition, the Colombian Red Cross National Strategy for prevention and victim assistance, adopted in 2005, applies to incidents resulting from both anti-personnel mines and ERW.

*The **French Red Cross** has, together with the armed forces, educated journalists who work in conflict-affected areas about the dangers of mines and explosive remnants of war. Since 2003, 7 sessions have been conducted for a total of 83 journalists.*

A number of National Societies provide substantial funding for ICRC activities aimed at reducing the impact of ERW and assisting victims, as well as for the ICRC Special Fund for the Disabled, the International Federation or National Societies in affected countries. The National Societies of Denmark, Norway and Sweden reported on the support they furnished in this area. The Danish Red Cross supports risk education and the physical rehabilitation activities of the ICRC, the International Federation and partner National Societies, in accordance with the Movement Strategy. The Norwegian Red Cross, together with the Norwegian authorities, has provided funding for Movement mine action activities in affected countries. This support includes in particular significant financial contributions to the annual appeals of the ICRC and the ICRC Special Fund for the Disabled, which have helped ensure long-term implementation of activities to protect and assist victims and affected communities. These activities address threats arising from mines as well as ERW. The Swedish Red Cross gives support to ICRC and International Federation programmes providing care, rehabilitation, reintegration and risk education.

ICRC and National Society activities in the area of victim assistance are described under Final Goal 2.1.

IV. Measures to minimize the risk of explosive ordnance becoming ERW and to reduce the human costs of mines other than anti-personnel mines (anti-vehicle mines)

Under the Protocol on ERW, States are encouraged to take "generic preventive measures aimed at minimizing the occurrence of explosive remnants of war" (Article 9). The Protocol further contains a Technical Annex that suggests best practice in this regard, notably for the management of production, storage and transfer of munitions, and for training in their handling and use.

France reported being actively engaged in efforts to improve the reliability of munitions so as to prevent them from becoming ERW. In 2006, France organized an informal meeting of international experts to develop a best practice questionnaire on preventive technical measures within the design and maintenance process for munitions. The United Kingdom has funded a research project aimed at developing a methodology for assessing the relative risk of different categories of explosive ordnance becoming ERW. Poland provided information about various procedures and measures it applies to ensure the greatest possible reliability and safety of explosive ordnance. These measures relate in particular to the supervision of production and management during storage and use, and comply with the models of conduct set out in Protocol V. Poland takes additional measures with regard to particular types of ordnance to reduce the likelihood that they will pose a risk to the civilian

population. To this end, anti-vehicle mines and cluster bombs include self-destruction or self-neutralization devices. Moreover, all types of landmines are detectable.

Several States, including Austria, Germany, Norway and the United Kingdom, reported on their efforts to address the issue of anti-vehicle mines. Between 2002 and 2006, the Group of Governmental Experts of the CCW examined a variety of proposals to improve the rules governing anti-vehicle mines, such as requiring anti-vehicle mines to be detectable and to have self-destruct or self-deactivation features. However, the 2006 Review Conference of the CCW was not able to agree on a new protocol to regulate anti-vehicle mines. This led 21 States to declare that they would nevertheless implement, as national policy, standards on detectability and limitations on the active life of anti-vehicle mines similar to those proposed by the Group. The 2007 Meeting of CCW States Parties is scheduled to consider the options for further work on this issue.

Germany, Norway, Switzerland and the United Kingdom said they had supported the work on anti-vehicle mines. Germany mentioned a proposal it had made concerning sensitive fuses and sensors for mines other than anti-personnel mines. Germany also stated that it intended to continue its efforts in this area and would support further work to reach consensus on the identification of fuses and sensors which should not be recommended as a method of detonation. Switzerland reported that it had co-sponsored the proposal by the United States and Denmark to prohibit non-detectable anti-vehicle mines and to impose restrictions on the life-span of certain anti-vehicle mines. Austria said it would only use anti-vehicle mines that self-neutralized or could be deactivated, and which complied with the detectability requirement set out in the declaration on anti-vehicle mines made at the 2006 Review Conference.

V. Efforts to address the humanitarian concerns posed by submunitions

Many States highlighted the issue of cluster munitions in their reports, and outlined the efforts they had made in this area in the context of the discussions of the CCW Group of Governmental Experts, and also in the follow-up to the Oslo Declaration agreed by 46 States at a meeting hosted by the government of

A number of States provided information about the measures they took to ensure that the general rules of IHL, including the rules on distinction, proportionality and precautions in attack, were applied. The measures included dissemination among the armed forces during training and military exercises, the integration of these rules in military doctrine, rules of engagement and instructions, the development of robust targeting procedures and the employment of legal advisers in the armed forces.

Norway in February 2007. The Oslo Declaration defined several common goals, including the adoption of a legally binding international instrument that would prohibit "cluster munitions that cause unacceptable harm to civilians" by the end of 2008 and establish a cooperation and assistance framework for the care and rehabilitation of survivors, the clearance of contaminated areas, risk education, and the destruction of prohibited cluster munitions.

Austria, France, Germany, the Holy See, Switzerland and the United Kingdom referred to the part they played in the CCW discussions. The Holy See stated that it had denounced the humanitarian impact of cluster munitions in several diplomatic conferences, including the CCW Review Conference in 2006. Germany had presented a draft structure and elements for a possible future CCW Protocol on cluster munitions. At the 2006 CCW Review Conference, the United Kingdom pressed for a discussion mandate on cluster munitions "to consider further the application and implementation of existing IHL to specific munitions that may cause ERW, with particular focus on cluster munitions, including the factors affecting their reliability and their technical and design characteristics, with a view to minimising the humanitarian impact of the use of these weapons". Switzerland referred to its contribution to

discussions in the CCW on the application of the general IHL rules with regard to the use of munitions that may become ERW, in particular submunitions. Switzerland was among the eight States that had prepared a questionnaire on this issue, to which 37 CCW States responded. On the basis of an analysis of these responses, Switzerland took the position that existing IHL rules were not adequate to protect civilians from these types of munitions and that there was a need for new rules in that area.

Austria, Germany, the Holy See, Iceland, Switzerland and the United Kingdom reported on their participation in the adoption of the Oslo Declaration and its follow-up process. The first follow-up conference took place in Lima, Peru, in May 2007 and was attended by more than 70 countries. Meetings to further work on a legally binding instrument are due to take place in Vienna, Austria (5-7 December 2007), Wellington, New Zealand (February 2008), and Dublin, Ireland (May 2008). Austria reported that it would continue to play a lead role in this process, notably by hosting the conference in December 2007. Switzerland also confirmed its commitment to participating in the process.

A number of States reported on national actions undertaken to regulate the use of cluster munitions:

- *In June 2006, in response to a parliamentary initiative, **Belgium** was the first country to adopt legislation prohibiting indiscriminate cluster munitions. Under the new law, the use, stockpiling, sale, acquisition and transfer of such weapons are also prohibited.*
- *In June 2006, **Norway** established a moratorium on the use of cluster munitions in national stockpiles.*
- *In August 2006, **Germany** implemented its "eight-point position" on cluster munitions. Key provisions include the decision that no new cluster munitions will be procured by the Federal Armed Forces and cessation of the use of two types of cluster munitions with a dangerous dud rate of more than 1 per cent. In addition, the Federal Armed Forces will examine by 2015 whether cluster munitions still held at that time can be replaced by alternative munitions.*
- *In February 2007, **Austria** passed a national moratorium on use of cluster munitions.*
- *On 20 March 2007, the **United Kingdom** announced the unilateral withdrawal of its "dumb cluster munitions". The UK understanding of a dumb cluster munition is "one that has numerous submunitions each of which has an explosive content. Additionally, the submunitions either do not have a target discrimination capability or they do not have a self-destruct, self-neutralization or self-deactivation capability".*
- *In May 2007, **Switzerland's** Federal Council called for a prohibition on the production, stockpiling and transfer of sub-munitions that, due to their inaccuracy and/or unreliability, present a serious hazard from a humanitarian perspective. This was done in the framework of a parliamentary motion. It was also decided that there would be a moratorium on these weapons until a prohibition had been adopted.*

The ICRC has played an active part in the work of the CCW Group of Governmental Experts aimed at addressing the human cost of cluster munitions, and in the process launched by Norway to develop a new international agreement on cluster munitions. At the 2006 CCW Review Conference, the ICRC called upon States to end the use of inaccurate and unreliable cluster munitions and to ensure that stocks of such weapons were destroyed and not transferred. Subsequently, it also called for the development of an international treaty which would prohibit the use, development, production, stockpiling and transfer of inaccurate and unreliable cluster munitions. In April 2007, the ICRC convened an international expert meeting to discuss the humanitarian, military, legal and technical challenges of cluster munitions and possible solutions. The work of this meeting and a summary report on its

proceedings are intended to contribute to national and international efforts to address the cluster munitions problem.⁴

A number of National Societies have worked to raise public awareness of the humanitarian consequences of cluster munition use, and have contributed to parliamentary debates and national policy discussions or developed their own policy positions on the issue. These include the National Societies of Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, the Netherlands, Norway and the United Kingdom.

For example, the Belgian Red Cross participated in the parliamentary debate leading to the adoption in 2006 of the national law prohibiting the use of cluster munitions. In 2007, the Belgian Red Cross (Flanders) has been organizing a campaign to raise awareness in secondary schools and youth organizations and among the public at large of the problems caused by landmines and cluster munitions. The French Red Cross is a member of the National Consultative Commission on Human Rights (CNCDH). In September 2006 this Commission issued an opinion on cluster munitions which called on the French Government to prohibit the use, production, stockpiling and transfer of these weapons as long as related humanitarian concerns had not been resolved. It also asked the government to work for a legally binding international instrument to regulate these weapons. The Netherlands Red Cross published an article on the subject in a major newspaper and had extensive contacts with parliamentarians, as well as exchanges of letters with the Ministers of Defence and Foreign Affairs.

*Leading up to the Norwegian Government initiative on cluster munitions, the **Norwegian Red Cross** organized several national events to raise public and political awareness of the human costs of these weapons and the need for national and international regulation. It also advocated for the national moratorium on cluster munitions, which was introduced in 2006.*

The Norwegian Red Cross, together with the Lebanese Red Cross, organized a meeting on cluster munitions in Tyre, Lebanon, in early 2007 for National Societies interested in working on this issue. The meeting brought together representatives from 13 National Societies.⁵ One of the outcomes of this meeting was the establishment of a reference group of National Societies on cluster munitions, including National Societies that did not participate in the Tyre meeting, such as the Canadian Red Cross. The group has taken various initiatives, including the drafting of joint letters and a Council of Delegates resolution, and the establishment of a Web forum.

⁴ The report on the meeting is available at:
<http://www.icrc.org/web/eng/siteeng0.nsf/html/cluster-munition-montreux-310507>

⁵ Afghan RC, Australian RC, Colombian RC, Danish RC, German RC, Iraqi RC, Lebanese RC, Netherlands RC, Norwegian RC, Palestine RC, Polish RC, RC of Serbia and Swedish RC.

Final Goal 2.3: Reduce the human suffering resulting from the uncontrolled availability and misuse of weapons

Thirty-two States and 43 National Societies reported on their implementation of Final Goal 2.3.

Pledges under Final Goal 2.3 were made by Belgium, Canada, Finland, Germany, Iceland, the Netherlands, New Zealand, Norway, Sweden and Switzerland, and also by the Belgian Red Cross, the Canadian Red Cross, the Finnish Red Cross, the German Red Cross, the Icelandic Red Cross, the Norwegian Red Cross and the Swedish Red Cross.

Background

Actions proposed for States under this Final Goal included:

- making respect for IHL one of the fundamental criteria on which arms transfer decisions are assessed, and incorporating such criteria into national laws or policies and into regional and global norms on arms transfers;
- taking concrete steps to strengthen controls on arms and ammunition, in particular urgently enhancing efforts to prevent the uncontrolled availability and misuse of small arms and light weapons;
- ensuring that armed, police and security forces receive systematic training in IHL and human rights law, in particular concerning the responsible use of weapons;
- striving to reduce the demand for and misuse of weapons by promoting a culture of tolerance and establishing educational programmes or similar initiatives among the civilian population, and increasing awareness of the risks to safety of small arms and light weapons, especially among children;
- strengthening efforts to record and document the impact of armed violence on civilians.

The components of the Movement committed themselves to supporting States in their efforts to ensure that armed, police and security forces receive systematic training in IHL and human rights law, striving to reduce the demand for and misuse of weapons, increasing awareness of the risks to safety caused by small arms and light weapons, and strengthening efforts to record and document the impact of armed violence on civilians. The ICRC committed itself to documenting the impact of armed violence on its operations.

I. Establishment of arms transfer criteria based on IHL

Six States affirmed that their national arms transfer laws or policies included criteria based on IHL. In 2006, Belgium introduced an explicit provision in its law to the effect that the regional authorities responsible for arms transfer decision-making must apply the criteria set out in the EU Code of Conduct, which includes a criterion relating to IHL. Germany, the United Kingdom, Poland and Finland already had criteria based on humanitarian law in place before the 28th International Conference.

Norway stated that it was assessing the possibility of including an IHL criterion in its Export Control regulations.

Austria incorporated an IHL criterion into its new Foreign Trade Act, which entered into force on 1 October 2005. Respect for IHL is now one of the preconditions for issuing an export licence for items on the EU Common Military List.

With respect to humanitarian law criteria, notable regional developments since the 28th International Conference include the *Organization of American States Model Regulations for*

the Control of Brokers of Firearms, their Parts and Components and Ammunition (December 2003), the *Best Practice Guidelines for the Import, Export, Transfer and Transit of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa* (2005), the *Code of Conduct of Central American States on the Transfer of Arms, Ammunition, Explosives and Other Related Materiel* (2005), and the *Economic Community of West African States Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials* (2006). In their reports, Austria and Finland emphasized that they had been supporting the early adoption of the revised EU Code of Conduct on Arms Exports, which would contain a significantly strengthened IHL criterion for arms export decisions. Its adoption would also transform the Code into a Common Position, which would make it binding on Member States. While the content of the Code was agreed in 2005, it has not yet been formally adopted.

At the global level, a significant development during this period was the agreement among States to start discussions on a global arms trade treaty within the framework of the United Nations. A resolution on the development of a global arms trade treaty was adopted by a large majority in the UN General Assembly on 6 December 2006. The resolution calls for the establishment of a group of governmental experts in 2008 to examine the feasibility, scope and parameters of a legally binding instrument establishing international standards for the import, export and transfer of conventional arms. It further requests the UN Secretary-General to seek the views of Member States on this issue and submit a report to the UNGA in 2007. Over 80 States made submissions to the UN Secretary-General in 2007, a large number stressing that criteria for arms transfers based on States' obligations under IHL should be included in an arms trade treaty. Finland, the Holy See, Japan, Norway, Switzerland, Turkey and the United Kingdom stated their support for such a treaty in their reports on the implementation of Final Goal 2.3. The United Kingdom also referred to its Transfer Controls Initiative (TCI), which builds on regional approaches to work towards global transfer criteria for small arms and light weapons.

The ICRC has continued to urge States to include in regional arms transfer documents, and in national laws and policies, the obligation to assess the recipient's degree of respect for humanitarian law and to deny transfers

To facilitate the practical application of arms transfer criteria based on IHL, the ICRC published a practical guide entitled "Arms Transfer Decisions: Applying International Humanitarian Law Criteria" in 2007. The Guide outlines a set of indicators and factors that national authorities should take into account when assessing the risk of transferred arms being used to commit IHL violations.

when there is a clear risk that the arms will be used to commit serious violations of the law. In the period 2003-2007, it contributed to the development of such criteria in some of the regional instruments mentioned above. The ICRC also urged EU Member States to clarify and strengthen the existing humanitarian law criterion during the Code of Conduct review process in 2004-05. It was therefore pleased to note that an amendment to this effect was one of the main improvements in the revised EU Code. The ICRC has in various forums encouraged EU Member States to ensure the adoption of the Code at the earliest opportunity, and has also contributed to the development of best practice guidelines for the interpretation of the IHL criterion in the Code by the EU Council Working Party on Conventional Arms Exports.

In addition, the ICRC has expressed its support for a global treaty that would regulate international arms transfers, stressing that any new instrument developed should include a requirement not to authorize the transfer of arms that are likely to be used to commit violations of IHL. The ICRC drew up a position paper on this issue as States were preparing their submissions for the UN Secretary-General in 2007.

Several National Societies have played an active role in efforts to promote IHL criteria. The National Societies of Iceland, Norway and Sweden have been implementing their pledge to examine national arms transfer laws and regulations and consider the possible introduction of IHL criteria. The Belgian Red Cross (Flanders and the Francophone Community) has worked to ensure that IHL is taken into account in arms export decision-making at the regional level. The Swedish Red Cross succeeded in having references to IHL included in a proposal presented in 2005 on a possible reform of the Swedish regulatory framework for trade in defence equipment. In the context of the German EU Presidency, the German Red Cross encouraged the German government to work for the timely adoption of the revised EU Code of Conduct. Some National Societies, including those of Denmark, the Netherlands and Norway, have also provided national authorities with input regarding the development of an arms trade treaty.

II. Strengthening of controls on arms and ammunition, including small arms and light weapons

A number of States emphasized their support for implementation of the UN Programme of Action on Small Arms and Light Weapons and their participation in the 2006 Review Conference. Five years after the adoption of the Programme of Action, this Conference provided the first opportunity for States to assess progress made and agree on further steps. Unfortunately, no agreement was reached on a final document. Although no additional measures were agreed, all States participating in the Review Conference reaffirmed their commitment to fully implementing the existing Programme of Action.

As part of the follow-up to the Programme of Action, some progress has been made in relation to specific areas of small arms control. In June 2004, an international instrument was agreed to enable States to identify and trace illicit small arms more reliably. A Group of Governmental Experts on illicit brokering in small arms concluded its work in June 2007 with the adoption of a report suggesting elements for national legislation and further steps to enhance international cooperation in the effort to prevent illicit arms brokering. Several States reported on the measures they had taken as part of the follow-up to the Programme of Action. Japan and Switzerland said they were taking active measures to implement the international marking and tracing instrument. Norway reported that it had worked closely with the Netherlands to encourage enhanced international efforts to combat illicit arms brokering, notably by promoting the establishment of the Group of Governmental Experts. The Group was chaired by the Netherlands. Germany focused particular attention on stockpile management and organized an international expert meeting on this subject in 2007. In 2006, France and Germany tabled a UN General Assembly resolution on the accumulation of surplus stockpiles of conventional ammunition requesting the Secretary-General to establish an expert group in 2008 to examine this issue.

Japan is in the process of strengthening domestic measures to implement the international instrument on marking and tracing of small arms. These measures include ensuring systematic marking and record-keeping of all small arms and light weapons.

In terms of global efforts outside the framework of the Programme of Action, the United Kingdom reported having successfully promoted optional reporting on small arms and light weapons transfers in the UN Register of Conventional Arms. Norway and Poland affirmed that they had ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms to the UN Convention against Transnational Organized Crime.

Several new regional instruments on small arms control have been adopted since December 2003, as already mentioned above. A number of States, including the Republic of the Congo,

Cyprus, Mali, Poland, Turkey and the United Kingdom, reported being signatories to and working to implement various existing or new regional small arms control agreements.

A number of States also reported on existing national legislation regulating arms and ammunition, relating to exports and other arms transfers and to controls on firearms possession and use. A few, including Bulgaria, Cyprus, the Czech Republic, Iceland, Norway, Poland and Turkey, reported that measures to review their national legislation in one or more of these areas were ongoing or had been completed. States also provided information on other steps they had taken to improve national controls on arms and ammunition, including the strengthening of border controls, capacity-building of law enforcement agencies, and weapons collection and destruction programmes to decrease the number of weapons in circulation. A number of States have also provided assistance to other States in this regard, including support for implementation of regional and national norms, post-conflict disarmament programmes, public awareness-raising and national capacity-building. These include Finland, France, Germany, Japan, Norway, Switzerland and the United Kingdom.

At the global level, the ICRC has participated in the UN process on small arms, presenting the Movement's recommendations and submitting reports on ICRC and National Society activities in this area. At the 2006 Review Conference on the UN Programme of Action, the ICRC proposed that the commitments relating to small arms made in the Agenda for Humanitarian Action be acknowledged in the documents expected to be adopted by the 2006 Review Conference.

In March 2006 the ICRC, with the Norwegian Red Cross and the Canadian Red Cross, organized a National Society workshop in Geneva on arms availability and small arms violence. Representatives of 19 National Societies attended to discuss how to prevent small arms violence, advance national policies on arms availability and transfers, and promote the Movement's objectives for the Review Conference at the national level. Several National Societies promoted the Movement's priorities for the Review Conference with the national authorities, media and the general public.

In 2004 and 2005 the ICRC presented its views to the Open-Ended Working Group set up to negotiate a new instrument to enable States to identify and trace illicit small arms and light weapons in a timely and reliable manner. It has also urged States to take further steps to prevent illicit arms brokering by adopting an international agreement to regulate the activities of brokers, including during the broad-based consultations on arms brokering held by the UN Department for Disarmament Affairs in 2004.

A number of National Societies have promoted stricter national controls in this area. The German Red Cross participates in regular meetings with the government on small arms and has raised the issue within the National IHL Commission. In addition, it has published articles in the press, and in 2006 brought out a new publication on small arms. The Belgian Red Cross has also engaged in regular dialogue with relevant government ministries and parliamentarians, concerning both domestic arms transfer controls and the UN process on small arms. The Bulgarian Red Cross organized a national seminar on small arms proliferation and control in 2004 with participants from the government, academic circles, non-governmental organizations and the media. Some National Societies, including those of Belgium (Francophone community), Poland and Sweden, also participate in national civil society networks promoting stricter controls on small arms.

III. Training in IHL and human rights for armed, police and security forces

Eleven States reported that they carried out dissemination activities and provided training in IHL for their armed forces. Two of these—Mexico and Venezuela—said that they also trained

the armed forces in human rights law. Many provide regular basic training in IHL to all members of the armed forces and also various types of specialized training, for officers or as part of preparations for military operations. Belgium mentioned incorporating the application of IHL into military exercises. The Republic of the Congo said it had created a permanent technical commission in 2007 which would provide the basis for systematic IHL and human rights training for the public security forces. Côte d'Ivoire reported on an annual IHL seminar for its armed and security forces, organized by the ICRC. Several States also reported requiring rigorous training for police in the use of force and firearms in accordance with relevant provisions of human rights law. These included the Czech Republic, Cyprus, Greece, Iceland, Norway, the United Kingdom and Venezuela. The Czech Republic and Venezuela said that they also disseminated IHL among the police forces. Some States, including Belgium and Norway, referred to support they had provided to other States in capacity-building for armed, police and security forces, including in IHL and human rights law.

The ICRC has continued to urge arms carriers to incorporate IHL and basic human rights law into relevant doctrine, teaching programmes and training courses, and to set up effective sanction systems. ICRC delegates engage with the entire range of arms carriers present in conflict zones, including military forces, police, paramilitary units, rebel movements, peacekeeping forces and mercenaries. In 2006, for example, 21 specialized ICRC delegates took part in more than 300 courses, workshops, round tables and exercises involving some 18,000 military, security and police personnel in more than 100 countries.

Twenty-one National Societies reported that they had supported the dissemination of IHL among the armed forces, while 12 Societies engaged in similar activities for the police. Some National Societies, including those of Ecuador, Greece, Iceland, Lithuania and Portugal, had been involved in training members of the armed forces who were to take part in peace-keeping missions. The Swedish Red Cross had participated in military exercises. Other activities of National Societies included preparation of manuals and other teaching materials for arms bearers and participation in seminars and courses.

IV. Reducing the demand for and misuse of weapons, including through educational programmes and awareness-raising

A number of States have educational programmes in place aimed at promoting tolerance, peace, respect and other values among schoolchildren. The Republic of the Congo and Cyprus reported on existing initiatives in this area. Mali has a National Commission for the promotion of a culture of peace. San Marino has organized courses in colleges to raise awareness among students about the impact of weapons, in particular on civilians in armed conflict. Some States provide assistance for such initiatives in other States, often in the context of conflict prevention and peace-building. For example, the United Kingdom supports such activities as part of the Small Arms and Light Weapons Strategy of its Global Conflict Prevention Pool. The objectives of this strategy include strengthening the capacity to control the availability of and demand for small arms, and supporting the inclusion of small arms control and armed violence reduction in development and conflict prevention programmes.

The United Kingdom has also worked successfully within the OECD's Development Assistance Committee to ensure that assistance for small arms control and armed violence reduction can be classified as Official Development Assistance. Switzerland and Turkey also mentioned their support for efforts to address the relationship between development, unregulated arms availability and armed violence. Switzerland organized a Ministerial Summit on Armed Violence and Development, which brought together 42 States and 17 international and non-governmental organizations. The meeting resulted in the adoption of the Geneva Declaration on Armed Violence and Development in 2006, which contains a range of commitments with the overarching aim of achieving measurable reductions in armed violence by 2015.

The ICRC and National Societies have undertaken a range of educational activities and programmes to promote understanding of humanitarian principles and IHL, and also the fundamental principles of the Movement. The issue of unregulated arms availability and its impact on civilians is sometimes included in such dissemination activities. Fourteen National Societies said they engaged in dissemination, either for the general public or with special groups such as teachers, the media, lawyers, civil servants and non-governmental organizations. The National Societies of Australia, Belgium, Bulgaria, Germany and Sweden specified that they had included the subjects of arms availability and small arms in such dissemination activities. National Societies are also engaged in various other educational activities for children and young people, often through schools or universities. Fifteen National Societies reported on such activities.

*The **Swedish Red Cross** has developed, in cooperation with the Swedish Defence College and the Swedish Fellowship of Reconciliation, comprehensive teaching materials on the human cost of unregulated small arms proliferation and possible solutions to address this problem. The material is disseminated in high schools and other places by trained trainers.*

In 2007 the ICRC is finalizing a new module on weapons for the educational programme "Exploring Humanitarian Law" (EHL). The module includes a section on the impact on civilians of unregulated arms availability. It will be added to the existing EHL programme, which around 70 countries are working to implement among young people 13-18 years of age. Many National Societies promote and support implementation of the EHL programme in school curricula, in cooperation with national educational authorities. The National Societies of Canada, the Dominican Republic, Ecuador and the United Kingdom provided information about their efforts in this regard.

A number of National Societies run programmes directly aimed at preventing violence, often with a specific focus on young people at risk. In Chad, the Red Cross youth section has established clubs in schools to promote a culture of peace and dissemination of the Fundamental Principles of the Movement. The Bulgarian Red Cross has incorporated small arms

*The **Honduran Red Cross** is running a programme entitled "Increasing Opportunities for Youth". The programme focuses on communities affected by high levels of armed violence, seeking to reduce the number of youths participating in gang activities and to increase the level of trust and cooperation in the community.*

issues in its national and regional campaigns against violence. A first-aid programme run by the British Red Cross which provides young people with the skills to respond to knife injuries includes discussions about preventive conflict resolution techniques and the dangers of carrying and using knives and other weapons. The Norwegian Red Cross has for several years run a nationwide project entitled "Stop the Violence", which aims to reduce violence by promoting a culture of peace and seeking local solutions to address the problem at community level. The Red Cross Society of Panama has worked with "school brigades" to spread knowledge of the Fundamental Principles of the Movement and humanitarian values and to promote participation in humanitarian and community activities, with the purpose of reducing the risk of getting involved in violent crime and youth gangs. With the support of the ICRC, the Red Cross Society of Panama has also engaged in dialogue with the authorities about the risks posed by ammunition from shooting ranges which are used for military exercises, and the need to ensure that such ammunition is cleared. It has raised awareness of the danger among the population living close to such areas, including in schools.

V. Documentation of the impact of armed violence

A few States provided information about research or data collection activities relating to arms availability and armed violence that they are conducting or supporting. The Czech Republic said it had a national data collection system in place for firearms-related deaths and injuries. The United Kingdom reported on its support for Security Council Resolution 1612 of 2005, which established a monitoring and reporting mechanism to record the impact of armed conflict on children, and also on its funding of the Human Security Report, which documents the global incidence and impact of violence. Germany highlighted its support for research into the role of the availability of ammunition in fuelling conflicts, in particular in Sub-Saharan Africa. Norway said that it was providing funding to research institutes, non-governmental organizations, the United Nations and humanitarian organizations for documentation of the effects of armed violence on civilians.

Some National Societies, including the National Societies of the Dominican Republic and Ecuador, reported monitoring violence at the national level and maintaining contact with the ICRC in this regard. The Bulgarian Red Cross reported having carried out or facilitated surveys to assess the public's attitudes to IHL and violence against civilians. The British Red Cross, convener of the United Kingdom NGO-Military Contact Group, said it had played a key role in the Group's commissioning of a piece of research into perceptions of security among civilians, relief/development agencies and military actors in conflict-affected environments. This Group brings together members of the British armed forces, government ministries and relief/development NGOs.

Final Goal 2.4: Protect humanity from poisoning and the deliberate spread of disease

Twenty-seven States and 19 National Societies reported on their implementation of Final Goal 2.4.

Pledges under Final Goal 2.4 were made by Mauritius, the Republic of Korea and Switzerland.

Background

Actions proposed for States under this Final Goal included:

- continuing their efforts under the Biological Weapons Convention Programme of Work to reduce the threat posed by biological weapons;
- working with the ICRC to develop a ministerial-level declaration that would support efforts in the framework of the 1972 Biological Weapons Convention;
- considering becoming party to the 1925 Geneva Protocol, the 1972 Biological Weapons Convention and the 1993 Chemical Weapons Convention before the International Red Cross and Red Crescent Conference in 2007; and adopting national legislation to investigate and prosecute acts prohibited by these Conventions;
- integrating relevant ethical and legal norms into medical and scientific education, as well as professional and industrial codes of conduct at national and international levels;
- pursuing efforts to establish comprehensive surveillance and assistance mechanisms at the national and international levels to detect, analyse and respond to unusual outbreaks of disease;

- monitoring closely advances in the field of the life sciences, taking practical action to control biological agents that could be put to hostile use and improving international cooperation.

Components of the Movement committed themselves to promoting the concerns expressed in the ICRC Appeal on Biotechnology, Weapons and Humanity.

I. Support for the Biological Weapons Convention and its Programme of Work

At the 2006 Review Conference of the Biological Weapons Convention (BWC), States Parties reaffirmed their commitment to the aims of the treaty. The Conference also agreed on a series of multidisciplinary expert meetings to be held between 2007 and 2010 with a view to building coherent preventive measures. These meetings will address a wide variety of issues relating to the Convention and will require multidisciplinary expertise. The subjects that will be addressed in the meetings include national implementation of the Convention, measures to improve biosafety and biosecurity, adoption of scientific codes of conduct and international cooperation and assistance.

Nine States reported on their support for the BWC and on their active participation in the expert meetings, the Meetings of States Parties organized under its Programme of Work and the 2006 Review Conference. Croatia, Norway and Turkey confirmed that they had submitted their annual report of Confidence-Building Measures under the BWC. The United Kingdom reported that it had chaired the expert meetings under the BWC work programme in 2005 and, as part of its national preparations, had held a number of seminars on codes of conduct with interested parties from academic circles and industry. Switzerland expressed its satisfaction with the results of the BWC Review Conference, in particular the recommendation that a unit be set up to support the implementation of the Convention and the establishment of a universalization plan and an intersessional work programme. Mexico stated that it supported a compliance-monitoring regime for the Biological Weapons Convention.

In the Agenda for Humanitarian Action, States were invited to work with the ICRC to develop a ministerial-level declaration that would support efforts in the framework of the BWC and the Chemical Weapons Convention (CWC) to prevent the hostile use of life sciences and biotechnology. The ICRC hosted consultations with States to that end in early 2004. However, despite the significant level of support expressed, some States felt the timing of such a declaration was not right and several opposed any political declaration in this field outside the BWC framework. At present the ICRC is not actively pursuing a ministerial declaration.

II. Adherence to and implementation of relevant treaties⁶

Much progress has been made in the last four years towards universalization of the BWC and the CWC. During this period, four States became party to the BWC and 25 to the CWC. In addition, Croatia ratified the 1925 Geneva Protocol. Four additional States said they were planning to

*In the lead-up to the Meeting of Experts of the 1972 Biological Weapons Convention in June 2005, **France** and **Switzerland** hosted an event to commemorate the 80th anniversary of the 1925 Geneva Protocol prohibiting the use of poisonous gases. **ICRC** Vice-President Jacques Forster made a speech at this event and the **ICRC** published an editorial entitled "Science and prohibited weapons" in the prominent journal Science Magazine to highlight the anniversary.*

⁶ For further details on accessions to and ratifications of the main IHL treaties, see Annex A of the report *Implementation of the Declaration in the Field of International Humanitarian Law*.

ratify or were in the process of ratifying one of these three Conventions. In 2006 the European Union (EU) adopted a Joint Action in support of the BWC, which provides for the organization of regional workshops in order to promote adherence by those States still remaining outside the Convention. Austria, Germany and the United Kingdom expressed their support for the EU's efforts in this area. Japan highlighted its efforts to promote adherence to these treaties in its bilateral relations with non-States Parties, as well as its support for regional meetings organized by the Organisation for the Prohibition of Chemical Weapons to promote the CWC.

Among the 27 States reporting, nine stated that they already had criminal legislation in place to punish violations of the prohibitions on biological and chemical weapons. Three additional States reported that national legislation to implement either of these Conventions was in preparation or had been adopted since 2003. Two further States affirmed that they were currently strengthening their legislation in this area.

Together with the arms control organization VERTIC, the ICRC has prepared a draft model law, which is intended to help States implement their obligations under the Biological Weapons Convention and subsequent review conferences.

Several States have provided support to third countries for implementation of their obligations under these Conventions and for the establishment of measures to prevent and respond to deliberate use of biological and chemical agents. These measures include assistance in improving export controls and strengthening the public health response system, and for the destruction of chemical weapons stockpiles. Switzerland pledged at the 28th International Conference to "devote Sfr 17 million over the next five years to the destruction of chemical weapons arsenals, mainly in eastern and south-eastern Europe". This assistance has focused on the destruction of stocks in the Russian Federation and the inspection of stockpiles in Albania.

Several States also reported on their participation in existing export control regimes as a means of ensuring effective control over biological and chemical agents.

III. The integration of ethical and legal norms into medical and scientific education, including the development of scientific codes of conduct

Important advances have taken place in the last four years in terms of involving the medical and scientific community in efforts to prevent the misuse of research for hostile purposes, and making them aware of their responsibilities in this regard. Bulgaria, Finland, France, Germany, Norway and the United Kingdom have undertaken outreach activities aimed at the scientific community. Dialogue with relevant industry was reported by Croatia, Finland, Germany and the United Kingdom. In the case of Bulgaria and the United Kingdom, this effort has included the development of codes of conduct for scientists. An ethics code for Bulgarian scientists has been drawn up and endorsed by the Bulgarian Academy of Sciences and the Ministry of Health. In the United

In Finland, a wide range of awareness-raising efforts have been undertaken, including discussions on the issue with the National Advisory Board on Research Ethics, the Scientific Advisory Board for Defence, the Ministry of Education, the Academy of Finland, the Finnish Funding Agency for Technology and Innovation and the Association of Finnish Biotechnology Industry. Seminars have also been conducted for university students and for bioscientists from the academic world and governmental research agencies.

Kingdom, work has been initiated on a code entitled "Rigour, Respect and Responsibility – An Ethical Code for Scientists". This work has been piloted in several departments and agencies by government scientists, and plans are now being developed for further rollout

across government and to those involved in science education in schools and universities, students and scientists working in industry and research.

In October 2004, the German Foreign Office invited representatives of professional medical/bio-technology associations, industry, major research associations and ministries to raise awareness of codes of conduct and promote self-monitoring of scientific publications. In Norway, ethical questions have been included in national educational curricula and training programmes. France has raised awareness of the relevant international norms with governmental scientists.

The 2005 BWC Meeting of Experts met to discuss and promote common understanding and effective action on codes of conduct for scientists. It brought together 82 States Parties, three Signatory States, an Observer State, eight international organizations and 16 non-governmental organizations. Twenty-three bodies from scientific, professional, academic and industrial circles took part in informal exchanges in the open sessions. There was general agreement among the experts that codes of conduct should uphold the central tenets of the BWC, and should strike a balance between the need to maintain scientific freedom and the need to prevent the deliberate or inadvertent misuse of science for purposes contrary to the BWC. The 2006 Review Conference of the BWC acknowledged the value of bringing scientific institutions into this arena. The subject will also form part of the 2007-2010 Work Programme under the Convention.

The ICRC has continued to promote awareness of the risk that advances in the life sciences may be put to hostile use. As a central part of its strategy to promote the objectives of the Appeal on Biotechnology, Weapons and Humanity, the ICRC has approached scientific and health-care communities, as well as industry, to outline their responsibility to contribute to an effective "web of prevention". To this end two round tables were organized, one in Moscow in June 2005 and the other in Kuala Lumpur in September 2005. These events brought together representatives from the scientific and medical communities, industry and civil society to discuss how potentially dangerous biological knowledge and agents could be effectively controlled.

In 2005 the ICRC published a document on "principles of practice" entitled *Preventing Hostile Use of the Life Sciences: From Ethics and Law to Best Practice*, which sets out some key principles and action points with the aim of encouraging the life sciences community to incorporate pertinent ethics and laws into their best practice. The document was developed through a consultative process with experts in science and policy matters. It was presented to the BWC Meeting of Experts in June 2005.

National Societies have also engaged in outreach activities to raise awareness of the concerns raised in the ICRC Appeal, focusing on scientists, policy-makers and the general public. The Malaysian Red Crescent has conducted a seminar on the subject. The Norwegian Red Cross published opinion pieces in two major Norwegian newspapers outlining the ICRC appeal. This prompted an invitation from the Research Council of Norway to participate in its working seminars on biotechnology, which involved most of the Norwegian biotechnology research community. Awareness-raising activities were also reported by the National Societies of the Czech Republic, Poland, Qatar and Sweden. Several other National Societies, including those of Croatia, Denmark, Germany and Iceland, have engaged in dialogue with the authorities on this issue.

*The **British Red Cross** hosted a national round table with the **ICRC** in London in May 2004. Participants included members of the life sciences community and the government. The **British Red Cross** produced a report on the meeting and engaged in follow-up discussions with the government on this subject.*

IV. Strengthening of surveillance, early warning and response mechanisms

Six States reported establishing or strengthening their early warning and/or response systems to outbreaks of disease, including outbreaks resulting from the deliberate use of biological and chemical agents. An additional three States provided information about their efforts to strengthen general public health response systems. Cyprus and Turkey reported that they contributed to existing regional surveillance systems. Bulgaria provides training courses on the detection of infectious diseases such as tularemia, cholera and anthrax for microbiologists and virologists working in national laboratories.

Austria is planning the construction of high-containment laboratories to facilitate appropriate and rapid response in the event of exposure to biological agents. Finland and Germany stated that they had provided the United Nations with updated lists of experts and diagnostic laboratories able to assist in investigation of alleged use of chemical and biological weapons. Austria has also contributed 600,000 euros to an international project to establish and manage a common database of biological agents. This project is aimed at improving European capability to verify the use of biological agents in the context of the BWC.

V. Monitoring advances in life sciences and strengthening control over biological agents

A number of States have taken measures to strengthen regulation of research programmes, facilities and biological materials that may lend themselves to misuse. In Bulgaria, all research projects in the field of life sciences are closely considered to prevent bioterrorism. The Bulgarian Ministry of Health has also developed, in cooperation with the country's Medical Scientific Societies, national standards with which all laboratories working with dangerous pathogens have to comply. Japan reported having a number of laboratory safety manuals and guidelines for medical research in place. A licence or registration may be required by the authorities for handling dangerous pathogens or working with biological materials. Germany and Mexico reported having such procedures in place. Belgium has taken measures to improve national control over the transfer of biological agents. The United Kingdom reported being among the 12 countries that submitted papers on scientific and technical developments relevant to the Convention at the Review Conference of the BWC in 2006.

Final Goal 2.5: Ensure the legality of new weapons under international law

Seventeen States and six National Societies reported on their implementation of Final Goal 2.5.

Pledges were made under Final Goal 2.5 by Canada and the Canadian Red Cross.

Background

Actions proposed for States under this Final Goal included:

- establishing review procedures to determine the legality of new weapons, means and methods of warfare, involving a multidisciplinary approach including military, legal, environmental and health-related considerations;
- reviewing with particular scrutiny all new weapons, means and methods of warfare that cause health effects with which medical personnel are unfamiliar.

The ICRC committed itself to facilitating the voluntary exchange of experience on review procedures and to organizing, in cooperation with government experts, a training workshop for States that do not yet have review procedures.

I. The establishment of rigorous and multidisciplinary review mechanisms

Under Article 36 of Protocol I additional to the Geneva Conventions, States Parties are required to determine whether the employment of any new weapons, means or method of warfare that they study, develop, acquire or adopt would be prohibited by international law in some or all circumstances. Furthermore, all States have an interest in assessing the legality of new weapons, whether or not they are party to Additional Protocol I.

Among the 17 States reporting, seven (Austria, Belgium, France, Germany, Mexico, Norway, the United Kingdom) stated that they had some type of procedure in place to review new weapons, though not all were necessarily formal mechanisms. Belgium, France, Mexico and the United Kingdom indicated that they drew on multidisciplinary expertise in this process. Five States reported not having Article 36 review mechanisms in place. Among these, Finland and Poland specified that the legality of new weapons was examined on an informal or ad hoc basis when considered necessary. Finland and Iceland said they could draw on the expertise of other countries in this regard, notably by acquiring weapons from States with formal review procedures in place. Switzerland reported being in the process of developing a formal review mechanism, and the Czech Republic said a new regulation was planned to meet this requirement.

II. Exchange of experience on review mechanisms

In 2006, the ICRC published a *Guide to the Legal Review of New Weapons, Means and Methods of Warfare* to promote the development of weapons review mechanisms and assist States in establishing such procedures. The 28th Conference emphasized that review procedures "should involve a multidisciplinary approach, including military, legal, environmental and health-related considerations" and encouraged States "to review with particular scrutiny all new weapons, means and methods of warfare that cause health effects with which medical personnel are unfamiliar". This aspect is reflected in the Guide, which highlights that in addition to the Ministry of Defence and the Armed Forces, a weapons review may need to involve experts from the departments of foreign affairs, health and the environment.

In February 2005, the Canadian Red Cross and the Canadian government organized a workshop at which a draft of this Guide was first presented. This workshop brought together government experts from seven countries. On the basis of comments made at the workshop, and in consultation with a number of other government and National Society experts, the ICRC published the final version of the Guide and hosted an expert seminar in Switzerland in June 2006 on the subject. Forty experts from 21 governments in Europe and North America took part in this meeting, together with experts from the National Societies of Germany and the

*The **Canadian Red Cross** made a pledge with the **Government of Canada** with a view to enhancing Canada's current review procedures under Article 36 of Additional Protocol I. In furtherance of this pledge, the Canadian Red Cross, and the Departments of Foreign Affairs and National Defence organized a workshop on 9-10 February 2005 in Ottawa. Some 20 experts from seven countries (**Australia, Canada, Norway, Sweden, Switzerland, the United Kingdom and the United States**) and the **Canadian Red Cross** participated in this meeting. The discussions focused on existing national review procedures with the purpose of identifying common features, challenges, lessons learned and best practice. The ICRC also presented a draft of its *Guide to legal reviews*.*

Netherlands. The aim was to raise awareness of the obligation to review the legality of new weapons, to exchange experiences on existing review procedures, to encourage the establishment of such mechanisms in States where they do not yet exist, and to promote a multidisciplinary approach to weapon reviews.

Austria and the United Kingdom said they were cooperating and exchanging information with others on the subject of new weapons and weapon reviews. Austria, Cyprus and the United Kingdom highlighted their participation in seminars and workshops devoted to this topic. Finally, five States reported contributing to the development of the ICRC Guide and/or participating in the ICRC expert seminar in June 2006. Among the six National Societies reporting, the Canadian Red Cross and the Netherlands Red Cross stated that they had engaged in dialogue with the authorities regarding implementation of Article 36.