

**30th INTERNATIONAL CONFERENCE
OF THE RED CROSS AND RED CRESCENT**

COMMISSION B

Wednesday 28 November 2007, 9.30-13.00

**REAFFIRMATION AND IMPLEMENTATION OF
INTERNATIONAL HUMANITARIAN LAW**

Preserving Human Life and Dignity in Armed Conflict

Rationale:

Commission B offers the Conference members the opportunity to renew their unequivocal commitment to respect and ensure respect for international humanitarian law (IHL) as well as to reaffirm the continued applicability and relevance of IHL for preserving human life and dignity in situations of armed conflicts. In this respect, it is hoped that the Conference members express ideas, proposals, positions, and commitments with a view to reinforcing the pertinence of the basic tenets of IHL. This should be done notably in light of the *motto* of the Conference "Together for Humanity", which draws particular attention to humanitarian partnerships. Therefore, Commission B may also be the forum in which Conference members identify ways in which such partnerships can contribute to the reaffirmation and implementation of IHL.

In this regard, and without prejudice to the work carried out in the Drafting Committee, the debates in Commission B should be inspired by the following guiding questions based on the structure of the Draft resolution on IHL:

Guiding Questions:

- "Respect and ensure respect"

What measures can be undertaken by Conference members with a view to ensuring respect for IHL by the parties to an armed conflict? A special focus could be placed on possible actions that States and other actors not involved in the armed conflict may take in this regard.

- Fundamental guarantees

What kind of measures could be adopted to reinforce the fundamental guarantees and improve their implementation?

- Humanitarian and medical assistance

What can be done to facilitate rapid and unimpeded access of humanitarian relief and relief workers to populations in need?

What can be done in order to ensure respect and protection for humanitarian relief personnel as well as for medical personnel, establishments and means of transport?

What measures can be taken in order to enhance the protective value of the distinctive emblems recognized by the Geneva Conventions and their Additional Protocols?

- Conduct of hostilities

It is sometimes claimed that the principle of distinction is under threat (notably in the context of asymmetric warfare). What can be done to uphold and reinforce this cardinal principle of IHL and the rules of IHL derived from it (e.g. the prohibition of attacks against individual civilians, the civilian population as such and civilian objects, the prohibition of indiscriminate attacks and the prohibition of human shields)?

In light of the specific issues related to weapons addressed in the Draft resolution (namely cluster munitions, weapons review and availability of arms and ammunition), what specific measures can be undertaken by Conference members?

- Achieving effective implementation

- National implementation

What are the ways in which States, components of the Red Cross and Red Crescent Movement and other stakeholders (e.g. international and regional organisations, non-government organisations) can cooperate in encouraging States to become party to IHL treaties and to enhance national measures of implementation?

How can national inter-ministerial committee on the implementation of IHL, as they exist today in 85 countries, contribute to this endeavour?

- Doctrine, training and education

What are appropriate actions to achieve respect for IHL by armed forces and other arms carriers? How can dissemination and training be made more effective? Are there best practices for the integration of IHL into the training of national armed forces? What steps can States, National Societies and other stakeholders take to help develop IHL programmes in schools, universities and for other audiences?

- Ending impunity

What further measures can be undertaken in order to achieve the goal of ending impunity? Are there possible constraints?

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When addressing the above-mentioned issues, Conference members are invited to take into account the overall theme of the International Conference "Together for Humanity" and to consider questions such as the following:"

- ✓ What types of collaborative actions and partnerships between States, components of the Red Cross and Red Crescent Movement and other stakeholders (e.g. international and regional organisations, non-government organisations, media, civil society) could be developed to achieve a better respect for, implementation and enforcement of IHL at the national and international level?
- ✓ How can synergies and cooperation between governmental authorities at the national level be further developed in order to ensure better implementation and integration of IHL in domestic law and practice?
- ✓ National Societies of the Red Cross and Red Crescent enjoy a special responsibility as auxiliaries to the public authorities of their respective States in the humanitarian field, to cooperate with and assist their governments in the dissemination and implementation of international humanitarian law. What are the different ways in which States and National Societies can cooperate in order to achieve better implementation of IHL?