## **ADVISORY SERVICE**



ON INTERNATIONAL HUMANITARIAN LAW

# Practical advice to facilitate the work of National Committees on international humanitarian law

#### **Contents**

#### **Introductory remarks**

## 1. Composition

- 1.1. Making sure that all the ministries concerned are represented on the Committee
- 1.2. Striking the right balance between level in the hierarchy, availability and competence of Committee members representing ministries
- 1.3. Assigning responsibilities according to issues addressed and ensuring flexibility in participation
- 1.4. Striking a balance between being open to civil society and the need for confidentiality

#### 2. Human and financial resources

- 2.1. Having the necessary knowledge and information
- 2.2. Ensuring that the Committee has its own budget and resources

#### 3. Working methods

- 3.1. Identifying measures to be taken on the national level: the compatibility study
- 3.2. Setting priorities and objectives: the plan of action
- 3.3. Adopting a thematic approach: the work sheet
- 3.4. Keeping a record of work done: the annual report
- 3.5. Periodic evaluation of the Committee's work

#### 4. Communication

- 4.1. Presenting the Committee and its activities by means of effective communication methods and tools
- 4.2. Ensuring the availability of a network of contacts

#### 5. Relations with national authorities

- 5.1. Maintaining close working relations within the executive
- 5.2. Developing links with the legislative authorities
- 5.3. Cooperating with the judiciary in the implementation of international humanitarian law

#### 6. International cooperation

- 6.1. Strengthening direct relations between Committees
- 6.2. Maintaining relations with international organizations and other bodies and taking part in exchanges of information on implementation of international humanitarian law

#### For further information

## **Introductory remarks**

National Committees on international humanitarian law are bodies offering advisory services to the authorities. Their purpose is to promote and facilitate the implementation of this body of law on the national level. Their activities should cover all instruments relevant to international humanitarian law.

Following the Meeting of Experts on Committees or other national bodies for international humanitarian law held in Geneva from 23 to 25 October 1996 by the Advisory Service on International Humanitarian Law of the International Committee of the Red Cross (ICRC), the Advisory Service drew up a document entitled *Guiding principles concerning the status and methods of operation of national bodies for the implementation of international humanitarian law* (hereinafter «Guiding Principles»). The aim of the Guiding Principles was to provide support for States wishing to establish such a body and to harmonize the methods of operation of existing bodies.

The objective of the present document, which supplements the Guiding Principles, is to facilitate and harmonize the work of the National Committees and the relations between them. The advice offered is based on examples of Committees' best practice and on discussions within the Advisory Service following the first worldwide meeting of representatives of National Committees on international humanitarian law held in Geneva in March 2002. Models for use by the Committees are also provided (in boxes in the text). The Practical Advice covers the organization, working methods and means of communication of bodies for implementation of international humanitarian law, and also considers the relations they have to establish on both the national and the international level.

#### 1. Composition

The success of any collective human endeavour, such as a National Committee on implementation of international humanitarian law, depends on the elements of which it is composed. Having the right people in the right positions is crucial. Similarly, the competence and motivation of the participants, the time they are prepared to devote to the Committee and the flexibility of the Committee's organization are all factors that can have a decisive influence on the success of its work.

1.1. Making sure that all the ministries concerned are represented on the Committee

All the ministries concerned with the implementation of international humanitarian law must be represented on the Committee, beginning with the Ministries of Foreign Affairs, Justice and Defence. The latter is a special case: both the civilian administration and the military staff should be involved in the work of the Committee. The Ministries of the Interior, Culture, Health and Education must also be represented, together with the National Red Cross or Red Crescent Society. The Committee itself should be attached to the ministry that is most active in the implementation of international humanitarian law, or to the National Society if that is the body most closely involved in such activities.

Another important point: to ensure the continuity of the Committee's work it is the ministries themselves that should be members of the Committee rather than any one individual designated to represent a ministry.

1.2. Striking the right balance between level in the hierarchy, availability and competence of Committee members representing ministries

With regard to Committee members who are representatives of ministries, a proper balance must be found between three requirements which are sometimes difficult to reconcile. First of all, ministerial representatives must be of a sufficiently senior level to be able to take decisions on behalf of the authority they represent, thus increasing the chances of the Committee's recommendations being followed up. Secondly, the appointment of very high-level representatives is not always an ideal solution. Indeed, it is likely that because of their other commitments they will not always be available to attend meetings and take part in other Committee activities. Finally, it is preferable that the members of the Committee be officials with direct responsibility for international humanitarian law within their respective ministries.

Moreover, if the individuals in charge of international humanitarian law within the ministries concerned cannot represent their ministries as such, they should at least be involved as special advisers, even if this means that several representatives of the same ministry take part in the Committee's proceedings.

1.3. Assigning responsibilities according to issues addressed and ensuring flexibility in participation

As a rule, Committees hold plenary meetings, during which decisions are taken, and working group meetings during which most of its activities are prepared and carried out. The chairmanship of each working group should fall to the representative of the relevant ministry, that is, the member of the Committee most closely involved in pursuing the objective in question. Indeed, it is important that there be a clear division of responsibilities within the Committee and its working groups. The ministry in charge of ensuring progress on the matter at hand should be designated and a deadline set for achieving the objective. That will help to make sure that the matter is followed up. This approach could be fostered by the preparation of a work sheet on the subject by the working group concerned (see point 3.3).

By making the most of the time available to each member, it should be possible for the ministries concerned, such as the Ministries of Culture, Health or Education, to take part only in proceedings of the Committee that fall within their area of competence. For example, only the authorities concerned by the issue addressed would be called upon to take part in Committee meetings, or, as mentioned above, working groups on specific matters could be set up comprising representatives of the relevant ministries.

1.4. Striking a balance between being open to civil society and the need for confidentiality

It is important to assess whether the participation of representatives of civil society (NGOs, youth movements, women's associations, etc.), as full members of the Committee will bring added value to its long-term work or constitute an obstacle to frank and effective discussion among members who represent various authorities. Another possibility is to involve civil society in the Committee's activities on an *ad hoc* basis, in particular when it comes to conferences, meetings on specific subjects or exchanges of information. Whatever the case, the Committee has to reconcile a desirable degree of openness with the possible need for confidentiality in its discussions.

#### 2. Human and financial resources

Making proposals relating to national implementation is not a costly process requiring substantial funds. Yet the question of resources, whether human, material or financial, is crucial for strengthening the activities conducted by a Committee and for increasing the effectiveness of its work.

#### 2.1. Having the necessary knowledge and information

The Committee has to make sure that its members have the necessary knowledge of and information about international humanitarian law. Where the need is felt, they could receive training, for example by attending courses given by the national authorities themselves (such as the armed forces), by the National Red Cross or Red Crescent Society, or by the ICRC.

Similarly, new members should receive all necessary information about the workings of the Committee and its achievements. One way of ensuring this is to put one Committee member in charge of internal training/information.

#### 2.2. Ensuring that the Committee has its own budget and resources

While there is no need to remunerate its members, it is most desirable that the Committee should have a budget that allows it to cover its own running expenses (photocopies, mail, telephone). Ideally, as soon as it is set up the national authorities should automatically grant it logistic resources (premises for its meetings, a photocopier, a person in charge of the secretariat, Internet access) and a working budget. If this was not the case, the Committee can again raise the matter with the authorities when it is revitalized, when its mandate is extended or when its legal basis is modified.

Whatever the situation, as the Committee is made up of ministerial representatives, an internal sharing of working expenses should be organized from the outset. This can be done by determining what expenses each ministry or department is actually prepared to cover (photocopies, human resources, production of documents).

When it comes to the organization of occasional events (seminars or conferences), the Committee can also seek to obtain funds on a one-off basis or to form external partnerships, for example with the National Red Cross or Red Crescent Society or with universities or other academic institutions.

## 3. Working methods

The aim of the National Committee is of course to make sure that international humanitarian law as a whole, including recent developments such as the establishment of the International Criminal Court and the adoption of the latest instruments on the use of certain weapons, is implemented effectively on the national level. To perform this task, the Committee has to adopt clear and appropriate working methods. The more effective its working methods, the more credible the Committee's work, and the more frequently its expertise will be sought.

# 3.1. Identifying measures to be taken on the national level: the compatibility study

The first thing to be done is to analyse the status of implementation of international humanitarian law on the national level. This analysis, also known as a compatibility study, makes it possible to identify shortcomings and set priorities with regard to the measures to be adopted. The methodology used and the structure or the form chosen may vary from one study to another. As part of its function of providing technical assistance, and to offer support to States who so request, the ICRC Advisory Service has produced a blueprint for this type of study (see model below). The study should contain a description and an assessment of national mechanisms for the implementation of international humanitarian law, a description of the relationship between domestic law and international law in the State in question, and a discussion of national implementation measures, such as any legislative measures taken. The general points of each type of measure must be considered, its effectiveness assessed and conclusions drawn accordingly.

In general it is preferable for this study to be conducted by the Committee, or at its request. The study will have to be updated regularly and should constitute the starting point for the Committee's work, and more specifically the basis for the drafting of its plan of action (see point 3.2).

As far as possible, these compatibility studies should be open to consultation by the public, or even be published. This would, in particular, make them available to other Committees. The authorities, however, may prefer the study to remain confidential, and such an approach can, in certain cases, ensure greater efficacy in the adoption of the national measures recommended. In that event consultation of the study should at least be authorized on request, following decisions taken by the Committee on a case-by-case basis.

The Committee must bear in mind that conducting a study on all the measures needing to be taken is only a first step towards their realization.

# Compatibility study between domestic law of [State] and the obligations stemming from international humanitarian law

#### I. INTRODUCTION

[Objectives, utilization, distribution]

# II. NATIONAL MECHANISMS FOR IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW

[Description and assessment of such mechanisms]

#### III. DOMESTIC LAW AND PUBLIC INTERNATIONAL LAW

[Description of the relationship between international law and domestic law in the State in question]

# IV. ASSESSMENT OF NATIONAL MEASURES FOR IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW

- 1. Participation in treaties
- 2. Translation of treaties into national language
- 3. Dissemination and instruction
- 4. Legislative measures and regulations
  - Protection of red cross and red crescent names and emblems and of other distinctive signs
  - Repression of war crimes
  - Judicial guarantees
  - Protection of children
  - Identification (medical and religious activities, armed forces, press, installations and works containing dangerous forces, cultural property and places of worship)
  - Structures providing protection and assistance (National Red Cross or Red Crescent Society, civil defence, national information bureau, protected zones and localities, graves registration service)
  - Environment
  - Military planning (separation of military objectives and civilian objects, determination of the lawfulness of new weapons)

#### V. CONCLUSIONS AND RECOMMENDATIONS

[Summary of conclusions of sections II and IV, and recommendations relating to measures to be taken]

#### **ANNEX**

[List of laws and other legal instruments cited]

<u>NB</u>: This is a simplified version of a more detailed model available from the ICRC Advisory Service.

#### 3.2. Setting priorities and objectives: the plan of action

On the basis of the findings of the compatibility study, the Committee must determine the subjects on which it is going to focus its activities. One efficient means of doing this is to adopt a plan of action. Such plans, which can vary widely in terms of content, scope and degree of precision, and which may cover a one-year period, for example, must set not only priorities but also concrete objectives, must define a general strategy for each objective, and must designate the body or individual responsible for the achievement of each objective. This last point will also facilitate monitoring of the extent to which the content of the plan of action is being carried out, enable the Committee to assess the plan's effectiveness (see point 3.5), and further strengthen the Committee's motivation.

As suggested in the model, the Committee's objectives may be divided into the following categories:

- participation in treaties and analysis of the validity of reservations: action that the Committee can take to encourage the State to ratify/accede to the various treaties of international humanitarian law, and to withdraw reservations which no longer have any justification;
- adoption of measures of national implementation: action that the Committee can take with a view to the adoption by the authorities of measures for the dissemination and teaching of international humanitarian law and of legislative measures or regulations for its implementation;
- monitoring of new developments in international humanitarian law on both the national and the international level: monitoring by the Committee of national and international developments and action that it can take to incorporate these developments in national implementation (examples: in the event of violations of international humanitarian law, reminding the authorities of their obligation to respect and ensure respect for international humanitarian law; encouraging the authorities to adopt national procedures for determining the lawfulness of newly developed weapons, in accordance with Article 36 of 1977 Additional Protocol I);
- > internal operation of the Committee: internal measures that the Committee can take to strengthen its own effectiveness.

Of course, there is nothing to prevent a Committee from choosing a different classification or other issues aimed at ensuring better implementation of international humanitarian law on the national level.

#### Plan of action for [period] of the [name] Committee, adopted on [date]

#### Distribution list

#### I. OBJECTIVES, STRATEGIES AND RESPONSIBILITIES

1. Participation in treaties and examination of validity of reservations

(Example

Objective: promoting ratification of the Ottawa treaty on mines.

Strategy: present arguments to the Ministry of Defence.

Responsibility for pursuing the objective: Ministry of Defence representative on the Committee.)

2. Adoption of national implementation measures

(Example

Objective: implementation of the Statute of the International Criminal Court.

Strategy: prepare a draft bill for submission to Parliament.

Responsibility for pursuing the objective: Committee working group in charge of the repression of war crimes.)

3. Monitoring of new developments in international humanitarian law on the national and the international level

(Example

Objective: monitoring the proceedings of an international conference on international humanitarian law and ensuring that they are subsequently taken into account by the authorities.

Strategy: advise the authorities during preparations for the conference and take part in it as an expert or a member of the delegation of the State in question.

Responsibility for pursuing the objective: Ministry of Foreign Affairs representative on the Committee.)

4. Internal operation of the Committee

(Example

Objective: amendment of the Committee's charter.

Strategy: adopt a new draft and submit it to the authority to which the Committee is attached.

Responsibility for pursuing the objective: Committee in plenary session.)

#### II. EVENTS AND CONTACTS

- 1. Participation in/organization of conferences, seminars and study sessions [Subjects, dates, places]
- 2. Contacts with other Committees

[Countries of Committees in question, issues to be discussed, dates, places]

#### III. BUDGET

1. Amount needed

[Allocation]

2. Funds available and to be sought

[Allocation, source, and strategy for securing possible budget increase]

#### IV. SCHEDULE

[Dates of plenary meetings and known deadlines]

#### 3.3. Adopting a thematic approach: the work sheet

It is important that the Committee should not dissipate its energy and its resources but bring them to bear on the priorities defined in the plan of action (see point 3.2). One way of doing this is to adopt a thematic approach by producing work sheets. Once it has clearly determined the obligations incumbent on the State and the situation with regard to implementation in the area chosen, the Committee must determine the activities that should be conducted to remedy any shortcomings and propose an appropriate decision to the relevant authorities, together with a precise time frame for the taking of the measures in question.

This thematic approach fits in very well with the flexible organization of activities by means of working groups as recommended above (see point 1.3). For example, a working group involving the members most directly concerned might be set up to deal with a particular matter.

Moreover, by determining precisely which authorities are responsible for following up the matter, the work sheet encourages every member to play a part and stresses the importance of the role of each.

Here it might be useful to point out that the Committee should in no way feel restricted in the choice of issues to be addressed. All instruments relevant to international humanitarian law are within its competence, ranging from implementation of the Statute of the International Criminal Court to protection of the emblems, from the repression of war crimes to the implementation of treaties concerning different types of weapons, and from dissemination of the Geneva Conventions to the protection of cultural property. If other bodies have been established to deal with any of these matters, the Committee must cooperate with them in as effective a way as possible (see points 5.1, 5.2 and 5.3).

#### [Insert subject]: work sheet No. ...

(updated on day/month/year)

#### PROVISION(S) TO BE IMPLEMENTED Ι.

- 1. International legal basis
  - Name(s) of treaty(ies) concerned
  - Number(s) and content of article(s) concerned
- 2. National legal basis

Name(s) of law(s) incorporating the treaty(ies) mentioned above

#### Ш STATUS OF THE ISSUE

- 1. Existing measures
  - [Description]
- 2. Action already taken and results achieved (chronological order)
  - Authority(ies) taking action (executive and legislative authorities, Committee, one of its working groups or members)
  - Action taken and result(s) achieved
- 3. Analysis of necessary implementation measures
  - **Shortcomings**
  - Measure(s) to be taken to remedy those shortcomings

#### III. PROPOSAL OF PRACTICAL MEASURES AND SUBMISSION TO THE AUTHORITY RESPONSIBLE FOR THE MATTER

(Example: «The Committee proposes that the report of the working group, together with a draft bill amending the criminal code, be submitted to the Minister of Justice, with a request that the Minister recommend action on the Committee's proposal.»)

#### IV. **FOLLOW-UP**

- 1. Date of submission to the relevant authority, period allowed for reply, and contacts with the authority concerned
- 2. Issue by the Committee of a reminder within the time frame established
- 3. Reply from the authority

#### V. **BUDGETARY IMPLICATIONS**

- Measure(s) 1
  - Ministry(ies) or authority(ies) responsible for the matter [where appropriate, indicate the working group or sub-committee in charge and the name, first name, position, address, telephone and fax numbers and e-mail address of its chairperson]
  - Financial implications [amount and source]
- 2. Measure(s) 2 ...

#### **ANNEXES**

[Documents relating to the issue in question, such as report of the working group or subcommittee in charge of the matter, the text of the law or regulation to be amended with indication of source, the text of the draft law, regulation or administrative measure prepared by the Committee]

#### 3.4. Keeping a record of work done: the annual report

Reports have to drawn up on the Committee's activities, usually on an annual basis. Such reports are an effective means of informing the authorities concerned and the public at large (see point 4.1) of the work done by the Committee. They should contain, as a minimum, details of the progress made and results achieved with regard to the objectives defined in the plan of action (see point 3.2), and of activities relating to cooperation, in particular with other National Committees.

Furthermore, by giving the Committee the opportunity to review its achievements, a report can be a useful tool for evaluating the work done (see point 3.5).

More generally, annual reports allow the Committee to build up a record of its activities as an institution, which is important over the long term. From this viewpoint, and although more for internal purposes, the taking of minutes of Committee meetings and the constitution and conservation of archives are also important. The secretariat of the Committee has a crucial role to play in this regard, since this is the service that will be responsible for taking minutes of meetings and drawing up reports.

#### Annual report for [year] of the [name] Committee

#### I. INTRODUCTION

[Distribution, reminder of the Committee's mandate and composition]

## II. ORGANIZATION AND STRUCTURE

- 1. Plenary meeting(s) of the Committee
  - Date(s)
  - Matter(s) dealt with
- 2. Opinions, recommendations and reports adopted by the Committee Date(s) of adoption and issue(s) addressed
- 3. Working groups
  - Number and subjects dealt with
  - Chairmanship and composition
  - Report(s) adopted

#### III. SPECIFIC ACTIVITIES AND RESULTS

- 1. Promotion of participation in treaties and analysis of the validity of reservations
  - Activity(ies) undertaken (especially those provided for in the plan of action) [Dates, role played by the Committee, etc.]
  - Result(s) achieved
- 2. Adoption of national implementation measures
  - Activity(ies) undertaken (especially those provided for in the plan of action) [Dates, role played by the Committee, etc.]
  - Result(s) achieved
- 3. Monitoring of new developments in international humanitarian law on the domestic and international levels
  - Activity(ies) undertaken (especially those provided for in the plan of action) [Dates, role played by the Committee, etc.]
  - Result(s) achieved
- 4. Cooperation
  - Activity(ies) undertaken (especially those provided for in the plan of action)
     [Dates, role played by the Committee in taking part in or organizing conferences, seminars, study sessions; contacts with other Committees or bodies in charge of implementation of international humanitarian law]
  - Result(s) achieved

#### IV. EVALUATION

- 1. General work of the Committee
- 2. Comments on specific activities or results

#### **ANNEXES**

Annex I Reports on meetings
Annex II Reports of working groups

Annex III Texts of opinions and recommendations and of any draft law or document

prepared by the Committee during the year

#### 3.5. Periodic evaluation of the Committee's work

It is certainly desirable to include in the Committee's annual report (see point 3.4) an evaluation of its work in general and comments on the results of the most significant activities that it has conducted during the period under review.

As a general rule the Committee should, at regular intervals, evaluate its achievements and identify the obstacles it has encountered. This will allow it to consider ways of overcoming those obstacles. Drawing on its own experience and, where appropriate, on that of other Committees, it will then be able to forge ahead and strengthen its action.

#### 4. Communication

In today's world it has become an obligation to make one's activities known as widely as possible. It would be regrettable if the Committees' work did not receive the recognition it deserved for lack of proper communication. The Committees should therefore systematically seek to «make known their know-how».

## 4.1. Presenting the Committee and its activities by means of effective communication methods and tools

The Committee must draw the attention of not only the authorities but also other target groups who are interested in international humanitarian law to its activities. Breaking out of the circle of insiders is one of the conditions for its success, and sometimes even for its survival. It must therefore identify the target groups in question and develop its ability to communicate in order to play its role to the full.

This communication strategy can be pursued by various means, depending on the context and the resources available to the Committee:

- design of a logo and use of notepaper with the Committee's letterhead;
- distribution of a newsletter;
- creation of a Website:
- production of a brochure presenting international humanitarian law and the role played by the Committee in its implementation;
- > organization of annual conferences or seminars, alone or in partnership with other bodies, and participation in major events relating to international humanitarian law held on the national level;
- > organization of the public presentation of the Committee's annual report (see point 3.4) and of the situation of implementation of international humanitarian law on the national level.

#### 4.2. Ensuring the availability of a network of contacts

Visibility is an important factor for the Committee's effectiveness. It is highly desirable that the Committee have at its disposal a network of individuals or bodies whom it can keep informed of its activities and the results achieved. This network would in its turn pass this information on to its own contacts. To this end, a working group on communication could be set up within the Committee with the task of working out an appropriate strategy and keeping a file listing the details of individuals and institutions interested in international humanitarian law.

The chairman of the Committee also has a vital role to play in raising its profile, as he or she is particularly well placed to ensure that it is known and recognized by the political authorities and civil society. The chairman could, for example, attend all major events relating to international humanitarian law that are organized on the national level.

The complementary role of the secretariat as a link between the Committee and the authorities or civil society is also important in this regard. In particular, as the service that produces the Committee's annual reports (see point 3.4) and other documents, it has the opportunity to draw attention to the Committee's activities and spread information about them among various target groups.

#### 5. Relations with national authorities

The National Committee must fit smoothly into State structures, of which it forms a part. It is important that its activities have repercussions on the work of other authorities and that it develop its credibility vis-à-vis those authorities and make its expertise and its services available to them. Maintaining the best possible relations between the Committee and the other authorities is therefore of mutual interest.

## 5.1. Maintaining close working relations within the executive

It is essential that the Committee maintain regular and close working relations with the ministries which are represented on it, on which it depends or which are concerned by the measures that it seeks to promote. Obviously, the greater the Committee's success in making known the quality of its work and the usefulness of its services, the more the executive authorities will consult it. Conversely, the more information available to the Committee on ministerial initiatives taken in areas relating to international humanitarian law, the greater the effectiveness of its work. The Committee must therefore keep the authorities regularly informed of its activities and work in consultation with them, for example by engaging in the following activities:

- having government representatives circulate information on the Committee's proceedings within their respective ministries;
- ➤ informing the authorities of the opinions and recommendations adopted, distributing the annual report, and maintaining a regular dialogue with them (for a model of an annual report, see point 3.4);
- adopting a proactive attitude aimed at encouraging the authorities to get into the habit of consulting the Committee on all matters relating to international humanitarian law, for example by systematically proposing its expert advice on any such matter;
- ➤ including in its priorities subjects relating to international humanitarian law that are likely to be of interest to the authorities (for a model plan of action setting priorities for the Committee, see point 3.2);
- cooperating with any other bodies whose activities are connected with international humanitarian law, such as human rights commissions, disarmament commissions, bodies set up within the framework of the Ottawa treaty on anti-personnel mines, or the national authority established in accordance with the provisions of the 1993 Chemical Weapons Convention.

#### 5.2. Developing links with the legislative authorities

It is important for the Committee to develop links with the legislative authorities and to keep them informed of its activities and decisions (opinions, recommendations, etc.). Such links can be useful at three levels for the implementation of international humanitarian law. First of all, these authorities are directly concerned with the adoption of legislation. Secondly, they are sometimes very well placed to directly address questions to the executive. Thirdly, specialized parliamentary committees (dealing with a specific topic or having particular competence) are a target audience likely to be directly interested in the Committee's expertise.

The following are some examples of what the Committee could do with a view to forging links with the legislative authorities:

- ➤ regularly inviting certain representatives of the legislative authorities (such as the chairmen of parliamentary committees involved in the implementation of international humanitarian law) to attend Committee meetings, especially working meetings on matters requiring action by Parliament, on the occasion of the presentation of the Committee's annual report (for a model annual report, see point 3.2), when pertinent issues are on the parliamentary agenda or when proposals have been put forward by the Committee;
- requesting that the Committee be heard on certain issues debated by Parliament (for example, during discussions relating to the ratification of a treaty);
- > submitting to parliamentarians the results of all activities that concern them (such as draft bills).

Thus the Committee must inform the legislative authorities of its activities, but must also keep an eye on the parliamentary agenda. One way of doing this is to entrust the task to one of its members.

## 5.3. Cooperating with the judiciary in the implementation of international humanitarian law

Among their other activities, the judicial authorities are responsible for the repression of violations of the law, including war crimes and misuse of the red cross and red crescent emblems, and also for certain aspects of cooperation with the International Criminal Court, all areas that are within the competence of the Committee. The Committee and the magistracy have a common interest in organizing the exchange of information. The Committee has everything to gain from being informed of relevant matters dealt with by the judicial authorities, and the latter can benefit greatly from the Committee's expertise in international humanitarian law, and from the events it organizes. For example, the Committee could make representations with a view to having the courts punish cases of misuse of the emblem, or could hold advanced training courses in international humanitarian law for judges.

#### 6. International cooperation

The National Committee is an advisory body whose role is to offer the authorities advice on matters within its competence. It may nevertheless become involved at the international level, by working hand in hand with sister Committees in other countries or by making a contribution to the international exchange of information on national implementation of international humanitarian law.

## 6.1. Strengthening direct links between Committees

Bilateral or multilateral cooperation between Committees, allowing the exchange of information and of comments on their respective experiences relating to the implementation international humanitarian law, has proved most useful. Such cooperation may have a formal basis (agreements between Committees) or take place at informal meetings. It may be promoted by the following activities:

- designating one or several Committee members to be in charge of direct relations with other Committees; in order to keep costs to a minimum the member in question could be someone who by virtue of his or her function outside the Committee regularly goes abroad on official missions and could take advantage of this to meet with the Committees (or one of their members) in the countries visited;
- > arranging for translation into a language having wide international currency documents drafted in the national language whose content the Committee wishes to share;
- > systematically announcing events, conferences or other activities organized by the Committee;
- > asking other Committees for opinions or advice on operating methods and practice and on national implementation measures adopted or planned.

In order to facilitate such cooperation between National Committees, the ICRC Advisory Service has set up an electronic Forum allowing Committees to exchange all sorts of information, questions and experiences (see the last section below for further information).

6.2. Maintaining relations with international organizations and other bodies and taking part in exchanges of information on implementation of international humanitarian law

The national authorities alone are competent to maintain regular relations with the international organizations concerned with international humanitarian law. However, a Committee has various opportunities to play a useful part in this cooperation and thus ensure a better exchange of information on implementation of international humanitarian law, by:

- proposing to the government that it contribute to the drafting of the Secretary-General's report to the United Nations General Assembly on the status of the 1977 Additional Protocols, and asking for a copy of the report;
- proposing that a member of the Committee represent the government, or accompany the delegation in an expert capacity, at meetings held by international organizations where issues relating to international humanitarian law are on the agenda;
- > providing the authorities with support in the gathering and communication of information relevant to the instruments of international humanitarian law;

>	keeping the ICRC Advisory Service regularly informed of any changes affecting the Committee (its mandate, composition, contact details, chairmanship, secretariat), of its
	activities and of progress made in the implementation of international humanitarian on the national level, so that the Advisory Service can circulate the information among other Committees via the ICRC's Website or via the Advisory Service's database (see below for further information).

#### For further information

The necessary details for contacting National Committees directly may be found at the ICRC's Website (http://www.icrc.org).

An electronic Forum for the use of National Committees has been set up by the ICRC Advisory Service on international humanitarian law. This Forum allows Committees to establish a dialogue, exchange information on their activities and solve the problems that arise through the pooling of experiences. It also enables the Advisory Service to centralize all the information concerning the National Committees that the latter provide. More details about the Forum are available on the ICRC Website at the address given above.

Should you have any questions or require further information, the Advisory Service is at your disposal at the following address:

Advisory Service on International Humanitarian Law International Committee of the Red Cross 19, Avenue de la Paix, CH – 1202 Geneva

e-mail: advisoryservice.gva@icrc.org