

National implementation

of international humanitarian law



ICRC

The ICRC Advisory Service on International Humanitarian Law is grateful to all contributors – national authorities, members of National Red Cross and Red Crescent Societies and many others – for their invaluable assistance, without which it would have been impossible to compile the information appearing in this report.

The information in this report is not exhaustive. Material has only been included for those States where activities have taken place during the years in review, or where States have provided us with information.

The flags on the cover do not necessarily represent the countries included in the report.



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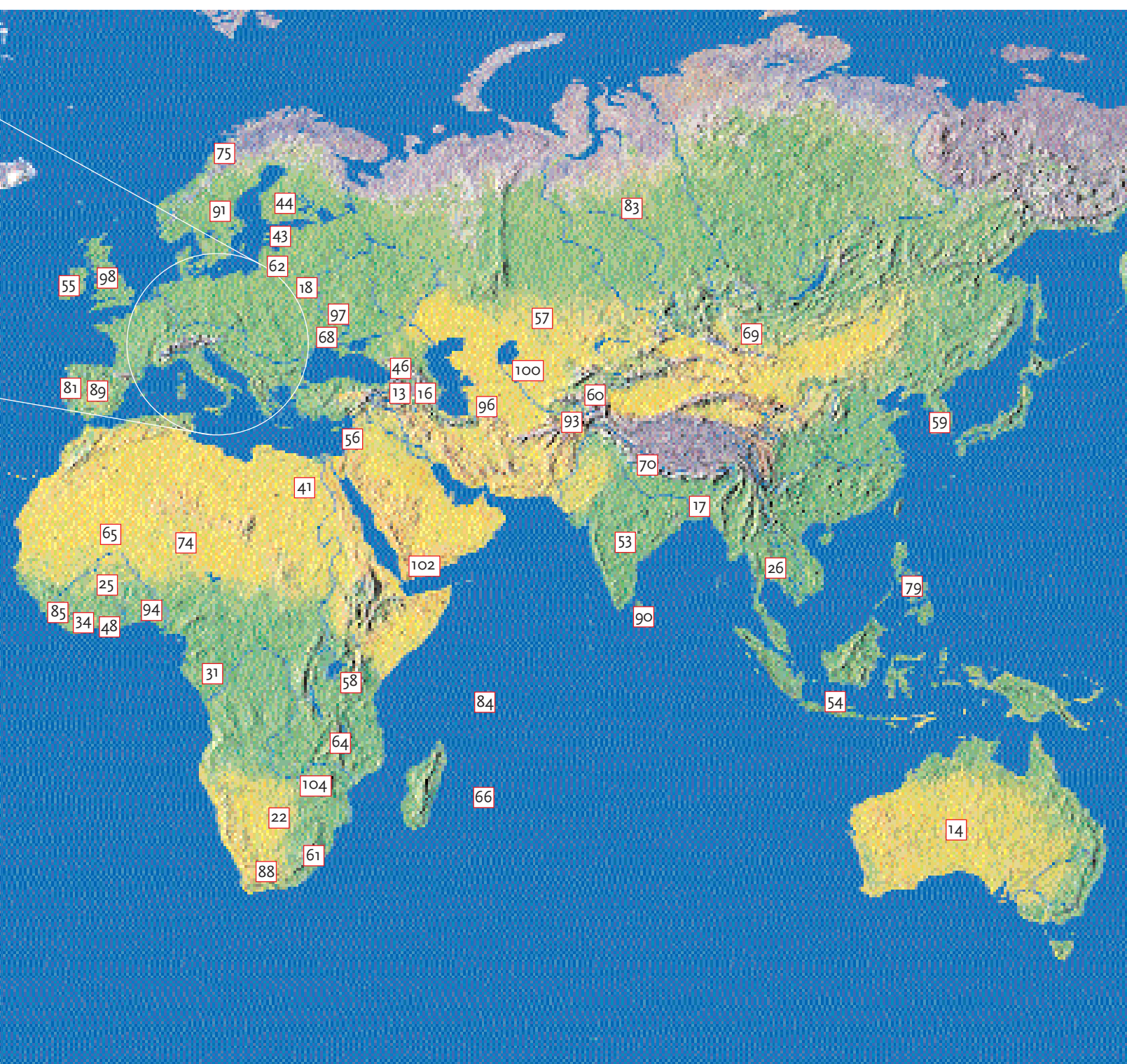
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With the establishment of the Advisory Service in 1996, the ICRC sought to introduce a more systematic and proactive approach to its efforts in the field of implementation of international humanitarian law (IHL).

The Advisory Service's three priorities are to encourage ratification of IHL treaties, to promote national implementation of the obligations arising from these treaties and to collect and facilitate the exchange of information on national measures of implementation.

The International Committee of the Red Cross (ICRC) notes with satisfaction the significant progress made in 2000 and 2001 to extend the universality of international humanitarian law treaties and adoption of measures of implementation, in other words incorporation of international humanitarian law into national legislation.

Implementation is without doubt one of the important challenges facing international humanitarian law today. The ICRC, represented by its Advisory Service on International Humanitarian Law, is committed to helping the national authorities adopt and implement the legislative, regulatory and administrative measures required to ensure respect for the law at national level.

A growing number of countries has ratified the 1998 Rome Statute of the International Criminal Court. In addition, the past two years have seen significant progress in the incorporation into domestic criminal law of provisions allowing for the prosecution of war crimes. These measures are vital, since enforcement of individual responsibility is an essential mechanism for ensuring respect for the law. The ICRC, through its Advisory Service, has continued actively to advise countries on the national measures to be taken in this regard. In order to enhance its assistance to the national authorities in this respect, the Advisory Service has published a guide for common law States on punishing violations of international humanitarian law, with practical advice on enforcement through national criminal and military law.



Another major concern for the ICRC is the protection of cultural property in the event of armed conflict. The protection of civilian objects is a basic rule of humanitarian law in that attacks on civilian objects, namely cultural property considered to symbolize a people's identity and history, often act as a catalyst, sparking more widespread hostilities. The identification and protection of cultural property should therefore also be enhanced. Here, too, the Advisory Service has published practical advice for the protection of cultural property, aimed at assisting national authorities and national committees for the implementation of humanitarian law in this field.

The present report provides information on the status of national implementation worldwide. It also takes a detailed look at the participation in and national implementation of the Ottawa treaty banning anti-personnel landmines, five years after the treaty's adoption. Similar information on other humanitarian law treaties will be introduced in forthcoming reports.

National implementation of international humanitarian law is an ongoing task. Domestic laws and regulations need to be adapted to comply with existing treaties and to keep pace with the development of international law as a whole. The work of the national committees for the implementation of international humanitarian law has proved very useful in this regard. Today, 62 such committees worldwide are engaged in implementing and developing international humanitarian law, and the ICRC cooperates closely with them.

It is my sincere wish that the present report will provide national authorities with useful information on the ratification and national implementation of humanitarian law treaties and herald even greater success in this common endeavour in the coming years.

Promoting universal participation in international treaties is a priority for the ICRC. A large number of the Advisory Service's activities are undertaken with the ratification of or accession to these treaties as their primary objective.

As of 1 January 2002, State participation in relevant treaties stood as follows:

1949	Geneva Conventions for the Protection of War Victims	189 States Parties
	The Geneva Conventions protect wounded, sick and shipwrecked combatants, the personnel attending them, the buildings in which they are sheltered and the equipment used for their benefit. The Conventions also protect prisoners of war, through specific rules governing their treatment, and the civilian population, in particular in occupied territories.	
1977	Additional Protocol I to the Geneva Conventions	159 States Parties
	Protocol I broadens the protection extended to civilians and limits the means and methods of warfare.	
	Declaration provided for under Article 90 of Protocol I – International Fact-Finding Commission	60 States
	The Commission is a permanent body whose purpose is to investigate allegations of grave breaches and serious violations of IHL and to facilitate, through its good offices, the restoration of an attitude of respect for the law.	
1977	Additional Protocol II to the Geneva Conventions	151 States Parties
	Protocol II contains fundamental guarantees for persons not taking part in hostilities during non-international armed conflicts and sets forth rules relating to the protection of civilians, civilian objects and installations essential to the survival of the population.	
1954	Convention for the Protection of Cultural Property in the Event of Armed Conflict	101 States Parties
	The Convention protects monuments of architecture, art or history and other cultural property. The First Protocol to the Convention (1954) provides that such property shall not be exported from occupied territories and that any property so exported shall be safeguarded and returned.	
	The Second Protocol (1999) strengthens the repression of violations and also applies to internal conflicts.	83 States Parties 9 States Parties
1972	Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction	144 States Parties
	The Convention bans biological weapons.	
1980	Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons	88 States Parties
	This Convention establishes the framework for the Protocols prohibiting the use of non-detectable fragments (Protocol I), prohibiting the use of mines, booby traps and other devices against the civilian population and restricting their use against military targets (Protocol II), and prohibiting the use of incendiary weapons against civilians and civilian objects and restricting their use against military targets (Protocol III).	

	<p>Protocol IV (1995), on blinding laser weapons, prohibits the use of laser weapons that are specifically designed to cause permanent blindness.</p>	60 States Parties
	<p>Amended Protocol II (1996), on prohibitions or restrictions on the use of mines, booby-traps and other devices, broadens the prohibitions relating to these devices and extends the Protocol's scope of application to non-international armed conflicts.</p>	63 States Parties
	<p>The Amendment to the 1980 Convention (2001) on Prohibitions or Restrictions on the Use of Certain Conventional Weapons expands the scope of application of the Convention and its Protocols to non-international armed conflicts.</p>	
1993	<p>Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction</p> <p>The Convention bans chemical weapons.</p>	145 States Parties
1997	<p>Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction</p> <p>The Convention bans anti-personnel landmines.</p>	122 States Parties
1998	<p>Rome Statute of the International Criminal Court</p> <p>The Statute establishes a permanent international criminal court with jurisdiction over the crime of genocide, war crimes and crimes against humanity. The court will also have jurisdiction over the crime of aggression, once defined.</p>	48 States Parties
2000	<p>Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts</p> <p>The Protocol raises the age limit for participation in hostilities to 18.</p>	13 States Parties

Although the initial ratification of international treaties is essential, it is merely the first step. The treaties themselves contain obligations that States Parties must comply with upon ratification or accession. Obligations under the principal treaties include the adoption of legislative and other implementing measures.

Legislation

Repression of breaches of IHL

IHL sets out detailed rules aimed at protecting the victims of armed conflict and restricting the means and methods of warfare. It also establishes mechanisms to ensure that these rules are respected. In particular, IHL holds individuals responsible for violations of its rules which they commit or order others to commit. It requires that those responsible for serious violations be prosecuted and punished as criminals. Serious violations of the law are regarded as war crimes. IHL requires States to search for and punish all those who commit grave breaches, regardless of the nationality of the perpetrator or the place where the crime was committed. This principle, called universal jurisdiction, is a key factor in ensuring the effective repression of war crimes.

States must thus ensure that their criminal law provides for punishment of:

- grave breaches of the Geneva Conventions and Additional Protocol I;
- violations of the 1954 Convention for the Protection of Cultural Property;
- wilful killing of or serious injury to civilians resulting from violations of amended Protocol II (on landmines) of the 1980 Conventional Weapons Convention;
- crimes that come within the jurisdiction of the International Criminal Court.

Protection of the emblems

States must prevent and repress (punish) misuse of the emblems and names of the red cross and red crescent (or imitations thereof), the civil defence sign and the electronic signals mentioned in IHL instruments. Their internal measures must also provide for the definition and identification of recognized and protected emblems and the appointment of a national authority to supervise matters relating to the emblems, such as who is entitled to use them and for what purposes.

Ottawa Convention

States party to the Ottawa Convention, which prohibits the use, stockpiling, production and transfer of anti-personnel mines and provides for their destruction, must enact legislation to prevent and punish violations thereof.

Other implementation measures

States party to IHL treaties are also required to undertake a variety of administrative measures.

Translation of the treaties into national languages

The Advisory Service is often involved in producing translations, which are then officially endorsed and published by the authorities and made available to those concerned. They are placed at the disposal of all States Parties via the depositary.

Dissemination and training

Combatants must receive instruction in IHL so that they can incorporate its rules into their behaviour. If IHL is to receive due respect, it must become familiar to all concerned. Civil servants, government officials, students and teachers, medical personnel and members of the media, in particular, should learn its principles.

Experts and advisers

Authorities should select and train qualified personnel in IHL and appoint legal advisers to assist military commanders in applying the law and providing appropriate instruction for the armed forces.

Identification

Cultural property, civil defence works and installations containing dangerous forces should be identified by the special signs provided for under international humanitarian law. Medical and religious personnel, journalists and staff assigned to specific tasks should be given identity cards protecting the bearers.

Military planning

Military objectives should not be located within or near densely populated areas and new weapons and methods of warfare should comply with the rules of humanitarian law.

National committees

The implementation of IHL requires a long-term effort for which someone has to be responsible. Many States have successfully set up national committees to that end. The committees, which comprise representatives of various ministries, act as advisory bodies to the government authorities with respect to the implementation, development and dissemination of IHL. They are in charge of drawing up agendas and setting priorities for a sustained and coherent approach. By 1 January 2002, about 60 committees had been established for the implementation of humanitarian law.

The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction (also known as the Ottawa treaty) was adopted on 3 December 1997 and entered into force on 1 March 1999. Four years have therefore gone by since the treaty's adoption, and the time seems ripe to report on its ratification status and national implementation.

Basic obligations

The Ottawa treaty bans anti-personnel mines. At its core are obligations intended to eliminate anti-personnel landmines and bring relief to mine victims and mine-affected communities.

States adhering to the treaty must **never under any circumstances use, develop, produce, stockpile or transfer anti-personnel mines** or assist anyone else to do so. Anti-personnel mines are mines **designed to be placed on or near the ground and to be “detonated by the presence, proximity or contact of a person”**.

Not only are the States Parties prohibited from using anti-personnel mines, those able to do so agree to provide assistance for mine clearance, mine-awareness programmes and the care and rehabilitation of mine victims. Mine-affected States have a right to seek and receive such assistance directly from other parties to the treaty and through the United Nations, regional or national organizations, components of the International Red Cross and Red Crescent Movement and non-governmental organizations.

Ratification of the treaty

The number of States party to the Ottawa treaty constitutes a major success in the fight against the use of these weapons; it also makes the treaty the universal norm on anti-personnel mines.

As of 1 January 2002, 122 States from all regions of the world were party to the treaty, as follows:



Asia: 14.8%, Americas: 24.6%, Europe: 27%, Africa: 29.5%, Middle East: 4.1%

Regional declarations

At the regional level, several organizations have decided as a matter of policy to adopt goals for the global elimination of anti-personnel landmines. For example, in its meeting on 12 September 1996 in Guatemala, the Council of Foreign Ministers of Central America decided “(...) to declare the region an antipersonnel-landmine-free zone in which the manufacture, possession, acquisition, transfer and use of landmines is prohibited and subject to punishment (...)”. Furthermore, on 5 June 1997 the seventh plenary session of the General Assembly of the Organization of American States (OAS) adopted resolution 1496 (XXVII-O/97), entitled *The Western Hemisphere as an antipersonnel-landmine-free zone*, calling upon States to declare a moratorium on the production, use and transfer of all such mines in the Western Hemisphere. The resolution also provides for the implementation of a register of landmines in possession of member states. The same recommendation was made by the Council of Ministers of the Organization of African Unity to its Member States with a view to making Africa an anti-personnel-landmine-free zone (Decisions and Recommendations of the 66th Meeting of the Council of Ministers, Harare, 28-30 May 1997).

National implementation of the Convention

National legislation

Under Article 9 of the Ottawa treaty, the States Parties must adopt legislative measures, including penal sanctions, to give effect to its provisions.

The States Parties must namely ensure that their implementing legislation:

- imposes individual criminal responsibility for all activities prohibited by the Convention under Article 1, including assisting, encouraging or inducing anyone to engage in such activities;
- permits exceptions to criminal liability for the retention or transfer of the minimum number of anti-personnel mines absolutely necessary for the development of and training in mine-detection, mine-clearance and mine-destruction techniques;
- imposes penal sanctions proportionate to the nature and seriousness of the offence and appropriate to the regime of penalties applicable to other offences;
- provides for jurisdiction over prohibited activities undertaken by persons or on territory under their jurisdiction or control.

As of 1 January 2002, some 30 States are known to have enacted legislation to implement the treaty. Regional representation is as follows:



Africa: 13.33%, Americas: 20%, Asia: 16.66%, Europe: 50%

Destruction of stockpiles

Under Article 4 of the Ottawa treaty, each State Party is required to destroy all stockpiled anti-personnel mines as soon as possible but no later than four years after the entry into force of the treaty for that State. The treaty enters into force 180 days after a State deposits its instrument of ratification or accession with the United Nations Secretary-General.

Some 30 States have completely destroyed their stockpile of anti-personnel landmines. Regional representation is as follows:



Africa: 16.1%, Americas: 19.35%, Asia: 16.1%, Europe: 48.38%

Challenges remain, particularly with deadlines for implementation of this obligation coming up soon for many States Parties. On 1 March 2003, 45 States Parties will be required to have completely destroyed their stockpiles; 38 additional States Parties will be required to have done so by the end of 2003.

Information or technical assistance on the destruction of stockpiles can be obtained from the United Nations Mine Action Service (UNMAS) or the Geneva International Centre for Humanitarian Demining (GICHD) at the following addresses:

UNMAS
304 East 45th Street
Room FF370
New York 10017
www.mineaction.org

GICHD
7bis, avenue de la Paix
P.O. Box 1300
1211 Geneva
www.gichd.ch

Annual reports

Article 7 of the Ottawa treaty requires the States Parties to file reports with the Secretary-General of the United Nations. An initial report must be filed no later than 180 days after the entry into force of the treaty for that State. The information contained in the initial report must be updated annually to cover the last calendar year and be submitted no later than 30 April of each year.

These reports must provide information on a variety of matters, including the national implementation measures adopted, the total number of all stockpiled anti-personnel mines, the location of all mined areas, the number of mines retained for training purposes, the status of programmes for the destruction of anti-personnel landmines, and the measures taken to warn civilians in relation to all mined areas.

As of 1 January 2002, 77 States Parties had submitted their initial reports, as follows:



Africa: 19.48%, Americas: 24.67%, Asia: 14.28%, Europe: 36.66%, Middle East: 3.89%

To facilitate the preparation of these reports, the Meeting of States Parties to the Convention has adopted a reporting format for use by the States. The format can be obtained at the following Web site: www.un.org/depts/dda. A reporting guide (available in English and French) and a CD-ROM that can be used to facilitate the preparation of reports can also be obtained from VERTIC, 15/17 St. Cross Street, London EC1N 8UW, United Kingdom, or at the following web site: www.vertic.org.

Within the framework of the cooperation agreement with the **League of Arab States**, an office was established to coordinate implementation of IHL. The office aims to promote national implementation in Arab countries and to provide technical assistance as required.

The ICRC Advisory Service participated in the Meeting of **Senior Officials of Commonwealth Law Ministries** (London, United Kingdom, 6-9 November 2001), giving a presentation on its activities to promote ratification and implementation of humanitarian law treaties and the Rome Statute of the International Criminal Court. The participants noted the continuing relevance of these issues to Law Ministries and recommended that they figure on the agenda for the meeting.

Cooperation between the **Organization of American States'** (OAS) Department of Legal Cooperation and Development and the Advisory Service was intensified for the organization of a governmental experts meeting specifically designed for OAS member States and focusing on national implementation of IHL and related inter-American conventions (see *Regional events*). The meeting was accompanied by a workshop on lobbying for ratification of IHL instruments, with a specific focus on the Rome Statute, the Optional Protocol on the participation of children in armed conflicts and treaties for the protection of cultural property. The ICRC was also invited by the **Inter-American Juridical Committee** to participate in its annual courses on international law. An agreement of cooperation and the exchange of public information signed between the ICRC and the **Inter-American Court of Human Rights** on 18 August 2000 enabled the two organizations to establish a framework for the exchange of scientific and public information on human rights and humanitarian law. Pursuant to the agreement, a first one-day workshop on IHL for the Court's judges and staff took place on 5 December 2001. The ICRC was also invited by the **Interamerican Institute of Human Rights** to participate in its Annual Interdisciplinary Courses. The exchange of information on programmes and related activities and cooperation in fields of common interest were also further developed with the **Latin American Institute for the Prevention of Crime and the Treatment of Offenders** (ILANUD) and the UNICEF and UNHCR regional offices for Latin America.

At the parliamentary level, contact was maintained with the **Inter-Parliamentary Union** (IPU) and the **Latin American Parliament** (PARLATINO) with a view to heightening member awareness about the ratification and implementation of IHL treaties.

The ICRC also stepped up cooperation with the **United Nations Educational, Scientific and Cultural Organization** (UNESCO) on the specific issue of protection of cultural property in the event of armed conflicts. The Advisory Service delivered a statement at the Meeting of States Parties to the 1954 Convention convened by UNESCO in Paris on 5 November 2001.

Relations with the **Council of Europe** were reinforced in 2000 and 2001. The Advisory Service participated as an observer in two consultation meetings on the implications for Council of Europe member States of the ratification of the Rome Statute of the International Criminal Court (Strasbourg, 16-17 May 2000 and 13-14 September 2001). A reference to IHL was introduced in the conclusions adopted by both meetings. In 2001, the Advisory Service participated for the first time in the **European Union's** expert contact group on the International Criminal Court. Brought together by the Presidency of the European Union, contact group participants exchanged information on developments in the process of ratification and implementation of the Rome Statute in their respective countries. The Advisory Service was asked to present its activities in this field and to suggest activities the European Union member States could undertake to reinforce the promotion of the Statute and of IHL.

In addition, contacts were maintained with several non-governmental organizations, such as the **International Coalition for the International Criminal Court**, in order to coordinate efforts to promote ratification of the 1998 Rome Statute, in particular in the form of numerous seminars and workshops on the issue.

A **regional seminar on national structures for the implementation of humanitarian law** was held from 31 January to 1 February 2000 in Moscow, in the Russian Federation. The seminar brought together representatives of the five national committees in the CIS (Belarus, Georgia, Kyrgyzstan, Moldova and Tajikistan), and high-level officials from other CIS States. It provided the opportunity for a broad discussion of how national committees are established and how they function and of the progress made in national implementation of IHL by CIS member States. The participants adopted recommendations calling for the increased participation of the national committees in the implementation process, for stepped-up bilateral and multilateral exchanges between committees, and for cooperation with the ICRC's Advisory Service, and suggested that States that did not have a committee consider the possibility of establishing one.

From 29 to 31 May 2000 the Advisory Service held a **regional conference on the repression of war crimes at national and international level** in Moscow, in the Russian Federation. The conference was attended by high-level officials from the CIS States, representatives of the two ad hoc International Criminal Tribunals and experts from Germany, Italy, Belgium and Switzerland. The participants noted that effective functioning of the International Criminal Court would largely depend on universal recognition of its jurisdiction, and agreed on the necessity of ensuring the broadest possible adherence to the Rome Statute and comprehensive implementation of its provisions at national level. Following that meeting, a **regional conference on the ratification and implementation of the Rome Statute of the International Criminal Court at national level** was held from 20 to 22 March 2001, also in Moscow, for participants from CIS States. Experts from Switzerland, Germany and Belgium also took part. The conference provided a much-needed opportunity to discuss, in Russian, the various issues posed by ratification of the Rome Statute.

International courses on the implementation of humanitarian law were held for CIS civil servants in Moscow from 14 to 16 June 2000, 31 October to 2 November 2000 and 11 to 12 October 2001. Government officials from CIS States took part in these events, which are organized by the Advisory Service twice a year. The main objective of the courses is to provide intensive training in IHL and its implementation for civil servants with direct responsibility for implementation in their respective countries, particular emphasis being put on priority measures of implementation: the repression of grave breaches of international humanitarian law, protection of the red cross and red crescent emblems, dissemination of and accession to humanitarian law treaties. The presence of representatives of the Moldovan, Kyrgyz and Tajik committees for the implementation of humanitarian law prompted more detailed discussion of the committees' role and functioning and the part they play in the implementation process. The last of the above-mentioned courses focused on several specific subjects, such as the protection of cultural property in the event of armed conflict, the Ottawa treaty and the Rome Statute.

A regional meeting for OAS member States on the **national implementation of international humanitarian law and related inter-American Conventions** was held from 6 to 8 March 2001 in San José, Costa Rica. The meeting was convened by the OAS Secretary General in response to a regional initiative sponsored by the OAS General Secretariat, the Government of Canada, the Ministry of Foreign Affairs of Costa Rica, the National Commission for the Improvement of the Administration of Justice of Costa Rica and the ICRC. It was meant to be technical and informal in nature, and was attended by over one hundred people from the region's countries, most of them experts from Ministries of Foreign Affairs, Justice, the Interior and Defence, and by representatives of regional academic institutions and regional and international intergovernmental organizations. An executive summary of the proceedings was published on the OAS and the ICRC web sites.

The ICRC regional delegation for Southern Africa and the Indian Ocean organized a seminar, held jointly with UNESCO and under the auspices of the South African Ministry of Foreign Affairs, on the **ratification and implementation of international humanitarian law and cultural property law**. The seminar, the first of its kind to be held in the region and the fourth and largest regional seminar that the ICRC has held in conjunction with UNESCO, took place between 19 and 21 June 2001 in Pretoria, South Africa. Previous seminars were held in Tashkent in 1995 for five Central Asian countries, in 1996 for three trans-Caucasian countries, and in Katmandu in 1997 for seven South Asian countries. The seminar focused on increasing the level of ratification and implementation of various humanitarian law and cultural property instruments by participating countries, in order to foster regional momentum for full implementation of those treaties.

The **first regional meeting of experts from Arab States on the implementation of IHL** was held in Cairo, Egypt, from 7 to 9 May 2001. The meeting was organized by the Ministry of Justice of Egypt, the League of Arab States and the ICRC Advisory Service. It was a follow-up to the Plan of action adopted by the 27th International Conference of the Red Cross and the Red Crescent and to the regional seminar held to mark the 50th anniversary of the 1949 Geneva Conventions. Sixteen Arab States participated and the representatives of four National Red Crescent Societies took part. The meeting resulted in the adoption of a plan of action for the national implementation of IHL in the region. A coordinator's office was established within the Arab League, in order to ensure application of the plan.

The ICRC Advisory Service also organized two regional seminars for **Member States of the Caribbean Community (CARICOM)**. The CARICOM Regional Seminar on the International Criminal Court (Port of Spain, Trinidad and Tobago, 8-9 May 2000) provided an opportunity to discuss the Rome Statute, including ratification and implementation procedures. The second seminar, the CARICOM Regional Follow-up Seminar on International Humanitarian Law, took place in Port of Spain on 21 and 22 February 2001. The participants considered means of strengthening implementation of humanitarian law treaties and discussed the possibilities for cooperation and technical assistance.

The **Second Regional European Meeting of National Committees and other Bodies on international humanitarian law** took place in Budapest on 2 and 3 February 2001. The event, organized together with the Hungarian Ministries of Foreign Affairs and Defence, brought together about 90 participants, including the representatives of 25 such national bodies. It was also attended by government experts from several States in which the process of establishing a national committee is well advanced or under consideration, and by representatives of the Council of Europe and the European Union. The meeting provided the national committees with an opportunity to discuss their respective roles and mandates and the ways and means of increasing their efficiency and strengthening their position vis-à-vis the national authorities. Working groups focused on the role of national committees with respect to the ratification and implementation of new international instruments, such as the 1998 Rome Statute and the Second Protocol to the 1954 Cultural Property Convention. A full session was devoted to the possibility of establishing a voluntary reporting procedure or information exchange mechanism on the implementation of IHL, and to the role national committees could play in that context. The event was deemed a success by the participants and demonstrated the importance of fostering contacts between national committees on a regional or sub-regional level within Europe.

ARGENTINA



Treaty participation

Argentina is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in February 2001).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by *Ley no. 2976 sobre el uso del emblema, el nombre y las insignias de la Sociedad Argentina de la Cruz Roja*. A draft revision thereof, prepared by the *Comisión Nacional de Aplicación del DIH* (CADIH), is pending approval by Congress.

A draft revision of the Military Justice Code providing for the punishment of war crimes was awaiting adoption by Congress.

The Directorate of International Security, Nuclear and Special Affairs (DIGAN) of the Ministry of Foreign Affairs proposed and submitted for adoption a series of draft provisions related to the 1980 Convention on Conventional Weapons and the 1997 Ottawa Convention, to be included in the Penal Code. The Advisory Service examined and commented on the provisions.

Other implementation measures

In 2000 and 2001, IHL was taught at the law faculties of most of the country's universities as a topic of public international law. Some law faculties also offered postgraduate courses on the subject.

Pursuant to administrative orders issued by the *Estado Mayor Conjunto* and military academies, humanitarian law was part of the 2000/2001 programmes of instruction at military academies and institutions.

In March 2001, the Argentine Government participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.

An inter-ministerial committee, not the CADIH, was established in 2001 with a view to paving the way for implementation of the 1998 Rome Statute. In December 2001, the committee submitted draft implementing legislation for the Statute for approval by Congress. The draft law provides for punishment of the war crimes described in Article 8 of the Statute and for grave breaches of the 1949 Geneva Conventions and Additional Protocol I which were not included in the Statute. The ICRC was given the opportunity to examine and comment on the draft.

In June 2001, the committee organized and hosted a regional seminar on the International Criminal Court for Latin American countries.

National committee

Argentina's committee for the national implementation of IHL, the CADIH, was established in 1992 to promote the dissemination and national implementation of the law. Cultural property to be protected in time of armed conflict was being inventoried by the CADIH, which also endeavored to promote the ratification of the Second Protocol to the 1954 Cultural Property Convention. It also started to plan the structure and functional system of a national information office. The CADIH's documentation centre was modernized in 2001. The ICRC continued to support CADIH activities throughout 2000 and 2001.



ARMENIA

Treaty participation

Armenia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

Draft legislation on the use and protection of the red cross and red crescent emblems, on which the Advisory Service had provided legal advice, was adopted by the National Assembly at first reading in November 2001.

Other implementation measures

The Rome Statute was translated into the national language in 2000 and the 1980 Convention on Conventional Weapons and its four Protocols in 2001.

In July 2001, a round table was held in Yerevan on the *Implementation of International Humanitarian Law in Armenia: achievements, constraints and prospects*. Its main objectives were to discuss the draft Criminal Code and the draft legislation on the emblem, the prospects for ratification of the Rome Statute and Armenia's accession to other major humanitarian law treaties.

National committee

The Ministry of Foreign Affairs' Legal Division studied the possibility of establishing, under its auspices, an interministerial committee on IHL.

AUSTRALIA



Treaty participation

Australia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its two Protocols, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The Geneva Conventions Act, 1957, as amended in 1991 to allow for ratification of the Additional Protocols, provides for the punishment of grave breaches of the Conventions and Protocol I, specifies trial procedures for protected persons and governs the use of the red cross and red crescent emblems and names, the civil defence sign and the electronic signals mentioned in Protocol I.

Australia has also adopted legislation giving effect to the provisions of the 1972 Biological Weapons Convention (Crimes (Biological Weapons) Act, 1976), the 1993 Chemical Weapons Convention (Chemical Weapons (Prohibition) Act, 1994) and the 1997 Ottawa Convention (Anti-personnel Mines Convention Act, 1998).

In 2001 the Australian Government considered draft legislation for the implementation of the 1998 Rome Statute of the International Criminal Court.

National committee

The Australian Red Cross National Committee on International Humanitarian Law was set up in 1981. It comprises representatives of the Departments of the Attorney-General, Defence and Foreign Affairs, the Australian Red Cross, academics and other experts. The Committee promotes knowledge of IHL and advises the government on questions relating to obligations arising from humanitarian law treaties and other related matters.



AUSTRIA

Treaty participation

Austria is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol (the Second Protocol was signed on 17 May 1999), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in December 2000).

Implementation of international humanitarian law

Legislation

Use of the emblems and names of the red cross and red crescent is governed by the Red Cross Protection Law of 27 June 1962 (*Rotkreuzschutzgesetz*). The law was being reviewed by the Austrian Interministerial Working Group on the Dissemination of International Humanitarian Law.

The Penal Code provides that the criminal laws of Austria are also applicable to offences committed in a foreign country (irrespective of the law of that country) when Austria is under an obligation to prosecute.

The Federal Law on the Prohibition of Anti-personnel Mines (*Bundesgesetz über das Verbot von Anti-Personen-Minen*), of 1 January 1997, and the Federal Law on the Prohibition of Blinding Laser Weapons (*Bundesgesetz über das Verbot von blindmachenden Laserwaffen*), of 1 January 1998, were adopted to implement Austria's obligations under the Ottawa Convention and Protocol IV to the 1980 Convention on Conventional Weapons.

The 1923 Federal Law on the Protection of Monuments (*Denkmalschutzgesetz*), amended in 1978 and 1999, implements the 1954 Cultural Property Convention.

Other implementation measures

A decree issued by the Federal Minister of Defence on 10 November 1999 established legal advisors within the armed forces. All military training programmes at all levels contain mandatory courses on humanitarian law, and a chapter on the law was inserted in the official *General Rules of Conduct for Soldiers in the Field*.

In September 2001 the Federal Ministry of Defence hosted a seminar on the protection of cultural property in the event of armed conflict.

National committee

The Austrian Interministerial Working Group on the Dissemination of International Humanitarian Law was established in 1988. It is chaired by the head of the Ministry of Foreign Affairs Human Rights Department and brings together representatives of the Federal Chancellery, the Ministries of Defence, Justice and the Interior, the Austrian Red Cross and the University of Vienna. The Working Group coordinates the implementation and dissemination of humanitarian law instruments and the preparatory work for International Conferences of the Red Cross and Red Crescent.

AZERBAIJAN



Treaty participation

Azerbaijan is a party to the 1949 Geneva Conventions, the 1954 Cultural Property Convention and its first Protocol, the 1993 Chemical Weapons Convention (ratified in February 2000) and the Second Protocol to 1954 Cultural Property Convention (ratified in January 2001).

Implementation of international humanitarian law

Legislation

The Extradition Act entered into force on 9 June 2001. It implements the provisions of the 1957 European Convention on Extradition and its Additional Protocols of 15 October 1975 and 17 March 1978.

The Legal Assistance in Criminal Matters Act was adopted on 29 June 2001. It takes into account the provisions of both the European Convention on Mutual Assistance in Criminal Matters and the International Convention Against Transnational Organized Crime.

The new Criminal Code entered into force on 1 September 2000. It includes an entire section on the repression of war crimes committed in both international and internal armed conflicts, and sets forth general principles for their repression, such as universal jurisdiction and the non-application of statutory limitations to perpetrators of war crimes. The Code already refers to a number of war crimes listed in the Rome Statute of the International Criminal Court.

Legislation on the use and protection of the red cross and red crescent emblems entered into force on 20 June 2001 following its publication in the official gazette. The legislation governs the use and protection of the red cross and red crescent emblems and names and of distinctive signals, in compliance with Azerbaijan's international obligations. It distinguishes between the indicative and protective uses of the emblems, attributes rights in this respect to specific entities, provides for control over use of the emblems by the Red Crescent Society of Azerbaijan and the relevant State bodies, and refers to national legislation regarding punishment for non-compliance.

Other implementation measures

A study of the compatibility of Azerbaijani legislation and practice with the 1998 Rome Statute of the International Criminal Court was completed in January 2002.

On 13 November 2000, the President of Azerbaijan signed an order establishing a committee for the implementation of the provisions of the 1954 Cultural Property Convention.



BANGLADESH

Treaty participation

Bangladesh is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols, all ratified in September 2000 (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention (ratified in September 2000) and the 2000 Optional Protocol to the Convention on Rights of the Child (ratified in September 2000).

Implementation of international humanitarian law

Legislation

The 1936 Geneva Conventions Implementing Act provides for the protection of the emblems of the red cross, red crescent and red lion and sun.

The 1973 International Crimes (Tribunal) Act provides for the establishment of a court to try crimes against humanity, crimes against peace, war crimes and the crime of genocide committed by any person on the territory of Bangladesh.

Other implementation measures

Pursuant to the recommendations of a symposium on the emblems organized by the ICRC and the Bangladesh Red Crescent Society, the Advisory Service had prepared and submitted an updated draft of legislation governing the emblem to the Ministry of Law and Justice in 1999. That legislation was under consideration by the Government.

The Government was also examining appropriate legal measures to be adopted with a view to fulfilling its obligations under the 1997 Ottawa Convention.

National committee

The ICRC proposal for the establishment of a national implementation committee was being studied by the Ministry of Foreign Affairs, which was in favour of organizing a symposium to discuss the matter.

BELARUS



Treaty participation

Belarus is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first four Protocols (Protocol IV, on blinding laser weapons, was ratified in September 2000), the 1993 Chemical Weapons Convention, and the Second Protocol to the 1954 Cultural Property Convention (ratified in December 2000).

Implementation of international humanitarian law

Legislation

The Law on the Use and Protection of the Red Cross and Red Crescent Emblems entered into force on 12 May 2000. It governs the use and protection of the red cross and red crescent emblems, the designations “Red Cross” and “Red Crescent”, and distinctive signals, in compliance with the international obligations of Belarus. It distinguishes between the indicative and protective uses of the emblems, attributes rights in this respect to specific entities, provides for control over use of the emblems by the Belarusian Red Cross and the relevant State bodies, and refers to national legislation regarding punishment for non-compliance. It also stipulates that the provisions of international treaties to which Belarus is a party take precedence over national legislation in cases where the two conflict.

The Law on the Belarusian Red Cross was adopted on 24 October 2000 pursuant to the pledge made by Belarus during the 27th International Conference of the Red Cross and Red Crescent.

The new Criminal Code entered into force on 1 January 2001. It establishes a comprehensive system for the repression of war crimes, in accordance with the country's international obligations under the 1949 Geneva Conventions and Additional Protocol I. The Code does not distinguish between acts committed in internal armed conflicts and those committed in international armed conflicts, but it does set forth general principles for their repression, such as universal jurisdiction and the non-application of statutory limitations to perpetrators of war crimes. The Code already referred to a number of war crimes listed in the Rome Statute.

The law whereby Belarus withdrew its reservations to the 1949 Geneva Conventions entered into force on 14 May 2001.

National committee

The National Committee for the Implementation of International Humanitarian Law drafted the law on the Belarusian Red Cross and closely followed the withdrawal by Belarus of its reservations to the 1949 Geneva Conventions. It helped draft amendments to the Criminal Code introduced with a view to the implementation of the Second Protocol to the 1954 Cultural Property Convention.

The Committee also helped make IHL standard teaching fare in secondary schools, with specialized courses being introduced in some 20 schools.



BELGIUM

Treaty participation

Belgium is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in June 2000).

Implementation of international humanitarian law

Legislation

Use of the emblems and names of the red cross and red crescent is governed by a law enacted on 4 July 1956 (*Loi relative à la protection des dénominations, signes et emblèmes de la Croix-Rouge*) and the law of 16 June 1993, as amended in 1999 (see below).

The 1993 law, as amended on 10 February 1999 (*Loi relative à la répression des violations graves du droit international humanitaire*), provides for the repression of grave breaches of the Geneva Conventions and their Additional Protocols, the crime of genocide and crimes against humanity. The amended version was enacted with a view to Belgium's ratification of the Rome Statute in June 2000.

The law of 30 March 2000 on the prohibition of anti-personnel mines (*Loi relative à l'interdiction des mines antipersonnel*) was adopted to give permanent effect to a provision contained in the law of 3 January 1933 on the manufacturing, trade and carrying of weapons and on trade in ammunition (*Loi relative à la fabrication, au commerce et au port des armes et au commerce des munitions*), which prohibits the use, stockpiling, acquisition and transfer of mines, booby traps and other devices.

A draft law aimed at broadening the scope of the law of 22 March 1996 on cooperation with the International Tribunals for the Former Yugoslavia and Rwanda to the International Criminal Court was prepared by the Minister of Justice in 2001 for submission to the Council of Ministers.

Other implementation measures

Training in humanitarian law was provided to Belgian magistrates by the Ministry of Justice and the Belgian Red Cross in November 2000 and January 2001, pursuant to the pledge made by Belgium and the Belgian Red Cross at the 27th International Conference of the Red Cross and the Red Crescent.

National committee

A royal decree (*arrêté royal*) adopted on 6 December 2000 reorganized the functions and composition of the Interministerial Committee on Humanitarian Law (*Commission interministérielle de droit humanitaire (CIDH)*), established in 1987 by a decision of the Council of Ministers. In April 2000 the Committee held a seminar on the protection of cultural property in the event of armed conflict, following a report on the penal repression of humanitarian law violations relating to cultural property issued in 1999.

BOLIVIA



Treaty participation

Bolivia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols, including amended Protocol II (ratified in September 2001), the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

In 2000 the *Comisión Nacional Permanente para la Aplicación del DIH (CNPADIH)* drafted legislation on the use and protection of the red cross and red crescent emblems (and designations).

In conjunction with a general review of Bolivia's criminal legislation, the CNPADIH conducted a study in 2000 and 2001 to assess the conformity of Bolivia's Penal Code with the requirements of IHL and prepared draft amendments providing for the punishment of breaches thereof. Also within the framework of the CNPADIH, the Ministry of Defence announced its intention to revise the Military Justice Code with a view to introducing comprehensive sanctions for war crimes.

Other implementation measures

In 2000 and 2001, instruction in IHL started to be dispensed to the armed forces as part of teaching programmes at military academies and institutions.

National committee

Bolivia's national implementation committee, the CNPADIH, was established in 1992 and its mandate renewed and composition extended in 1998. The Committee is responsible for guaranteeing effective implementation of the law in Bolivia, for proposing measures to give effect to humanitarian law treaties, and for disseminating knowledge thereof. It continued to work in 2000 and 2001 through four subcommittees, each dealing with a specific topic.

The Committee helped pave the way for Bolivia's ratification of the 1954 Cultural Property Convention and its two Protocols. A draft law authorizing the ratification was presented to the House of Representatives in 2001.

In March 2001, the president of the CNPADIH participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS. Committee members attended a regional seminar on the International Criminal Court organized in June 2001 in Argentina.

In 2000 and 2001 the Advisory Service took part in the CNPADIH's meetings, trained its members in humanitarian law and helped draw up its plan of action. It provided the Committee with technical expertise, helped draft the law on the use of the emblems and provided advice on the financial and practical implications of ratifying the Cultural Property Convention. To facilitate the CNPADIH's work, it helped put together a small collection of books on humanitarian law at the Ministry of Foreign Affairs' library.



BOSNIA-HERZEGOVINA

Treaty participation

Bosnia-Herzegovina is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (amended Protocol II was ratified in September 2000 and Protocol IV in October 2001), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

In October 2000 the Republika Srpska's new Criminal Code came into force, and in October 2001 Republika Srpska adopted a law on cooperation with the International Criminal Tribunal for the former Yugoslavia.

Legislation on the use and protection of the emblem and on the status of the National Society was drafted and submitted to parliament for consideration.

BOTSWANA



Treaty participation

Botswana is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention (ratified in March 2000) and the 1998 Rome Statute of the International Criminal Court (ratified in September 2000).

Implementation of international humanitarian law

Legislation

Use of the emblem and names of the red cross and red crescent is governed by the Red Cross Society of Botswana Act, 1968.

The Geneva Conventions are covered by the Geneva Conventions Act, 1970, which does not make provision for the Additional Protocols. The Act was being amended to incorporate the Additional Protocols and update legislation on the emblem. The Advisory Service examined and assisted with the amendments.



BRAZIL

Treaty participation

Brazil is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Decree No. 2380 of 1910, Law No. 3960 of 1961 and Law No. 966 of 1962.

Legislation to give effect to the Ottawa Convention (*Lei N° 10.300, de 31 de outubro de 2001, Proíbe o emprego, o desenvolvimento, a fabricação, a comercialização, a importação, a exportação, a aquisição, a estocagem, a retenção ou a transferência, direta ou indiretamente, de minas terrestres antipessoal*) was adopted in October 2001 and entered into force on 1 November 2001, the date of its publication in the *Diário Oficial*.

Other implementation measures

The project to spread knowledge of humanitarian and human rights principles to the Brazilian Military Police, launched in 1998, was pursued throughout 2001. By 31 December 2001, 996 officers throughout the country had received instruction, chiefly on human rights norms relating to the powers of law enforcement agencies. Particular emphasis was placed on the norms relating to the use of force and firearms. It was decided to extend the project into 2002.

A comparative study of national law from the standpoint of IHL, started by a local legal expert in 2000, was completed in 2001 and submitted to the relevant authorities, including the Ministries of Foreign Affairs, Justice and Defence, and to the Human Rights Committee of the Legislative Assembly.

In March 2001, the Brazilian Government participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.

Following a national seminar on the International Criminal Court and the repression of serious violations of IHL and human rights law, held in September 2001 by the Human Rights Commission of the House of Representatives, a group of legal experts was commissioned by the Minister of Justice to study the measures that Brazil should consider adopting when it ratifies the Rome Statute.

BULGARIA



Treaty participation

Bulgaria is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the Second Protocol to the 1954 Cultural Property Convention (ratified in June 2000).

Implementation of international humanitarian law

Other implementation measures

A national study on the compatibility of Bulgarian legislation and practice with IHL was completed in 2000.



BURKINA FASO

Treaty participation

Burkina Faso is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention and the 1977 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The Penal Code and the Military Code of Justice provide for the punishment of certain grave breaches of the Geneva Conventions and Additional Protocol I.

On 2 May 2001, the Council of Ministers adopted a decree on the prohibition of anti-personnel mines and other implementing measures for the 1977 Ottawa Convention (*Décret no. 2001-180/PRES/PM/SECU du 2 mai 2001*).

CAMBODIA



Treaty participation

Cambodia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

On 10 August 2001, the King of Cambodia promulgated the Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea. Under the law, the Extraordinary Chambers are empowered to bring to trial senior leaders of the Khmer Rouge regime suspected of having committed or ordered the commission of grave breaches of the Geneva Conventions (Article 6) or of being responsible for the destruction of cultural property during an armed conflict, pursuant to the 1954 Cultural Property Convention (Article 7).

On 26 November 2001, the National Assembly adopted the Law on the Ratification of the Rome Statute of the International Criminal Court. On 3 January 2002, it adopted the Law on the Ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Ministerial Directive No. 144 of 7 September 1991 regulates the use of the red cross and red crescent emblems. A review of Cambodian legislation on the emblem was launched in 1999 with a view to obtaining comprehensive protection for the emblems, signs and signals referred to in the Geneva Conventions and Additional Protocol I. A new draft royal decree on the emblem, which the ICRC helped prepare, was being considered by the Council of Ministers.

A new draft decree on the recognition of the Cambodian Red Cross was prepared and submitted to the Council of Ministers. The ICRC also helped draft this decree, which outlines the mandate and operating principles of the National Society in its capacity as an auxiliary to the authorities in humanitarian matters.

National committee

Cambodia formally established a Joint National Committee on the Implementation of International Humanitarian Law in October 1996. Since the Committee never became operational, the Cambodian Red Cross and the ICRC pursued their dialogue with the relevant Cambodian authorities on the matter.



CANADA

Treaty participation

Canada is a party to the 1949 Geneva Conventions and their Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, the 1998 Rome Statute of the International Criminal Court (ratified in July 2000) and the 2000 Optional Protocol to the Convention on the Rights of the Child (ratified in July 2000).

Implementation of international humanitarian law

Legislation

Use of the emblems and names of the red cross and red crescent is governed by the Trade Marks Act, 1952.

The Geneva Conventions Act, 1965, gives effect to the Conventions and Additional Protocol I.

The Crimes Against Humanity and War Crimes Act, which entered into force on 23 October 2000, implements the Rome Statute. Its objective is twofold: to allow full cooperation with the Court in matters of investigation and prosecution, and to increase Canada's capacity to prosecute and punish alleged perpetrators of genocide, crimes against humanity and war crimes, including on the basis of universal jurisdiction. It also modifies federal legislation on extradition and judicial cooperation, in order to comply with the obligations laid down in the Rome Statute.

The Chemical Weapons Convention and the Ottawa Convention are implemented respectively by the Chemical Weapons Convention Implementation Act, 1995, which entered into force on 1 January 2001, and the Anti-personnel Mines Convention Implementation Act, 1997, which entered into force on 1 March 1999.

The National Defence Act was amended to preclude persons under the age of eighteen from being deployed by the Canadian Armed Forces to a theatre of hostilities. The amendment became effective on 29 June 2000, before the ratification by Canada of the 2000 Optional Protocol.

Other implementation measures

The Department of Foreign Affairs and International Trade actively promoted the ratification and implementation of the Ottawa Convention and the Rome Statute, hosting a wide range of national and regional seminars and conferences.

National committee

The Canadian National Committee for Humanitarian Law was set up in March 1998 pursuant to a memorandum of understanding between the Departments of Foreign Affairs and International Trade, National Defence and Justice, the Solicitor General as represented by the Royal Canadian Mounted Police, the Canadian International Development Agency and the Canadian Red Cross Society. Its main role is to facilitate implementation of IHL and offer advice on dissemination.

CAPE VERDE



Treaty participation

Cape Verde is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II) and the 1997 Ottawa Convention (ratified on May 2001).

National committee

A national committee for human rights (*Comité nacional para los Derechos humanos*) was established by Decree No. 19/2001 of 24 September 2001. The Committee is chaired by the Ministry of Justice and has a mandate to promote human rights and humanitarian law and to advise the authorities on the national implementation thereof.



CHILE

Treaty participation

Chile is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified in September 2001).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Law No. 6371 of 1939, as modified by Law No. 19511 of 1997.

Chile's criminal law was under review in 2000 and 2001. An interministerial working group was mandated to prepare draft legislation providing for the repression of breaches of humanitarian law for inclusion in the revised ordinary and military Penal Codes. A study on the topic was requested of the University of Chile's Department of Criminal Law. The Advisory Service provided pertinent documentation and technical expertise.

Other implementation measures

In 2000 and 2001, instruction in IHL was provided to the armed forces as part of the compulsory training programme at military academies and other institutions. During the same period, most of the country's university law faculties also dispensed instruction on the law as a topic of public international law.

In March 2001, the Government of Chile sent a representative to a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.

National committee

Chile's national implementation body, the *Comisión Nacional de Derecho Humanitario (CNDH)* was set up in 1994. Its role is to study and propose to the relevant authorities measures to give effect in Chile to the 1949 Geneva Conventions and their Additional Protocols and to prepare draft implementing legislation and regulations. The Committee met several times in 2000 and 2001 and issued annual reports on its activities. In 2001 it launched a study to pave the way for Chile's ratification of the 1980 Convention on Conventional Weapons and its Protocols. The Advisory Service provided advice on the practical implications of that ratification and backed the work of the CNDH with technical expertise and documentation.

In June 2001, the president of the CNDH participated in a regional seminar on the International Criminal Court held in Argentina.

COLOMBIA



Treaty participation

Colombia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II, ratified in March 2000), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified in September 2000).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Presidential Decree No. 860 of May 1998, *Por el cual se reglamenta lo relativo a la protección y el uso que debe darse al nombre y el emblema de la Cruz Roja, se protegen sus actividades y se facilita la prestación de los servicios humanitarios en Colombia*. A draft law to replace the Decree and provide for more comprehensive regulation of the use of the emblems was prepared during 2000 and 2001 by the Colombian Red Cross Society with the assistance of the Advisory Service.

Colombia's criminal law was reformed in 1999 and 2000. A revised Military Justice Code was adopted by Law No. 522 of August 1999 and came into force in August 2000. It provides for the punishment of certain serious violations of IHL. A revised Penal Code, which includes a comprehensive section on the punishment of crimes committed against persons and objects protected by humanitarian law, was adopted by Law No. 599 of July 2000 and came into force in July 2001.

A supplementary law to the Penal Code providing for the punishment of the specific crimes of genocide, torture, forced disappearance and forced displacement was also adopted in June 2000 but was then superseded by the new Penal Code, which includes those crimes.

Other implementation measures

By Permanent Directive No. 011 of April 2000, the Ministry of Defence established human rights and humanitarian law policies for the armed forces and the police. The latter were supplemented with Permanent Directive No. 80010/2000 of the General Command of the Military Forces and Transitory Directive No. 014/2000 of the Navy. The General Santander Police School adopted resolution No. 391 of October 2001, establishing a committee in charge of drawing up a teaching model for instruction in human rights and humanitarian law within the police forces.

The *Comisión Intersectorial Nacional para la Acción contra las Minas Antipersonal*, which is in charge of promoting implementation of the Ottawa treaty, was established by Decree 2113 of 8 October 2001.

A postgraduate course on IHL developed by the *Universidad Externado de Colombia* was held for the first time in 2001. University professors from around the country were trained in 2001 with a view to making humanitarian law part of the university curriculum nationwide.

In March 2001 Colombia participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.

National committee

The *Comisión Intersectorial Permanente para los Derechos Humanos y el Derecho Internacional Humanitario* was established by Decree 321 of 25 February 2000. The Committee is in charge of preparing and proposing policy on human rights and IHL, in order to facilitate the government's decision-making process. It is assisted by a technical intersectorial committee.



CONGO (REPUBLIC OF THE)

Treaty participation

Congo is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention and the 1997 Ottawa Convention (ratified on May 2001).

Implementation of international humanitarian law

Other implementation measures

In 2001, IHL was incorporated into the curricula of the Military Academy, armed forces' military schools, and training institutes run by the police and the security forces. Training programmes for military units and regions run by the Ministry of Defence Training Directorate of Schools also included instruction in IHL.

At the Law Faculty of Marien Ngouabi University, IHL was an option in the third-year master's programme. The Faculty also proposed to include IHL in the curriculum of the third year of the second cycle.

IHL was also incorporated into the 2000-2001 curriculum of the diplomatic stream at the *École nationale d'Administration et de Magistrature (ENAM)*.

COOK ISLANDS



Treaty participation

The Cook Islands became a party to the 1993 Chemical Weapons Convention in 1994, and signed the 1997 Ottawa Convention in 1997. Although the Islands do not appear in the depositary State's list of parties to the 1949 Geneva Conventions, they are clearly bound by virtue of New Zealand's ratification of these instruments in 1959. The Cook Islands are not bound by the 1977 Additional Protocols, however, as New Zealand's 1988 ratification of the Protocols was specifically declared not to extend to the Cook Islands.

In 1999 the ICRC regional delegation in Manila and its office in Sydney started discussing the possibility of the Cook Islands becoming a party to the Additional Protocols with the relevant authorities. The approach favoured is the deposit, by the Cook Islands, of an instrument of accession that would include a declaration confirming that they are bound by the Geneva Conventions under New Zealand's ratification.

Implementation of international humanitarian law

Legislation

Section 10 of the New Zealand Geneva Conventions Act, 1958, specifically extends the provisions thereof to the Cook Islands, the Tokelau Islands and Western Samoa. The Act provides for the punishment of grave breaches of the Geneva Conventions, specifies trial procedures for protected persons and regulates the use of the red cross and red crescent emblems and names.

The authorities of the Cook Islands were examining a Geneva Conventions bill to give effect, upon accession, to the Additional Protocols.



COSTA RICA

Treaty participation

Costa Rica is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in June 2001).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by *Ley no. 8031, Uso y protección de los emblemas de la cruz roja y de la media luna roja*, adopted in September 2000.

Costa Rica was reviewing its criminal law. Two draft revisions of the Penal Code were prepared, one by the judiciary and the other by the Legislative Assembly. Further to consultations between the Advisory Service and the executive and legislative branches of government, a further project for Penal Code reform that included sanctions for war crimes was prepared in 2001 and submitted to the Legislative Assembly for approval.

Draft legislation for the implementation of the 1997 Ottawa Convention was prepared in 2001 and submitted to the Legislative Assembly for approval.

Other implementation measures

IHL was incorporated into university curricula and the programme of instruction of the *Instituto del Servicio Exterior Manuel María de Peralta*.

An office in charge of instruction in IHL was set up within the G3 of the Costa Rican law enforcement agency in October 1998.

In March 2001, Costa Rica hosted a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.

CÔTE D'IVOIRE



Treaty participation

Côte d'Ivoire is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified in June 2000).

Implementation of international humanitarian law

Legislation

The Penal Code provides for the punishment of certain grave breaches of the Geneva Conventions and Additional Protocol I.

Legislation governing use of the red cross and red crescent emblems was pending.

Other implementation measures

A national bureau in charge of spreading knowledge of IHL to the armed forces was set up by Decree No. 0057/MD/CAB of 15 April 1999 (*Arrêté portant organisation interne du Ministère de la Défense*).

National committee

Côte d'Ivoire's national implementation body, the *Commission interministérielle nationale pour la mise en oeuvre du droit international humanitaire*, was established by Decree No. 96-853 of 25 October 1996.



CROATIA

Treaty participation

Croatia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in May 2001).

Implementation of international humanitarian law

Legislation

The repression of violations of IHL is governed by Section 13 of the Criminal Code, which covers almost all grave breaches of the Geneva Conventions and their Additional Protocols in full.

Other implementation measures

A national study was being conducted on the compatibility of Croatian legislation and practice with humanitarian law.

National committee

Croatia set up the Croatian National Committee on International Humanitarian Law in July 2000 by a government decision signed by the Deputy Minister of Foreign Affairs. The Committee chairperson is the President of the Croatian Red Cross, and the members are representatives of the National Society and of the Ministries of Foreign Affairs, Defence, the Interior, Justice, Health and Education and Sports, of the local authorities and the government human rights office, and experts from academic circles.

CUBA



Treaty participation

Cuba is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II and III, and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

Draft legislation on the protection of the red cross and red crescent emblems (and designations) was prepared by the Cuban Red Cross and circulated in 2000 among the relevant authorities.

The Penal Code provides for the punishment of the crime of genocide and of certain grave breaches of IHL. The 1979 *Ley de delitos militares* (Section 12 in particular) provides for the punishment of certain grave breaches committed by military personnel. The *Ley de Defensa nacional* contains provisions on the civil defence system and provides for the protection of cultural property in time of war.

Other implementation measures

A humanitarian law research centre, the *Centro de Estudio del Derecho Internacional Humanitario (CEDIH) de la Cruz Roja Cubana*, was opened in 1994 as a non-governmental organization to promote knowledge and national implementation of the law in Cuba. In 2000 and 2001 its activities included the training of civil and military experts in IHL, the preparation of teaching material for different target groups and levels, and dissemination to the armed forces, the police and the civil authorities. The CEDIH also ran a documentation centre on humanitarian law which was open to researchers, students and other interested persons.

Pursuant to Order No. 150 of 1997 issued by the Ministry and the Chief of Staff of the Revolutionary Armed Forces, IHL was made a mandatory part of the official training programmes of all National Defence participants. Plans of action to implement the Order were issued on an annual basis.



CZECH REPUBLIC

Treaty participation

The Czech Republic is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 2000 Optional Protocol to the Convention on the Rights of the Child (ratified in November 2001).

Implementation of international humanitarian law

Legislation

The repression of violations of humanitarian law is governed by the Criminal Code. The use of the red cross and red crescent emblems and names is governed by the Act on the Protection of the Red Cross Emblem and Name and on the Czechoslovak Red Cross.

In September 2001, the Czech Government adopted the Government Bill on the Constitutional Law Concerning the Rome Statute and submitted it to the Chamber of Deputies for further consideration. The Czech Parliament vetoed the Bill, which the Government had to withdraw.

Other implementation measures

In September 2001, the Czech Republic withdrew the reservations to the Geneva Conventions made by the former Czechoslovakia when it ratified the Conventions, to which the Czech Republic succeeded by its Declaration of February 1993.

A national study was being conducted of the compatibility of Czech legislation and practice with IHL.

DENMARK



Treaty participation

The Kingdom of Denmark is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in June 2001).

Implementation of international humanitarian law

Legislation

Denmark has no specific legislation governing the use of the red cross and red crescent emblems and designations. However, unlawful use of the emblems is punishable by a fine under the Penal Code.

The Danish Penal Code has no specific penal provisions on violations of IHL, which can nevertheless be prosecuted under the Penal Code inasmuch as they constitute ordinary criminal offences. Danish courts can exercise universal jurisdiction “where the act is covered by an international convention in pursuance of which Denmark is under an obligation to start legal proceedings”.

On 16 May 2001, Denmark adopted Act No. 342 on the International Criminal Court, with a view to its ratification of the Rome Statute. The Act regulates the surrender of suspects and other forms of assistance that may be required by the Court. It also allows the Government to consent to the enforcement in Denmark of a prison sentence handed down by the Court.

Act No. 443 of 14 June 1995 (amended in 1997) was adopted to enable Denmark to fulfil its obligations under the 1993 Chemical Weapons Convention. It governs international inspections carried out in Denmark and the collection of information from the chemical weapons industry for the purpose of preparing the declarations and reports to be submitted pursuant to the Convention. Executive Order No. 712 of 29 August 1995 prohibits the import, development, production, consumption, stockpiling, selling, export or possession of chemical weapons. Executive Order No. 771 of 6 October 1997 designates the Danish Agency of Trade and Industry as the National Authority responsible for the Convention’s implementation and lays down further details regarding the submission of information on regulated chemicals and the conduct of inspections.

National committee

The Governmental Red Cross Committee was established in July 1982. It includes representatives of the Ministries of Foreign Affairs, Justice, Defence, Home Affairs and Health, and of the Armed Forces, the civil defence authorities and the Danish Red Cross. The Committee’s mandate includes studying administrative measures for the national implementation of humanitarian law treaties, particularly with regard to dissemination and teaching, coordinating the implementation of those measures and advising government authorities on the interpretation and application of IHL.



DOMINICAN REPUBLIC

Treaty participation

The Dominican Republic is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention and the 1997 Ottawa Convention (ratified in June 2000).

National committee

By Executive Decree No. 131-99 of 30 March 1999, the Dominican Republic formally established the *Comisión Nacional Permanente para la Aplicación y el Seguimiento del DIH*. Its functions include recommending measures for the national implementation of humanitarian law treaties, spreading knowledge of the law among the authorities and proposing draft implementing legislation.

In 2000 and 2001 the Commission met on four occasions and held a one-day workshop on IHL with the support of the Advisory Service. It prepared draft legislation governing the use of the red cross and red crescent emblems (and designations) and submitted it to the National Congress for approval. The Commission plans to amend the Executive Decree by which it was established, with a view to extending membership to other government entities.

In 2000 and 2001, the ICRC provided the Commission with technical expertise, documentation and training for its members.

ECUADOR



Treaty participation

Ecuador is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II (amended version ratified in August 2000) and III, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by *Decreto Legislativo no. 893 de 1923 sobre el uso del emblema de la cruz roja*, which was supplemented by *Reglamento 362* of 1972. A revised version of this legislation was under consideration.

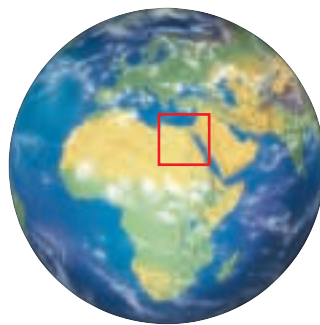
Other implementation measures

In 2000 and 2001, the armed forces continued to receive instruction in IHL as part of their training at military academies and institutions; the instruction was provided by the Ecuadorian Red Cross with ICRC support.

The ICRC launched a long-term (two-year) project to train national police officers in human rights norms relating to the powers of law enforcement agencies, particularly the use of force and firearms, the maintenance of law and order, arrest and detention. About 300 national police officers had been trained by the end of 2001 using the “train-the-trainers” approach.

A study of Ecuador’s domestic legislation from the standpoint of IHL was conducted in 2000 and 2001 by a local legal expert.

In March 2001, the Government of Ecuador participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS. As a result, the authorities gave serious consideration to the establishment of a national body for the implementation of humanitarian law, to advise it on matters related to the law and propose measures to give effect to Ecuador’s obligations under humanitarian law treaties.



EGYPT

Treaty participation

Egypt is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols and to the 1954 Cultural Property Convention and its first Protocol.

Implementation of international humanitarian law

Legislation

Egyptian criminal law does not refer directly to war crimes. However, the Penal Code (1937), as amended (1940), and the Military Penal Code (1966) contain provisions punishing a number of acts considered to be grave breaches of humanitarian law treaties if committed during an armed conflict.

The National Society's use of the red crescent emblem is governed by Presidential Ordinance No. 1925/1929 of 30 September 1969. Trades and Marks Act No. 57/1939 of 21 January 1939 punishes unauthorized use of the emblem. In 2000 and 2001, the National Committee drafted a bill to be submitted to the Council of Ministers.

Other implementation measures

In May 2001 the National Committee, in cooperation with the League of Arab States and the ICRC, convened a regional meeting of Arab experts pursuant to the Cairo Declaration (November 1999). Representatives of 16 Arab States adopted a regional plan of action on the implementation of IHL. The plan of action urges Arab countries to implement the law and to set up national committees with that objective in mind. It also aims to facilitate the harmonization of national legislation on humanitarian law issues and on dissemination. A coordinator's office, made up of representatives from the League of Arab States and the ICRC, was established to ensure the plan's application.

Judges and military and civilian prosecutors continued to receive training in IHL from the National Centre for Judicial Studies. Special training was provided for diplomats, parliamentarians and police officers.

National committee

Pursuant to the recommendations of the Cairo Declaration, the National Committee on International Humanitarian Law was established by Prime Ministerial Decree No. 149/2000. In accordance with Decrees No. 1012/2000 and No. 1031/2000, issued by the Ministry of Justice, representatives of the Ministries of Justice, Foreign Affairs, Defence, Higher Education and the Interior, the Intelligence Service and the Egyptian Red Crescent Society were appointed to the Committee. The Committee is chaired by the Director-General of the General Administration for International and Cultural Property within the Ministry of Justice and has its headquarters at the Ministry. Its role is to promote national implementation of IHL, submit relevant proposals to decision-makers, increase dissemination at all levels and facilitate the exchange of information with national and international organizations.

EL SALVADOR



Treaty participation

El Salvador is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol (ratified in July 2001), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols, including amended Protocol II (ratified in January 2001), the 1993 Chemical Weapons Convention, and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

Decree-Law No. 175 of October 2000 (*Ley de Protección del Emblema de la Cruz Roja*) regulates the use of the red cross and red crescent emblems (and designations). The Military Code of Justice and the Penal Code provide for the punishment of certain serious breaches of IHL.

Other implementation measures

The first steps were taken in 2000 and 2001 with a view to drawing up an inventory of Salvadoran cultural property to be protected in the event of an armed conflict. A teaching guide on the 1954 Cultural Property Convention and its two Protocols was published so as to heighten awareness among the government authorities and civil society of the importance of protecting the country's cultural heritage and respecting the rules and principles contained in the treaty. In July 2001, the first sign providing special protection for cultural property was placed on the National Museum, and on 8 December 2001 another sign was placed at the Joyas de Cerén archeological site, a World Heritage Property. Efforts were pursued in 2000 and 2001 to include humanitarian law in the curricula of university law faculties throughout the country. The Law Faculty of the University of El Salvador offered a mandatory course on the law within the framework of its Master's Programme on Human Rights and Education for Peace. On the basis of an order issued by the Chief of Staff, IHL was taught in 2000 and 2001 as part of armed and security forces' training programmes.

National committee

El Salvador's national implementing body, the *Comité interinstitucional de Derecho Internacional Humanitario* (CIDIH-ES), was established in 1997. The CIDIH-ES, which advises the government on humanitarian law treaties, implementing measures and dissemination, continued to work in 2000 and 2001 on a regular basis through two subcommittees. It provided the government with annual reports on its activities. During 2000 and 2001, the CIDIH-ES prepared draft amendments of the Criminal Code and the Code of Criminal Procedure that included punishment for breaches of IHL and brought them in line with the requirements of the law; it submitted the drafts to its member institutions for further study. The Advisory Service also examined and commented on the amendments. In addition the CIDIH-ES prepared draft legislation to ban landmines and undertook to supplement the study of national law from the standpoint of IHL that had been prepared by a team of legal experts from the *Universidad centroamericana José Simeón Cañas*. The CIDIH-ES was directly involved in placing signs protecting cultural property at the National Museum and the Joyas del Cerén archeological site. Together with the relevant authorities, it started work on a national guide on cultural property signs. In March 2001, the CIDIH-ES participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS. In 2000 and 2001 the Advisory Service continued to support the work of the CIDIH-ES by training its members and by providing information and documentation on specific topics and technical expertise on the drafting of legislation.



ESTONIA

Treaty participation

Estonia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II, ratified in April 2000), the 1993 Chemical Weapons Convention and the 1998 Rome Statute of the International Criminal Court (ratified in December 2001).

Implementation of international humanitarian law

Legislation

The draft law on the use and protection of the emblem was revised.

FINLAND



Treaty participation

Finland is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in December 2000).

Implementation of international humanitarian law

Legislation

The use of the emblem and name of the red cross is governed by the Act on the Use of Certain Internationally Protected Symbols (645/1980), which also regulates the use of the civil defence sign. Persons who use an internationally protected emblem or sign without authorization are liable to a fine or imprisonment.

The Finnish Penal Code includes war crimes and crimes against humanity committed in both international and non-international armed conflicts as punishable offences. Finnish penal law is applicable to international offences committed abroad if such jurisdiction is provided for in an international agreement binding on Finland, namely the Geneva Conventions and Additional Protocol I, the Convention on the Prevention and Punishment of the Crime of Genocide, and the Chemical Weapons Convention.

Legislation was adopted in 1997 (Law 346/1997) to implement the Chemical Weapons Convention. The Ministry of Foreign Affairs serves as the National Authority referred to in Article VII of the Convention. It is assisted in implementing the Convention by the Finnish Institute for Verification of the Chemical Weapons Convention (VERIFIN).

An act on the implementation and application of the Rome Statute (Act 1284/2000) was adopted on 28 December 2000. It incorporates the Statute into domestic law and supplements the provisions of the Act on International Legal Assistance in Criminal Matters by regulating cooperation between the Finnish authorities and the International Criminal Court. Another act adopted on the same day concerns jurisdictional issues in respect of offences against the administration of justice.

The Conscription Act was amended in May 2000 to raise the voluntary age of enlistment to 18.

Other implementation measures

Most of the twenty legal advisers belonging to the Finnish Defence Forces act as general legal advisers and perform various duties, including providing training in and advice on IHL.

National committee

The Finnish National Committee for the Dissemination of Humanitarian Law was established in 1993. It is chaired by the Director-General of Legal Affairs at the Ministry of Foreign Affairs and is made up of representatives of several ministries and the Finnish Red Cross. Its mandate includes the coordination of activities and measures to implement and disseminate the Geneva Conventions and their Additional Protocols and other instruments of IHL.



FRANCE

Treaty participation

France is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (Additional Protocol I was ratified in April 2001), the 1954 Cultural Property Convention and its two Protocols, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II (including the amended version) and IV, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in June 2000).

Implementation of international humanitarian law

Legislation

Use of the red cross emblem and name is governed by a provision of the Penal Code and the Act of 4 July 1939 amending the Act of 24 July 1913 protecting the red cross emblem in conformity with the provisions of the Geneva Convention of 27 July 1929 for the Amelioration of the Condition of the Wounded and Sick in Armies in the Field (*Loi tendant à modifier la loi du 24 juillet 1913 en vue d'assurer la protection de l'emblème de la Croix-Rouge et des armoiries de la Confédération suisse conformément aux dispositions de la convention de Genève du 27 juillet 1929 pour l'amélioration du sort des blessés et des malades dans les armées en campagne*).

Certain violations of IHL may be prosecuted under the Code of Military Justice. The Penal Code covers crimes against humanity and genocide.

French implementing legislation includes Act No. 72-467 of 9 June 1979 implementing the Biological Weapons Convention (*Loi interdisant la mise au point, la fabrication, la détention, le stockage, l'acquisition et la cession d'armes biologiques ou à base de toxines*), Act No. 98-467 of 17 June 1998 implementing the Chemical Weapons Convention (*Loi relative à l'application de la Convention du 13 janvier 1993 sur l'interdiction de la mise au point, de la fabrication, du stockage et de l'emploi des armes chimiques et sur leur destruction*) and Act No. 98-564 of 8 July 1998 implementing the Ottawa Convention (*Loi tendant à l'élimination des mines antipersonnel*). A committee to ban anti-personnel mines was created by Decree No. 99-358 of 10 May 1999 (*Décret instituant une Commission nationale pour l'élimination des mines antipersonnel*).

An act amending the Constitution (*Loi constitutionnelle n° 99-568 du 8 juillet 1999 insérant, au titre VI de la Constitution, un article 53-2 et relative à la Cour pénale internationale*) was adopted in 2000 to permit the ratification of the Rome Statute on 9 June 2000.

Other implementation measures

On 4 January 2000, the Ministry of Defence issued a directive relating to the dissemination of IHL within the armed forces. A military manual on the law of armed conflict was published in 2001.

National committee

Set up in 1947, the *Commission nationale consultative des droits de l'homme (CNCDH)* received a formal mandate in 1996 to deal with questions relating to humanitarian emergencies and to promote and ensure implementation of IHL. A subcommittee on humanitarian law and action was established at that time. The Committee has delivered opinions *inter alia* on "military, security and police transfers, in particular of light weapons" (5 May 2000), "the accession by France to Additional Protocol I of 1977" (6 July 2001) and "the adaptation of national law to the Statute of the International Criminal Court" (23 November 2001).

GEORGIA



Treaty participation

Georgia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

The new Criminal Code, adopted in 1999, entered into force on 1 June 2000. It includes an entire section on the repression of war crimes committed in both international and internal armed conflicts, and sets forth the general principles for their repression, such as universal jurisdiction and the non-application of statutory limitations to perpetrators of war crimes. The Code already takes into consideration a number of war crimes enumerated in the Rome Statute.

Other implementation measures

In October 2000, an advanced course on IHL was organized in Tbilisi by the ICRC and the European Law Students' Association (ELSA).

In January 2001, a seminar on IHL was organized in Likani, Georgia. The seminar was attended by representatives from the ministries concerned, NGOs and the Red Cross Society of Georgia. Its objective was to provide intensive training in IHL, with particular regard to the repression of war crimes at national and international levels and protection of the emblem. A substantial amount of time was spent on discussions and case studies in working groups.

The study of the compatibility of national law with the Rome Statute, conducted by a national expert, was completed in November 2001.

A commission of experts was established by Presidential Decree No. 177 in March 2001 to study the compatibility of Georgian legislation with the Rome Statute and certain other treaties pertaining to criminal law. The Commission, which is chaired by the Minister of Justice, will put forward concrete proposals for bringing national legislation in line with international criminal law instruments, including the Rome Statute.

National committee

In February 2000, the Interministerial Committee on International Humanitarian Law met to discuss the new Criminal Code and Georgia's possible accession to humanitarian law treaties. As a result of the meeting, the Committee adopted a series of recommendations on the teaching of IHL to various targets groups, in particular the armed forces.

The Interministerial Committee met again in November 2001 to discuss the draft study of the compatibility of national law with the Rome Statute and to draw up its plan of action for 2002.



GERMANY

Treaty participation

Germany is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol (the Second Protocol was signed on 17 May 1999), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in December 2000).

Implementation of international humanitarian law

Legislation

Use of the emblems and names of the red cross is governed by Article 125 of the Administrative Offences Act (*Gesetz über Ordnungswidrigkeiten/OWiG*).

The repression of violations of IHL is governed by the Penal Code, whose ordinary provisions (on murder, the deprivation of liberty and bodily harm, for instance) have been interpreted by the German courts as covering such violations. In 2001 Germany was in the process of adopting a Code of Crimes against International Law (*Gesetz zur Einführung des Völkerstrafgesetzbuchs*) in order to provide the domestic courts with an improved legal basis for the prosecution of international crimes, including those covered by the Rome Statute.

The Ottawa Convention is implemented by the Law of 6 July 1998 (*Ausführungsgesetz zum Übereinkommen über das Verbot des Einsatzes, der Lagerung, der Herstellung und der Weitergabe von Anti-personenminen und über deren Vernichtung vom 3. Dezember 1997*) and the Decree of 8 January 1998 amending the Law of 30 July 1961 on the monitoring of war weapons.

The Constitution (Article 16 of the Basic Law) was amended on 29 November 2000 to permit the surrender of nationals to European Union States and to the International Criminal Court. The Rome Statute was subsequently ratified on 11 December 2000.

National committee

The German Red Cross Committee on International Humanitarian Law, set up in 1973, is a forum for consultation and coordination between the National Society and the relevant government departments. It includes representatives from the Ministries of Foreign Affairs, Defence and the Interior.

GHANA



Treaty participation

Ghana is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention (ratified in June 2000) and the 1998 Rome Statute of the International Criminal Court.

Implementation of international humanitarian law

Legislation

Use of the emblems is governed by the Red Cross Emblem Decree, 1973. A bill entitled The Geneva Conventions Act, 1998, providing for the punishment of grave breaches of the Conventions and Additional Protocol I, specifying trial procedures for protected persons and governing the use of the red cross and red crescent emblems, was under consideration. The bill also provides for the establishment of a national committee for the implementation of IHL.



GREECE

Treaty participation

Greece is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol (the Second Protocol was signed on 17 May 1999), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II) and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

Use of the emblem and name of the red cross is governed by Act No. 140/1914 on the protection of the red cross emblem and name.

Violations of IHL (mainly grave breaches of the four Geneva Conventions) may be prosecuted under the Penal Code and the Military Penal Code.

Other implementation measures

In September 2000, the Ministries of Foreign Affairs and Defence, together with the Institute of International Relations, organized an international colloquium in Santorini on the national implementation of the Rome Statute of the International Criminal Court.

National committee

The Committee on the Implementation and Dissemination of International Humanitarian Law was officially established by decision of the Ministry of Foreign Affairs on 20 March 2000. The Committee's members include representatives of the Ministries of Foreign Affairs, National Defence, Public Order, Education, Justice, Health, the Interior, and Culture, the General Secretariat of Youth and Emergency Civil Defence Planning, and professors specialized in humanitarian law.

GUATEMALA



Treaty participation

Guatemala is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II (amended version ratified in October 2001) and III, and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

Use of the emblems and names (and designations) of the red cross and red crescent is governed by the *Ley de protección y uso del emblema de la cruz roja*, adopted by Legislative Decree No. 102-97.

Legislative Decree No. 106-97 (*Ley para la prohibición de la producción, compra, venta, importación, exportación, tránsito, utilización y posesión de minas antipersonales y de dispositivos antidetectores o de partes de tales artefactos*) gives effect to the 1997 Ottawa Convention at the domestic level.

Other implementation measures

In 2001, Rafael Landívar University started to teach humanitarian law as part of the law faculty's courses on human rights and international public law and as a regular course at the master's level; at the University of San Carlos humanitarian law remained an option.

In 2000 and 2001, the international law of armed conflict formed part of the instruction programmes for the armed forces and the *Centro de Estudios Militares*. The Armed Forces of Guatemala also organized their own training courses for instructors in the law.

In January 2001, police officers started participating in IHL training courses on the basis of the cooperation agreement between the ICRC and the Presidential Commission of Human Rights (COPREDEH).

National committee

The *Comisión Guatemalteca para la Aplicación del Derecho Internacional Humanitario* (COGUADIH) was established by Government Agreement No. 948-99 of 28 December 1999. Its role is to recommend measures to be taken by the government in compliance with the provisions of humanitarian law treaties, to propose draft implementing legislation, to spread knowledge of the law among the authorities and general public, to propose to the Ministry of Foreign Affairs that members of the Committee represent Guatemala at international events related to IHL, and to take any other action likely to enhance respect for the law in Guatemala.

The COGUADIH met several times in 2000 and started to draft its rules of procedure. It was assigned a new president and secretariat at the end of 2001 and resumed its work after a long break.

In March 2001 a member of the Committee participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.



HONDURAS

Treaty participation

Honduras is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Decree-Law No. 32 (*Ley de protección del emblema y del nombre de la Cruz Roja Hondureña*). The law was revised to bring it into line with the requirements of the Geneva Conventions and their Additional Protocols and to enhance the protection of the emblem, and the revised version submitted to Congress for approval.

In September 2000 Honduras adopted legislation giving effect to the provisions of the 1997 Ottawa Convention.

The 1954 Convention for Cultural Property and its first Protocol were approved by Decree-Law No. 54-2001 and published in La Gaceta No. 29 511 on 23 June 2001.

As part of the process of reform of Honduran criminal law, the Criminal Code was amended to include sanctions for serious violations of IHL. In 2001, the ICRC provided technical expertise for the drafting of a section on war crimes.

Other implementation measures

In 1999 the Armed Forces of Honduras established a humanitarian law centre – *Centro de Derecho Humanitario* – to coordinate programmes for instruction in IHL at all levels within the armed forces.

In 2001, IHL was an option in the Master's Course on Human Rights at the *Universidad Nacional Autónoma de Honduras*. During the same year, a university professor carried out a study of national law from the standpoint of IHL and submitted it to the ICRC for assessment.

In March 2001, the authorities of Honduras sent a representative to the regional governmental expert meeting on national implementation of IHL and related inter-American conventions organized jointly by the ICRC and the OAS.

HUNGARY



Treaty participation

Hungary is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in November 2001).

Implementation of international humanitarian law

Other implementation measures

A national study on the compatibility of Hungarian legislation and practice with IHL was completed in January 2001.

National committee

The National Committee for the Dissemination and Implementation of International Humanitarian Law was established by Government Resolution No. 2095/2000 (V.9.) in March 2000.



INDIA

Treaty participation

India is a party to the 1949 Geneva Conventions, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

India incorporated the Geneva Conventions into domestic law through the Geneva Conventions Act, 1960, which provides for the punishment of grave breaches of the Conventions, specifies trial procedures for protected persons and governs the use of the emblems and names of the red cross and red crescent.

India's national legislation to implement the Chemical Weapons Convention (the Chemical Weapons Convention Act, 2000) establishes a National Authority to implement the Convention, prohibits the production of chemical weapons and toxic chemicals and penalizes violations of the Convention.

Other implementation measures

Further to the recommendations made by a national seminar on the implementation of IHL, organized by the ICRC and the Ministry of External Affairs in 2001, the Department of the Judge Advocate General of the Indian Army took steps to incorporate IHL into India's military manuals. The seminar also recommended that the Legal and Treaties Division of the Ministry of External Affairs examine, with the ICRC's support, the possibility of establishing a national interministerial working group on IHL, a matter the ICRC was pursuing with the Legal and Treaties Division.

In 2001, the University of Law in Hyderabad, working with ICRC support, launched a Web-based postgraduate distance education programme in IHL. The programme will be open to students from South Asia.

In cooperation with the National Law School of India, the ICRC organized the Second and Third South Asian Teaching Sessions in IHL in 2000 and 2001 respectively in Bangalore. Thirty participants from various South Asian countries took part in each eight-day teaching session.

Further to recommendations made by the Association of Indian Universities at the ICRC's prompting, IHL was incorporated into the syllabuses of the undergraduate law courses, postgraduate courses in defence studies and courses in human rights of most Indian universities.

INDONESIA



Treaty participation

Indonesia is a party to the 1949 Geneva Conventions, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

In 2000, Indonesia adopted Act No. 26 on the Establishment of Human Rights Courts. The Act gives the new Courts jurisdiction over gross violations of human rights, including the crime of genocide and crimes against humanity. A working group was established under the responsibility of the Ministry of Justice to prepare a new Indonesian criminal code providing for the criminalization of war crimes and the other core crimes set forth in the Rome Statute of the International Criminal Court.

A new draft law on the use and protection of the emblem was completed and awaiting approval by the Council of Ministers before being submitted for adoption to the Indonesian Parliament.

Other implementation measures

In 2000, the Government of Indonesia established the National Committee on Human Rights, whose members comprise government officials and community representatives. The new body was entrusted with the implementation of the Indonesian National Plan of Action on Human Rights for the years 1998 to 2003. The National Plan of Action, originally adopted in June 1998, calls for an acceleration in the process of accession by Indonesia to the 1977 Protocols additional to the Geneva Conventions and includes a special section on the study and dissemination of IHL.

In November 2000, the ICRC manual on humanitarian law and human rights for police and security forces, *To Serve and to Protect*, was translated into Bahasa Indonesia and approved for use within the education and training programmes of the Indonesian National Police.

In 2001, the Legal Services of the Indonesian Army (TNI) approved the ICRC's *Model Manual on the Law of Armed Conflict* for use in Indonesian military education and training.

During the same year, the ICRC translated into Bahasa Indonesia and published, in association with the Indonesian delegation to the Inter-Parliamentary Union (IPU), the IPU handbook for parliamentarians, *Respect for International Humanitarian Law*.

In 2002, the Indonesian Interministerial Committee on International Humanitarian Law worked to complete, in association with the Humanitarian Law Centre of Trisakti University, a national study of the compatibility of Indonesian legislation with humanitarian law. A translation into Bahasa Indonesia of the 1977 Protocols additional to the Geneva Conventions was also being prepared.

National committee

Indonesia established the Interministerial Committee on International Humanitarian Law by Decree of the Minister of Justice in September 1980. The Committee, whose mandate was reaffirmed by Decree in March 1996, is presided over by the Indonesian Ministry of Justice and brings together representatives of the relevant national authorities, the Indonesian Red Cross and academic circles. The ICRC took part in the Committee's work as an observer.

The Committee's recent activities include a recommendation issued to the government for the ratification of the 1977 Additional Protocols, the preparation of a draft new law on the use and protection of the red cross and red crescent emblems, and a national study of the compatibility of domestic legislation with IHL.



IRELAND

Treaty participation

Ireland is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The Irish Red Cross Act, 1938, as amended, regulates the use of the red cross emblem and name. Use of the civil defence sign, the special sign for works and installations containing dangerous forces and the electronic signals referred to in Additional Protocol I is governed by the Irish Geneva Conventions Act, 1962, as amended.

The Geneva Conventions Act, 1962, amended in 1998, provides for the punishment of breaches of the Conventions and Additional Protocol I and specifies trial procedures for protected persons. It also permits judicial notice to be taken of reports drawn up by the International Fact-Finding Commission and enables the Minister of Defence to issue identity cards to journalists and information cards in respect of evacuated children.

The Explosives (Land Mines) Order, 1996, prohibits the manufacturing, keeping, import, conveyance and selling of landmines.

The Chemical Weapons Act, 1997, implements the 1993 Chemical Weapons Convention.

A bill to amend the Constitution prior to the ratification of the Rome Statute of the International Criminal Court was passed by both Houses of Parliament in 2001. The proposal was also approved by referendum by a majority of voters on 7 June 2001. The constitutional amendment was awaiting its signature into law by the President of Ireland.

JORDAN



Treaty participation

Jordan is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II (amended Protocol II was ratified in October 2000) and III, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

A proposal was being studied to amend the 1952 Military Penal Code on the basis of a draft submitted by the military judiciary in 1997 and providing for the repression of grave breaches of humanitarian law.

Act No. 3/1969 (Article 5) on the Jordan National Red Crescent Society partially protects the red cross and red crescent emblems. Draft legislation based on the Advisory Service model law was being examined.

National committee

Jordan's National Committee for the Implementation of International Humanitarian Law was established by order of the Prime Minister further to the recommendations issued by a national seminar for the implementation of IHL in 1997. The Jordan National Red Crescent Society played a major role in its founding. The Committee's mandate covers the implementation and dissemination of humanitarian law and its members represent the Ministries of Justice, Foreign Affairs and Defence, the Royal Court and the National Society. In 2001 it convened a bilateral meeting to exchange information with the Yemeni National Committee. Its draft rules of procedure provide for the establishment of three subcommittees, on dissemination, teaching and legislation.



KAZAKHSTAN

Treaty participation

Kazakhstan is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, and the 1993 Chemical Weapons Convention (ratified in March 2000).

Implementation of international humanitarian law

Legislation

The law on the emblem and the distinctive sign of the armed forces medical service, signed by the President on 14 December 2001, entered into force on 20 December 2001 following its publication in the official gazette. The law provides for the withdrawal of the reservations relating to the use of the double emblem made by Kazakhstan when it succeeded to the 1949 Geneva Conventions, and for the use henceforth of the red crescent emblem as the sole distinctive sign by the armed forces medical service. The draft presidential decree prepared following the adoption of the law charges the government *inter alia* to draft a law on the Red Crescent Society of Kazakhstan and on the use and protection of the red crescent and red cross emblems, to be submitted to parliament in 2002.

Other implementation measures

A national seminar on the implementation of humanitarian law in Kazakhstan, organized by the Advisory Service in cooperation with the Ministry of Foreign Affairs, took place on 19 April 2000 in Astana. The seminar was attended by representatives of the relevant ministries, universities and the National Society. Its main aim was officially to present the results of the study on the compatibility of national legislation with IHL. The participants adopted recommendations encouraging the authorities to establish a national structure for implementation, to revise the Penal Code and to translate the Geneva Conventions and their Additional Protocols into Kazakh.

Another seminar on the implementation of humanitarian law in Kazakhstan was held in Astana on 27 June 2001 for the members of the Interdepartmental Committee for International Humanitarian Law. The discussion focused on the major issues of concern to the Committee, namely the withdrawal of Kazakhstan's reservations to the 1949 Geneva Conventions relating to the use of the double emblem, the adoption of comprehensive legislation on the use and protection of the emblem, the incorporation in the Penal Code of a complete system for the repression of war crimes, the strengthening of dissemination and Kazakhstan's accession to major humanitarian law treaties, such as the Rome Statute of the International Criminal Court and the Ottawa Convention.

National committee

The Interdepartmental Committee for International Humanitarian Law was established on 1 December 2000 by Governmental Decree No. 1794. The Committee is in charge of drawing up proposals for the national implementation of IHL. Its priorities include penal law reform to provide for effective repression of war crimes, the adoption of comprehensive legislation on the use and protection of the red cross and red crescent emblems, the dissemination of humanitarian rules and the possibility of Kazakhstan's accession to other humanitarian law treaties.

KENYA



Treaty participation

Kenya is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Convention, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified in January 2001).

National committee

The National Committee for the Implementation of International Humanitarian Law was established in 2001 pursuant to the Memorandum of the Attorney-General of 5 October 2001. Its members comprise representatives from the Ministries of Defence, Police, Foreign Affairs, Prisons, Children's Affairs, Women, Refugees, Information, Transport and Communication, Health and Education, and from the Kenya Red Cross Society, academia, the judiciary, the Law Society of Kenya, the Kenya Medical Association, the ICRC and the print and electronic media. The Committee is chaired by the Solicitor-General and held its inaugural meeting on 24 November 2001.



KOREA (REPUBLIC OF)

Treaty participation

The Republic of Korea is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocol I and amended Protocol II (acceded to on 9 May 2001), and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

On 24 May 2001, the Republic of Korea adopted the Act on the Regulation of the Use and Transfer of Certain Conventional Weapons including Mines. The Act, which entered into force on 9 October 2001, prohibits the use and transfer of mines, booby traps and other devices and stipulates penal sanctions for violations, the maximum sentence being the death penalty.

Other implementation measures

Interagency consultations were being held on the ratification of the 1998 Rome Statute of the International Criminal Court.

National committee

The Consultative Committee on International Humanitarian Law of the Republic of Korea Red Cross was established in 1999. The Committee's members comprise representatives of the Ministries of Foreign Affairs and National Defence, academic circles and the Republic of Korea Red Cross. Since its establishment, the Committee has essentially served as a thinktank on IHL, organizing national conferences and publishing an academic journal. In November 2001, the Committee held a symposium on humanitarian law and its relevance to the budding relationship between the two Koreas.

The ICRC initiated a dialogue with the Consultative Committee with a view to strengthening the Committee's role as an advisor to the government on the national implementation of IHL.

KYRGYZSTAN



Treaty participation

Kyrgyzstan is a party to the Geneva Conventions and their 1977 Additional Protocols and to the 1954 Cultural Property Convention and its first Protocol.

Implementation of international humanitarian law

Legislation

The Law on the Use and Protection of the Red Crescent and Red Cross Emblems entered into force on 10 October 2000. It governs the use and protection of the emblems in accordance with Kyrgyzstan's international obligations, distinguishing between the indicative and protective uses, attributing rights in this respect to specific entities, providing for control over use of the emblems by the Red Crescent Society of Kyrgyzstan and the relevant State bodies, and referring to national legislation regarding punishment for non-compliance.

Other implementation measures

In 2000 and 2001 the Interdepartmental Committee on the Implementation of International Humanitarian Law and the Advisory Service pursued their consultations on modifications to the Criminal Code aimed at aligning the Code with the requirements of the 1949 Geneva Conventions and their Additional Protocol I and with the Rome Statute of the International Criminal Court.

The issue of repression of violations of IHL was addressed during a seminar on humanitarian law which was organized jointly by the ICRC and the Secretariat of the Interdepartmental Committee and held in Bishkek on 13 November 2001. The seminar was attended by newly nominated Committee members. Issues pertaining to the ratification and implementation of the Rome Statute were also discussed.



LESOTHO

Treaty participation

Lesotho is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1980 Convention on Conventional Weapons (ratified in September 2000), the 1997 Ottawa Convention (ratified in December 1998) and the 1998 Rome Statute of the International Criminal Court (ratified in September 2000).

Implementation of international humanitarian law

Legislation

Use of the emblem and names of the red cross and red crescent is governed by the Lesotho Red Cross Society Act, 1967.

Lesotho was in the process of drafting legislation to implement the Geneva Conventions and their Additional Protocols, a task in which it was assisted by the Advisory Service.

Other implementation measures

A national seminar was held in Maseru on 1 March 2001 recommended the establishment of a national committee on IHL.

National committee

Further to the above seminar, the Lesotho National Committee for International Humanitarian Law was founded in March 2001 pursuant to a memorandum of understanding between the Ministries of Defence, Foreign Affairs, Law and Constitutional Affairs, Home Affairs, Health and Education, the Lesotho Defence Force, the Lesotho Mounted Police Force, the University of Lesotho and the Lesotho Red Cross Society. The Committee is chaired by the Principal Secretary of the Ministry of Defence and held its inaugural meeting on 8 June 2001. A bill was drafted to enshrine the Committee's existence in law.

LITHUANIA



Treaty participation

Lithuania is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (ratified in July 2000 with a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Other implementation measures

A national study on the compatibility of Lithuanian legislation and practice with IHL was completed, submitted to the authorities and published in 2000.

National committee

On 30 August 2001 Lithuania established the Commission on the Implementation of International Humanitarian Law, an advisory body to the Ministry of National Defence. The Commission focuses on providing assistance to the Ministry and on the overall coordination of activities related to the adoption of national measures of implementation in Lithuania.



LUXEMBOURG

Treaty participation

Luxembourg is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol (it signed the Second Protocol on 17 May 1999), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in September 2000).

Implementation of international humanitarian law

Legislation

The Law of 18 December 1914 on the protection of the red cross emblems (*Loi du 18 décembre 1914 concernant la protection des emblèmes de la Croix-Rouge*) provides that unauthorized use of the emblem or name of the red cross is punishable by fine or imprisonment.

A law adopted on 9 January 1985 (*Loi du 9 janvier 1985 relative à la répression des infractions graves aux Conventions internationales de Genève du 12 août 1949*) provides for the repression of grave breaches of the 1949 Geneva Conventions.

The Chemical Weapons Convention was approved by a law adopted on 10 April 1997 (*Loi du 10 avril 1997 portant approbation de la Convention sur l'interdiction de la mise au point, de la fabrication, du stockage et de l'emploi des armes chimiques et sur leur destruction, faite à Paris, le 13 janvier 1993*), and the Ottawa Convention by another law adopted on 29 April 1999 (*Loi du 29 avril 1999 portant approbation de la Convention sur l'interdiction de l'emploi, du stockage, de la production et du transfert des mines antipersonnel et sur leur destruction*). Both laws make prohibited acts subject to penalties.

A law adopted on 29 April 1999 (*Loi du 29 avril 1999 portant approbation du ... Protocole II, tel qu'il a été modifié le 3 mai 1996: ... du Protocole IV intitulé Protocole relatif aux armes à laser aveuglantes ...*) approved the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices as amended on 3 May 1996 (Protocol II) and the Protocol on Blinding Laser Weapons (Protocol IV) to the 1980 Convention on Conventional Weapons. It prohibits the use of blinding laser weapons by any person and the transfer of such weapons to any State or non-State entity.

A law amending the Constitution (*Loi du 8 août 2000 portant révision de l'article 118 de la Constitution*) was adopted on 8 August 2000 to permit the ratification of the Rome Statute.

MALAWI



Treaty participation

Malawi is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

The Malawi Geneva Conventions Act, 1967, provides for the punishment of grave breaches of the Conventions and specifies trial procedures for protected persons. Use of the red cross and red crescent emblems is governed by the Malawi Red Cross Society Act, 1968.

National committee

The Malawi National Committee on International Humanitarian Law was established in March 2001 on the basis of a memorandum of understanding between the Ministries of Defence, Foreign Affairs, Justice and Home Affairs, the judiciary, the police, the Human Rights Commission, and the Malawi Red Cross Society. The Committee can also co-opt other bodies. Its role is to advise the government on implementing legislation, to consider the adoption of measures for the punishment of war criminals, respect for the emblem and the protection of civilians during armed conflicts, and to spread knowledge of humanitarian law.



MALI

Treaty participation

Mali is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II, ratified on October 2001), the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in August 2000).

Implementation of international humanitarian law

Legislation

The new Penal Code was adopted by the National Assembly in June 2001 and promulgated by the President of the Republic on 20 August 2001. Article 31 provides for the repression of war crimes as defined in humanitarian law treaties.

New legislation on anti-personnel mines drawn up to implement the 1997 Ottawa Convention (*Loi no. 00-86 du 26 décembre 2000 portant ratification de l'ordonnance no. 00-049/P-RM du 27 décembre 2000 portant mise en oeuvre de la Convention sur l'interdiction de l'emploi, du stockage, de la production et du transfert des mines antipersonnel et sur leur destruction, signée à Ottawa le 3 décembre 1997*) was adopted by the National Assembly on 14 December 2000 and promulgated by the President of the Republic on 26 December 2000.

Legislation enters into force once it has been promulgated by the President of the Republic.

MAURITIUS



Treaty participation

Mauritius is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II and III, and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The Geneva Conventions Act, 1970, provides for the punishment of grave breaches of the Conventions, but does not implement the Additional Protocols. Efforts are under way to amend the Act.

The Anti-Personnel Mines (Prohibition) Act, 2001, gives effect to the Ottawa Convention. The Act provides for the prohibition of the use, development, acquisition, stockpiling, retention or transfer of anti-personnel mines other than for the development of and training in mine detection, clearance and destruction. It provides for the punishment of offenders and gives the Defence Minister the power to prescribe the manner in which mines are to be destroyed.



MEXICO

Treaty participation

Mexico is a party to the 1949 Geneva Conventions and their 1977 Additional Protocol I, the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The Federal Penal Code provides for the punishment of crimes against humanity and the crime of genocide. A special law adopted in 1991 punishes the crime of torture. The Military Justice Code contains a section on international law crimes that provides for punishment of certain grave breaches of IHL.

Other implementation measures

Efforts were pursued in 2001 to incorporate the principles of humanitarian law and human rights law into police practice, specifically with regard to the use of force and firearms and detention matters. Courses comprising theoretical and practical training were given to members of the *Policía Federal Preventiva* (PFP), police agents of the *Procuraduría General de la República* (PGR) and police officers of the *Secretaría de Seguridad Pública* of the government of Chiapas state.

In 2000 and 2001 training workshops on humanitarian law continued to be organized throughout the country for university professors teaching international law and/or international relations, the aim being to make IHL part of official teaching programmes. IHL was included in several postgraduate university programmes.

MOLDOVA (REPUBLIC OF)



Treaty participation

The Republic of Moldova is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1980 Convention on Conventional Weapons and its four Protocols (ratified in September 2000), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified in September 2000).

Implementation of international humanitarian law

Legislation

The Penal Code of 1999 provides for the punishment of a number of serious violations of IHL.

Act No. 673-XIV regulates the use and protection of the red cross and red crescent emblems.

Other implementation measures

The Law on the Red Cross Society of Moldova was adopted on 10 May 2001 and entered into force on 22 June 2001. The National Society was officially recognized by the ICRC on 24 October 2001, thus becoming the 178th member of the International Red Cross and Red Crescent Movement.

In 2000, the Ministry of Justice registered the Association of Humanitarian Law, a public body. Its objective is to promote IHL and the implementation process in Moldova.

In February 2001, a conference on current problems of implementation and dissemination of IHL in the Republic of Moldova was organized jointly by the National Committee on Consultation and Coordination of Implementation of International Humanitarian Law and the Armed Forces' General Staff.

In November 2001, a round table on the problems of and outlook for the implementation of IHL in Moldova was organized jointly by the National Committee and the Association of Humanitarian Law. It was attended by about 40 participants from all major ministries, academic institutions, the ICRC, the National Red Cross Society and UNHCR.

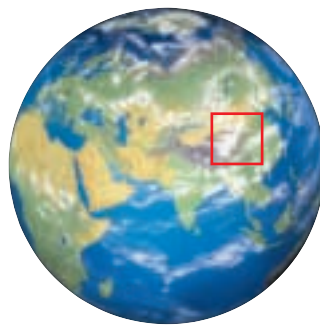
National committee

In April 2000, the Plan of Action for 2000 and the new list of members of the National Committee were adopted by Resolution No. 354 of the Government of the Republic of Moldova.

The National Committee, with the assistance and legal advice of the Advisory Service, prepared amendments to the draft Criminal Code adopted at first reading, providing for a complete system of repression of war crimes. It also drafted the law on the National Red Cross Society, and promoted the country's signature of the 1998 Rome Statute of the International Criminal Court.

A teaching guide on IHL was published in the national language on the initiative and with the support of the National Committee.

In 2001, a working group was established under the auspices of the Ministry of Justice to study the compatibility of national legislation with the Rome Statute.



MONGOLIA

Treaty participation

Mongolia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Additional Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols, and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

On 28 April 2000, Mongolia adopted the Law on the Legal Status of the Mongolian Red Cross Society, which governs the mandate and operating procedures of the Mongolian Red Cross as an auxiliary to the national authorities in humanitarian matters. A section on the name and emblem of the Mongolian Red Cross Society defines the conditions of use of the red cross emblem by the National Society and prohibits unauthorized use of the emblem by citizens and bodies corporate.

The new Mongolian Criminal Code was approved on 3 January 2002. It contains a section on Crimes against Peace and the Security of Mankind that provides for the punishment of a number of acts which are considered to be grave breaches of humanitarian law treaties and which come under the jurisdiction of the International Criminal Court by virtue of the 1998 Rome Statute.

Other implementation measures

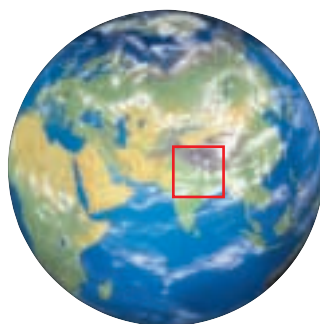
In October 2001, the Ministry of Foreign Affairs, working with the ICRC, organized a national symposium on the role of the government in the implementation of IHL. The symposium was attended by representatives of all the relevant government authorities, the Mongolian Parliament, the Mongolian Red Cross Society and academic circles.

In January 2002, the Ministry of Foreign Affairs and the Ministry of Justice and Home Affairs, acting in association with various local and international organizations, organized a national workshop on the Rome Statute. A national study was carried out on the compatibility of domestic law with the Rome Statute and work was begun on the Statute's translation into Mongolian.

National committee

In February 2002, the Ministry of Foreign Affairs held a preparatory meeting for the establishment of a Mongolian national committee on the implementation of IHL, whose members are to be representatives of the Mongolian Government and Parliament and of the Mongolian Red Cross Society. The committee was to be formally established in March 2002 under the chairmanship of the Ministry of Justice and Home Affairs.

NEPAL



Treaty participation

Nepal is a party to the 1949 Geneva Conventions and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

Nepal has no specific legislation incorporating the Geneva Conventions into domestic law. However, under Article 9 of the Nepal Treaty Act, 1991, the international treaties by which Nepal is bound automatically pre-empt domestic law.

Further to the recommendations issued by a national seminar on protection of the emblem organized by the ICRC and the Nepal Red Cross Society in 2001, the Advisory Service drew up draft legislation on the emblem for submission to the Ministry of Law and Justice. In view of the directives issued by the Supreme Court of Nepal in a public interest writ on protection of the emblem, the Government was considering the adoption of a law on the matter in the near future.

Other implementation measures

The Government issued a directive to all government hospitals, dispensaries and other medical establishments to refrain from using the red cross on their premises and other facilities, including ambulances.

The ICRC submitted a proposal for the establishment of a national interministerial working group on IHL to the Ministry of Law and Justice. The Ministry agreed to hold a national seminar with a view to taking a decision on the matter.



NETHERLANDS

Treaty participation

The Netherlands is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol (Protocol II was signed 17 May 1999), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in July 2001).

Implementation of international humanitarian law

Legislation

Misuse of the emblems and names of the red cross and red crescent is punished under Article 435c of the Penal Code.

The Act on Criminal Law in Time of War (*Wet Oorlogsstrafrecht*), 1952, represses all violations of the laws and customs of war, including those committed in non-international armed conflicts, and recognizes the responsibility of superiors. Dutch courts have further interpreted the Act as applying the principle of universal jurisdiction.

The 1972 Biological Weapons Convention is implemented by the Biological Weapons Convention Implementation Act of 25 March 1981 (*Uitvoeringswet verdrag biologische wapens*).

The 1993 Chemical Weapons Convention is implemented by the Chemical Weapons Convention Implementation Act of 8 June 1995 (*Uitvoeringswet verdrag chemische wapens*) and its Implementation Decree as amended in 1997. The Netherlands Antilles adopted the Chemical Weapons Convention Implementation Ordinance on 21 April 1997.

The Kingdom of the Netherlands ratified the Rome Statute on 17 July 2001, following approval of the ratification bill by the House of Representatives and the Senate and by the parliaments of the Netherlands Antilles and Aruba.

A bill on cooperation with the International Criminal Court, which applies to the entire Kingdom, was sent for an advisory opinion to the Council of State in 2001. Two other bills applying to the Kingdom in Europe were also being prepared: one to enable prosecution under Dutch law of offences against the administration of justice of the International Criminal Court and one incorporating all core crimes of the Rome Statute.

NEW ZEALAND



Treaty participation

New Zealand is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, the 1998 Rome Statute of the International Criminal Court (ratified in October 2000) and the 2000 Optional Protocol to the Convention on the Rights of the Child (ratified in November 2001).

Implementation of international humanitarian law

Legislation

The New Zealand Geneva Conventions Act, 1958, as amended in 1987 to allow for ratification of the Additional Protocols, provides for the punishment of grave breaches of the Conventions and Protocol I, specifies trial procedures for protected persons and regulates use of the red cross and red crescent emblems and names. When the Act was amended in 1987, new provisions were included (Section 9) enabling the Governor-General to issue regulations concerning the types of flag, emblem, sign, signal, uniform and insignia authorized under the Conventions and Protocols and prohibiting or restricting their use.

New Zealand ratified the 1998 Rome Statute in 2000 and adopted legislation to implement it (International Crimes and International Criminal Court Act, 2000). The latter makes provision for the punishment of the international crimes defined in the Statute and organizes cooperation with, and assistance to, the Court.

New Zealand legislation gives effect to the provisions of the 1972 Biological Weapons Convention (New Zealand Nuclear Free Zone, Disarmament, and Arms Control Act, 1987), the 1993 Chemical Weapons Convention (Chemical Weapons (Prohibition) Act, 1996) and the 1997 Ottawa Convention (Anti-Personnel Mines Prohibition Act, 1998).

National committee

The New Zealand Committee for the Dissemination of International Humanitarian Law comprises representatives of the Ministries of Foreign Affairs and Education, the armed forces, academic circles and the New Zealand Red Cross. The National Society provides the secretariat for the Committee, whose chief activity is to advise the government on ways to meet its treaty obligations with respect to the dissemination of IHL. It also coordinates dissemination programmes, teaches IHL and promotes the law.



NICARAGUA

Treaty participation

Nicaragua is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its Protocols (the Second Protocol was ratified in June 2001), the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II, ratified in December 2000) and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

In 2000 Nicaragua adopted legislation giving effect to the provisions of the 1997 Ottawa Convention.

The Penal Code provides for the punishment of war crimes, whether committed in an international or a non-international armed conflict, and the crime of genocide in application of universal jurisdiction. The Provisional Law on Military Offences (Decree No. 600), which functions as *lex specialis* to the Penal Code, provides for the punishment of certain breaches of IHL committed by military personnel.

Nicaragua's criminal law was under review. The National Assembly's Justice Committee prepared a draft amendment of the Penal Code section on crimes against the international order that provides for the punishment of war crimes and other breaches of IHL, in order to bring the Code into line with the requirements of humanitarian law. The Advisory Service examined and commented on the draft. The general part of the draft Criminal Code was approved in 2001.

Other implementation measures

In 2000, instruction in IHL was provided to the Armed Forces as part of official training programmes at military academies.

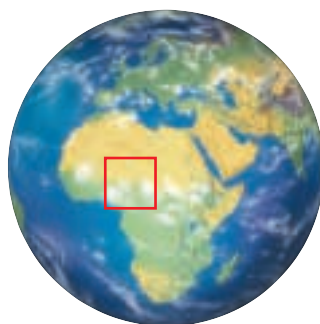
National committee

The *Comisión Nacional para la Aplicación del Derecho Internacional Humanitario* was established by Presidential Decree No. 54-99 of 23 April 1999. Its role is to advise the authorities on all issues related to the ratification of humanitarian law treaties, their implementation in domestic law and the dissemination of their rules.

The ICRC regional delegation in Guatemala provided the Committee with technical expertise and material support.

In March 2001, a member of the Committee participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS. In July 2001, the Committee President attended a seminar in Argentina at which the Rome Statute was examined in terms of national repression of war crimes, crimes against humanity and genocide.

NIGER



Treaty participation

Niger is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

As part of the review of the Penal Code carried out in 1999, the Law Reform Commission (*Commission des réformes législatives*), working with the assistance of the ICRC, drafted provisions on the punishment of war crimes, the crime of genocide, crimes against humanity and other serious violations of IHL, whether committed in an international or a non-international armed conflict, in application of the principle of universal jurisdiction. The draft was in the process of being submitted to the National Assembly.

Legislation was drafted governing the use of the red cross and red crescent emblems.

National committee

In the absence of a formally established national body, the Law Reform Commission was responsible, *inter alia*, for reviewing existing legislation and drafting new provisions giving effect to the country's international obligations.



NORWAY

Treaty participation

Norway is a party to the 1949 Geneva Conventions and their Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in February 2000).

Implementation of international humanitarian law

Legislation

Norway has no specific legislation governing the use of the red cross and red crescent (and designations). The Penal Code, however, contains sanctions for the unauthorized or unlawful use of the emblems.

The Penal Code does not explicitly make violations of IHL punishable criminal offences. Such acts would not, however, benefit from the exemption from criminal responsibility for lawful acts of war, and could thus be prosecuted as ordinary penal offences. The Military Penal Code provides for the repression of any violation of the Geneva Conventions and their Additional Protocols. It also punishes the use of prohibited means and methods of combat.

Norway has adopted legislation to facilitate cooperation between the national judicial authorities, on the one hand, and the International Tribunals for the former Yugoslavia and Rwanda (Act No. 38 of 24 June 1994) and the International Criminal Court (Act No. 65 of 15 June 2001), on the other.

Legislation has also been adopted to implement the 1993 Chemical Weapons Convention (Act No. 10 of 6 May 1994) and the 1997 Ottawa Convention (Act No. 54 of 17 July 1998).

Other implementation measures

A body to evaluate the legality of new means, weapons and methods of warfare was established in 2000. It is chaired by a representative of the Legal Department of the Defence Command, and includes representatives from the Staff College, the Army Supply Command, the Armed Forces Research Institute, and the Supply Staff of the Defence Command. The body reports to the Chief of Defence, who himself comments and reports to the Ministry of Defence and the Ministry of Foreign Affairs.

National committee

The Norwegian Government established the National Committee on International Humanitarian Law in 1989. It comprises representatives of the ministries and agencies concerned with IHL issues and of the Norwegian Red Cross. The Committee's mandate includes studying the need for national measures to implement the Geneva Conventions and their Additional Protocols. It also acts as an advisory body to the government regarding questions of interpretation and application of IHL.

PANAMA



Treaty participation

Panama is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its two Protocols (the Second Protocol was ratified in March 2001), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Treaty and the 2000 Optional Protocol to the Convention on the Rights of the Child (ratified in August 2001).

Implementation of international humanitarian law

Legislation

The use of the red cross and red crescent emblems (and designations) is governed by Law No. 32 adopted on 4 July 2001. The Law entered into force the day of its publication in La Gaceta No. 24 339, 6 July 2001.

Panama was reviewing its criminal law. Within this framework, in 2000 and 2001 the *Comisión Nacional Permanente para la Aplicación del Derecho Internacional Humanitario* (CPDIH) prepared draft amendments to introduce sanctions for violations of IHL into the Criminal Code and bring its provisions into line with the requirements of the law, and submitted them for approval to the Legislative Assembly. The CPDIH also endeavoured to promote ratification of the 1998 Rome Statute of the International Criminal Court.

Other implementation measures

The first steps were taken in 2001 to draw up an inventory of the cultural property to be protected in the event of armed conflict.

National committee

Panama's CPDIH was established in 1997. Its functions include proposing draft legislation to give effect to humanitarian law treaties, spreading knowledge of the law, in particular through official training programmes, advising the Ministry of Foreign Affairs on humanitarian law issues and participating on its behalf in international meetings related to the law. In 2000 and 2001 the CPDIH continued to work through several subcommittees and to meet on a regular basis. It issued annual reports of its activities.

In March 2001 the president of the CPDIH participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS. In July 2001, she attended a seminar in Argentina on the International Criminal Court.

The ICRC continued to support the work of the CPDIH in 2000 and 2001, training its members, providing documentation on specific topics and providing technical expertise for the drafting of implementing legislation. It also helped draw up the CPDIH's annual plan of action and took part in some of its working sessions.



PARAGUAY

Treaty participation

Paraguay is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in May 2001).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Law 993 of 6 August 1912 (*Que prohíbe el uso del nombre, distintivos y emblemas de la Cruz Roja*). A draft revision thereof prepared by the Paraguayan Red Cross was analysed and commented on by the Advisory Service.

Other implementation measures

In December 1999 the General Secretariat of the Ministry of Defence established the Department of Human Rights and International Humanitarian Law.

In 2001 the Human Rights Department of the Ministry of Foreign Affairs launched a study with a view to Paraguay's ratification of the 1954 Cultural Property Convention and the 1980 Convention on Conventional Weapons and its Protocols. The Advisory Service provided advice on the financial and practical implications of those ratifications.

In 2000 and 2001 IHL was taught at the law faculties of most of the country's universities as a topic of public international law.

During the same period, training was provided for the armed forces as part of their programme of instruction at military academies and other institutions.

In March 2001, the Government of Paraguay participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS.

National committee

Paraguay established the *Comisión Interministerial de Aplicación del Derecho Internacional Humanitario (CIADIH)* in 1995. The Committee's mandate is to spread knowledge of the rules contained in the 1949 Geneva Conventions and their Additional Protocols and to promote their implementation through the adoption of legislative and administrative measures. Presidential Decree No. 15 926 of 28 December 2001 modified the 1995 Presidential Decree establishing the Committee, with a view to the Committee's reorganization.

PERU



Treaty participation

Peru is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in November 2001).

Implementation of international humanitarian law

Legislation

In accordance with the provisions of the 1993 Chemical Weapons Convention, Law No. 26672 (20 October 1996) provides for the punishment, under Article 279-A of the Peruvian Penal Code, of the crime of “production, development and non-legal commercialization of chemical weapons”. The same law established the (national) Committee for the Prohibition of Chemical Weapons.

Following a review of Peru’s criminal law, Law No. 26926 of 1998 was adopted to provide for the punishment, under the Penal Code (Title XIV-A of the Special Section), of crimes against humanity – in particular forced disappearance and torture – and the crime of genocide.

The Military Justice Code provides for the punishment of certain grave breaches of the Geneva Conventions and Additional Protocol I and of other crimes under international law. In 2001 the Supreme Council for Military Justice prepared a draft revision of the Code.

Other implementation measures

Directive No. 017 CCFFAA-EM-FI/DDHH of August 1998, issued by the Armed Forces Joint Chiefs of Staff, requires all military and police institutes to include IHL and human rights law in their training programmes. That requirement was renewed in Directives No. 005 MD/I of June 2001 and No. 026-CCFFAA-FI/DAACC-DDHH of July 2001. Moreover, Directive No. 011 M-4/DIRAC/23 refers to a plan to incorporate the law of armed conflict into armed forces training programmes.

The University of Lima offered IHL as an option, and the Catholic University included it in its international public law seminar. In 2001 the University of San Marcos also opened an optional course on IHL.

A comparative study of domestic legislation from the standpoint of IHL prepared by a public international law professor from the Catholic University was published in December 2001 under the title, *Encuentros y Desencuentros: El Perú y el Derecho Internacional Humanitario*.

National committee

In March 2001, the Peruvian Government participated in a regional governmental expert meeting on national implementation of IHL and related inter-American conventions, organized jointly by the ICRC and the OAS. One outcome of that conference was the establishment, on 1 June 2001 by Supreme Resolution No. 234-2001-JUS, of the *Comisión Nacional de Estudio y Aplicación del DIH* (CONADIH). The Commission’s mandate is to propose national legislation for the implementation of humanitarian law. The ICRC acted as an observer on the CONADIH and provided it in 2001 with technical expertise and documentation. The CONADIH adopted rules of procedure and a plan of action.



PHILIPPINES

Treaty participation

The Republic of the Philippines is a party to the 1949 Geneva Conventions and its 1977 Additional Protocol II, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified on 15 February 2000).

Implementation of international humanitarian law

Other implementation measures

Steps were taken for the ratification of the 1998 Rome Statute of the International Criminal Court. In 2001, the Philippine Commission on Human Rights issued a recommendation for the ratification of the Rome Statute. A draft ratification bill was prepared by the Department of Foreign Affairs and submitted for consideration to the Office of the President of the Republic.

A regional expert conference on the International Criminal Court, organized by the authorities of the Philippines in association with the ICRC and a prominent Philippine NGO, was held from 16 to 18 October 2001. It was attended by governmental experts from 15 South-East Asian and Pacific States.

In August 2001, the ICRC, acting in association with the University of the Philippines, organized a five-day consultative meeting of academics and experts on the teaching of IHL. The event concluded with all the participants recommending that a national model course syllabus be drawn up for law faculties on human rights and humanitarian law, and that a Chair on Humanitarian Law be established at the University of the Philippines in the autumn of 2002, if funding could be obtained from private donors.

National committee

The Philippine National Red Cross International Humanitarian Law National Committee was established in April 2000. It is made up of members of the Philippine National Red Cross Board of Governors, representatives of a wide range of national governmental authorities, including the Departments of Foreign Affairs, National Defence, the Interior and Local Government, Education, Culture and Sports, the Philippine National Police, the National Commission on Human Rights, the National Commission on Education, and members of the local NGO community and academic circles. The ICRC participates in the Committee's work as an observer.

The Committee's main responsibilities and activities include advocacy, campaigning and dissemination.

POLAND



Treaty participation

Poland is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in November 2001).

Implementation of international humanitarian law

Other implementation measures

In July 2001, the Regional Centre of Education for Middle-East States of Europe on the Protection of Cultural Heritage in Case of Emergency was established in Cracow (Poland).

In October 2001, the Ministry of Defence and the ICRC's regional delegation in Budapest organized a regional seminar for armed forces' legal advisors.



PORTUGAL

Treaty participation

Portugal is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention (ratified in August 2000), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its Protocols I, II (including amended Protocol II) and III, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court.

Implementation of international humanitarian law

Legislation

Portugal has no specific legislation on the use of the emblems and names of the red cross and red crescent. However, Decree-Law 164/91 defining the legal framework of the Portuguese Red Cross reserves use of the red cross emblem exclusively to the Portuguese Red Cross. Unlawful use of the emblem is subject to penal sanction.

The Penal Code provides for the punishment of grave breaches of the Geneva Conventions and of the destruction of cultural property in violation of the law of war.

On 4 October 2001 the Portuguese Parliament adopted a constitutional act (*Lei Constitucional n° 1/2001*) enabling Portugal to accept the jurisdiction of the International Criminal Court. The act was promulgated on 20 November 2001.

ROMANIA



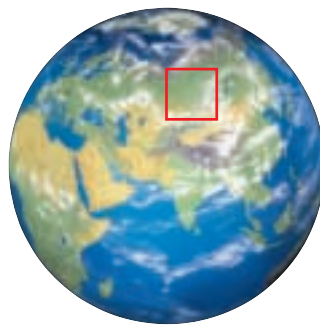
Treaty participation

Romania is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention (ratified in November 2000), and the 2000 Optional Protocol to the Convention on the Rights of the Child (ratified in November 2001).

Implementation of international humanitarian law

Other implementation measures

The Ministry of Foreign Affairs approved the withdrawal of the reservations made to the Geneva Conventions, a decision the parliament was expected to adopt in early 2002.



RUSSIAN FEDERATION

Treaty participation

The Russian Federation is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

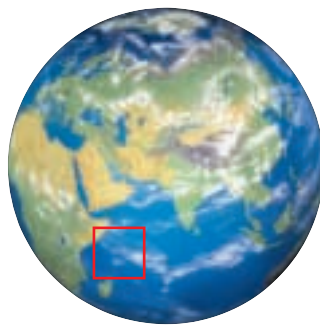
On 8 August 2001, the Ministry of Defence adopted Order No. 360 on measures of observance of IHL in the armed forces of the Russian Federation. Pursuant thereto, the Ministry of Defence published a manual on IHL for the armed forces, in cooperation with the ICRC.

Other implementation measures

In accordance with the agreement concluded in 1999 between the ICRC, the State Duma and three research and production firms specializing in legal information, an electronic library of about 40 major humanitarian law treaties was made available in Russian and English via the Internet.

A group of national experts completed the study of the compatibility of Russian legislation with the 1998 Rome Statute of the International Criminal Court in 2001. The study was distributed to the Legal Department of the State Duma and to the State Duma's Council of Experts, which is composed of leading academicians in the field of international law. A series of consultations were held with high-level contacts to decide on the follow-up to be given to the study.

SEYCHELLES



Treaty participation

The Republic of the Seychelles is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (ratified June 2000), and the 1997 Ottawa Convention (ratified June 2000).

Implementation of international humanitarian law

Legislation

The Geneva Conventions Act, 1985, provides for the punishment of grave breaches of the Conventions, but does not implement the Additional Protocols. The Advisory Service was assisting in the efforts being made to amend the Act.

National committee

In 2001 Seychelles established the National Committee on Humanitarian Affairs, which deals with human rights and IHL.



SIERRA LEONE

Treaty participation

Sierra Leone is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1997 Ottawa Convention (ratified in April 2001) and the 1998 Rome Statute of the International Criminal Court (ratified in November 2000).

Implementation of international humanitarian law

Other implementation measures

A legal adviser was assigned to the Armed Forces.

IHL was in the process of being incorporated into the armed forces' training programme, and the ICRC was cooperating with the International Military Advisory and Training Team (IMATT) to ensure that humanitarian law was taught to armed forces' members.

SLOVAKIA



Treaty participation

Slovakia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Other implementation measures

On 10 May 2000, Slovakia withdrew the reservations made to the Geneva Conventions by the former Czechoslovakia.

In November 2001, steps were taken to revise the Slovak version of the Geneva Conventions and their Additional Protocols with a view to their publication in Slovak at the beginning of 2002.

A national study was being conducted on the compatibility of Slovakian legislation and practice with IHL.

National committee

The Committee on International Humanitarian Law was established in November 2001 by a decision of the Ministry of Foreign Affairs due to enter into force on 1 January 2002. The Committee will work under the auspices of the Ministry of Foreign Affairs; all the ministries concerned by implementation will be represented, and the Slovak Red Cross will provide the secretariat.



SLOVENIA

Treaty participation

Slovenia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in December 2001).

National committee

The Slovenian Interdepartmental Commission for International Humanitarian Law, which was established in 1999, held several meetings during 2000 and 2001 and actively facilitated the adoption of national measures for implementation. The Commission started working on national measures of implementation with regard to protection of the environment in armed conflicts, protection of journalists, and protection of installations and buildings containing dangerous forces.

SOUTH AFRICA



Treaty participation

South Africa is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, 1980 Convention on Conventional Weapons, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in November 2000).

Implementation of international humanitarian law

Legislation

Use of the red cross emblem is governed by the South African Merchandise Marks Act, 1941, and the Heraldry Act, 1962. It would appear that the United Kingdom Geneva Conventions Act, 1911, also applies in this regard. The aforesaid legislation will be supplemented or replaced by the provisions on the emblem in the new Geneva Conventions Act, once it has been adopted.

South Africa drafted legislation to give effect to the Geneva Conventions and their Additional Protocols, the Ottawa Convention and the Rome Statute. The ICRC was represented on its drafting committee for the implementation of the Ottawa Convention.



SPAIN

Treaty participation

Spain is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its two Protocols (the Second Protocol was ratified in July 2001), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in October 2000).

Implementation of international humanitarian law

Legislation

The Penal Code (*Ley orgánica 10/1995, del 23 de noviembre*) provides for the punishment of a wide range of violations of humanitarian law, including all grave breaches. The Military Penal Code (*Ley orgánica 13/1985, del 9 de diciembre*) is also relatively comprehensive in this respect and was being reexamined with a view to adapting its provisions to take account of the Additional Protocols (ratified in 1989) and the new ordinary Penal Code.

A law on the total prohibition of anti-personnel mines and weapons having a similar effect (*Ley 33/1998, del 5 de octubre*) gives effect to the core obligations set forth in the Ottawa Convention.

Other implementation measures

Pursuant to Article VII, paragraph 4, of the 1993 Chemical Weapons Convention, the National Authority for the Prohibition of Chemical Weapons (*Autoridad Nacional para la Prohibición des las Armas Químicas*) was established in 1997.

SRI LANKA



Treaty participation

Sri Lanka is a party to the 1949 Geneva Conventions, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention and the 2000 Optional Protocol to the Convention on the Rights of the Child (ratified in September 2000).

Implementation of international humanitarian law

Legislation

The National Committee on International Humanitarian Law established in 2000 decided to prepare draft legislation to incorporate the Geneva Conventions into the domestic law of Sri Lanka. The Committee having asked the ICRC for assistance, the Advisory Service worked on a draft which was awaiting finalization and submission to the Chairperson of the National Committee at the end of 2001.

National committee

Further to the recommendations of a symposium on the national implementation of IHL organized by the ICRC and the Ministry of Foreign Affairs, the Government of Sri Lanka established the National Committee on International Humanitarian Law in 2000. At its first meeting, the Committee decided to consider the adoption of national legislation incorporating the Geneva Conventions into domestic law and Sri Lanka's accession to the 1954 Cultural Property Convention.



SWEDEN

Treaty participation

Sweden is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court (ratified in July 2001).

Implementation of international humanitarian law

Legislation

Protection of the red cross and red crescent emblems and names is provided for under the 1953 Act relating to the protection of certain international emblems of medical aid and international distinctive signs of civil defence, the 1962 Swedish Penal Code (Chapter 22.6) and the 1990 Total Defence Law Ordinance.

The same chapter of the Swedish Penal Code also provides for the repression of serious violations of IHL and of illicit handling of chemical weapons. A provision on landmines was added in 1999 following Sweden's ratification of the Ottawa Convention.

The Total Defence International Law Ordinance regulates many other aspects of humanitarian law, including the status of various personnel, the marking of installations, and instruction and training.

Other implementation measures

The Swedish Total Defence Council for International Humanitarian Law was set up in 1991 within the Ministry of Defence to monitor the implementation of humanitarian law and disseminate its rules.

The Delegation for International Humanitarian Law Monitoring of Arms Project, launched in 1974, monitors purchases and modifications of military weapons to assess their compliance with humanitarian norms. Members of the Delegation are elected by the Swedish Government, but the Delegation is independent of both the Government and the Armed Forces. It mainly reviews anti-personnel weapons, including weapons used by police forces and the Coast Guard.

National committee

The main tasks of the Advisory Group on Public International Law are to follow developments relating to IHL and to suggest areas of future development to the government. It was established in 1995 under the auspices of the Ministry of Foreign Affairs as a successor to various bodies that had existed since 1972.

SWITZERLAND



Treaty participation

Switzerland, the depositary for the 1949 Geneva Conventions and their 1977 Additional Protocols, is a party to those instruments (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission). It is also a party to the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified on October 2001).

Implementation of international humanitarian law

Legislation

Use of the emblems and names of the red cross and red crescent is governed by the Federal Law on the Protection of the Emblem and Name of the Red Cross of 25 March 1954 (*Loi fédérale concernant la protection de l'emblème et du nom de la Croix-Rouge*).

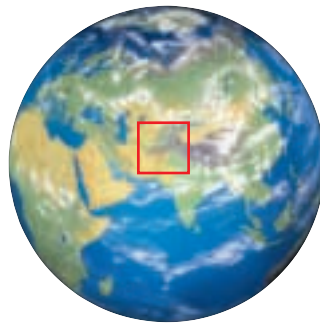
Violations of IHL are punishable under Articles 108 to 114 of the Military Penal Code, which also apply to acts committed by civilians. The Penal Code was modified on 24 March 2000 to incorporate a provision characterizing genocide as a crime (Article 264).

Provisions on prohibited weapons are to be found in the Federal Law on War Materiel of 13 December 1996 (*Loi fédérale sur le matériel de guerre*), as amended in 1998 to reflect the definition of landmines included in the 1997 Ottawa Convention.

Measures to implement the 1954 Cultural Property Convention are to be found in the Federal Law on the Protection of Cultural Property in the Event of Armed Conflict of 6 October 1966 (*Loi fédérale sur la protection des biens culturels en cas de conflit armé*).

Issues relating to civil defence (including the distinctive sign and identity cards) are dealt with in the Federal Law on Civil Defence of 17 June 1994 (*Loi fédérale sur la protection civile*).

The Federal Law on Cooperation with the International Criminal Court (*Loi fédérale sur la coopération avec la Cour pénale internationale*) and the Federal Law Modifying the Ordinary and Military Penal Codes (*Loi fédérale portant modification du code pénal et du code pénal militaire*), which extends the application of offences against the administration of justice to procedures before international tribunals, were adopted on 22 June 2001. The Rome Statute was subsequently ratified on 12 October 2001.



TAJIKISTAN

Treaty participation

Tajikistan is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention and the 1998 Rome Statute of the International Criminal Court (ratified in May 2000).

Implementation of international humanitarian law

Legislation

The law on the use and protection of the emblems and designations of the red cross and red crescent came into force on 2 June 2001.

Order No. 815 of the Minister of Education on the incorporation of a compulsory course on IHL into the curricula of higher educational institute law faculties and journalism faculties was adopted on 4 December 2001.

Other implementation measures

The official translation of the Geneva Conventions and Additional Protocols was completed in September 2001 and was to be published during the first three months of 2002.

The National Information Bureau and Grave Registration Service prescribed by Articles 122 of the Third Geneva Convention and 136 of the Fourth Geneva Convention, and Articles 17 of the First Geneva Convention and 120 of the Third Geneva Convention respectively, were established on 3 August 2000 by Order No. 218 of the Minister of Defence.

A national humanitarian law training centre was set up in 2001 by the Tajik High Military College.

The Commission on the Implementation of International Humanitarian Law considered establishing a sub-working group to tackle the issues related to implementation of the Rome Statute.

TOGO



Treaty participation

Togo is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Additional Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems is governed by the *Loi portant utilisation et protection de l'emblème de la Croix-Rouge et du Croissant-Rouge au Togo*, which was prepared with the assistance of the Advisory Service and adopted by the General Assembly on 27 December 1999.

National committee

The *Commission interministérielle de mise en oeuvre du droit international humanitaire* was established on 11 June 1997 by Interministerial Order No. 97-031. It has four subcommittees (dealing, respectively, with implementing legislation, protection of the emblem, training and legal advice and dissemination to the armed forces, and dissemination to the general public).



TRINIDAD & TOBAGO

Treaty participation

Trinidad and Tobago is a party to the 1949 Geneva Conventions and ratified their 1977 Additional Protocols in July 2001, at which time it also made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission. It is also a party to the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention, and the 1998 Rome Statute of the International Criminal Court.

Implementation of international humanitarian law

Legislation

The United Kingdom's Geneva Conventions Act, 1957, applies in Trinidad and Tobago by virtue of the United Kingdom's Geneva Conventions Act (Colonial Territories) Order, 1959. The Geneva Conventions Act provides for the punishment of grave breaches of the Conventions, specifies trial procedures for protected persons and regulates use of the red cross and red crescent emblems and names.

The authorities of Trinidad and Tobago continued to examine a number of humanitarian law treaties and their implementing legislation. Draft bills to implement the 1977 Additional Protocols and the Rome Statute were being considered.

Legislation was adopted in 2000 to give effect to the 1997 Ottawa Convention (Anti-Personnel Mines Act, 2000). The Act prohibits and characterizes as criminal offences the use, development, production, acquisition, stockpiling, retention and transfer of antipersonnel mines.

Other implementation measures

Trinidad and Tobago participated in two regional seminars organized by the ICRC Advisory Service for Member States of the Caribbean Community (CARICOM). The CARICOM Regional Seminar on the International Criminal Court, held in Port of Spain in May 2000, provided an opportunity to discuss the Rome Statute, including ratification and implementation procedures. The second seminar, the CARICOM Regional Follow-up Seminar on International Humanitarian Law, also took place in Port of Spain, in February 2001. The participants considered means of strengthening implementation of humanitarian law treaties and discussed possibilities for cooperation and technical assistance.

National committee

Trinidad and Tobago has not formally established a body for the national implementation of IHL. An ad hoc committee was convened in 1997, however, to consider ratification of the Additional Protocols. In 2001, an ad hoc interministerial committee was constituted to examine the 1954 Hague Convention and its two Protocols and the 1980 Convention on Conventional Weapons and its Protocols, with a view to their ratification by Trinidad and Tobago.

TURKMENISTAN



Treaty participation

Turkmenistan is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The law on the use and protection of the red crescent and red cross emblems was adopted on 7 July 2001 and entered into force on 6 August 2001. The law governs the use and protection of the red crescent and red cross emblems, their designations and distinctive signals, in compliance with Turkmenistan's international obligations. It distinguishes between the indicative and protective uses of the emblems, attributes rights in this respect to specific entities, provides for control over use of the emblems by the Red Crescent Society of Turkmenistan and the relevant State bodies, and refers to national legislation regarding punishment for non-compliance.



UKRAINE

Treaty participation

Ukraine is a party to the Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II) and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

On 12 June 2000, the Cabinet of Ministers adopted Resolution No. 939 establishing the procedure for the production, use and registration of the identity cards issued to medical personnel authorized to use the emblem.

The new Criminal Code entered into force on 1 September 2001. The Code attributes penal responsibility for a number of acts which can be qualified as war crimes under the terms of the Geneva Conventions and Additional Protocol I, including ill-treatment of prisoners of war, the transfer of civilians for forced labor and misuse of the red cross and red crescent emblems.

Other implementation measures

On 11 July 2001, the Constitutional Court of Ukraine, whose opinion in the matter had been requested by the country's President, found that the 1998 Rome Statute of the International Criminal Court, which provides that "the International Criminal Court [...] shall be complementary to national criminal jurisdictions", did not correspond to the Constitution. According to the Constitutional Court, most of the Statute's provisions did correspond, paragraph 10 of the Preamble and Article 1 being the only exceptions. The Court considered that those provisions were at variance with Article 124 of the Constitution, which provides that justice in Ukraine can be administered only by the courts and that the latter cannot delegate their powers to other bodies or officials. As the Constitution does not allow for the conclusion of international treaties that contradict its provisions, Ukraine will be able to ratify the Rome Statute only once it has modified the Constitution.

National committee

On 21 July 2000 the Cabinet of Ministers adopted Resolution No. 1157 establishing the Interdepartmental Committee for Implementation of International Humanitarian Law in Ukraine. The Committee is a permanent body acting under the auspices of the Cabinet of Ministers and responsible for the coordination of national implementation. It consists of 16 members representing the relevant Ministries and the Ukrainian Red Cross Society. At its first session, in June 2001, the Committee addressed mainly organizational issues and drew up its plan of action.

Further to the Constitutional Court's decision on the compatibility of the Rome Statute with the Constitution, a working group was set up under the auspices of the Ministry of Justice to consider the legal consequences of that decision and to draft proposals for resolving the contradiction between the Ukrainian Constitution and the Rome Statute. It identified two ways of resolving the matter: modifying the Constitution or adopting a new constitutional provision.

UNITED KINGDOM



Treaty participation

The United Kingdom is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in October 2001).

Implementation of international humanitarian law

Legislation

The United Kingdom's Geneva Conventions Act, 1957, as amended to allow for the ratification of the Protocols, provides for the punishment of grave breaches of the Conventions and Protocol I, specifies trial procedures for protected persons and regulates use of the red cross and red crescent emblems and names, the civil defence sign and the electronic signals referred to in Protocol I.

Having ratified the Rome Statute, the United Kingdom adopted legislation to implement the Statute in England, Wales and Northern Ireland (International Criminal Court Act, 2001). A separate act was passed by the Scottish Parliament (International Criminal Court (Scotland) Act, 2001) to implement the Statute in Scotland.

The United Kingdom had previously adopted legislation giving effect to the provisions of the 1972 Biological Weapons Convention (Biological Weapons Act, 1974), the 1993 Chemical Weapons Convention (Chemical Weapons Act, 1996) and the 1997 Ottawa Convention (Landmines Act, 1998).

The British Government continued to consider the ratification of the 1954 Cultural Property Convention and its Second Protocol. This would require primary (i.e. implementing) legislation whose enactment would depend on the legislative time available.

Other implementation measures

In 2001, the Foreign and Commonwealth Office published a brochure, *The United Kingdom and International Humanitarian Law*, detailing the work of the United Kingdom in disseminating and implementing the law, including with respect to the International Criminal Court. As part of its commitment to spread knowledge of the law among the armed forces, the United Kingdom continued to update its military manuals on the law of armed conflict. A new manual was to be issued in 2002.

The United Nations Department of the Foreign and Commonwealth Office is responsible for coordinating government policy on issues related to humanitarian law, including war crimes and crimes against humanity.

National committee

The United Kingdom formally established the Interdepartmental Committee for International Humanitarian Law in October 1999. The main purpose of the Committee, which is chaired by the Foreign and Commonwealth Office, is to facilitate coordination and consultation between various government departments responsible for IHL-related issues. This includes monitoring developments in the law, considering national implementation issues and promoting dissemination. The British Red Cross is a full member of the Committee.



URUGUAY

Treaty participation

Uruguay is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of 1977 Additional Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols (including amended Protocol II), the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention (ratified in June 2001).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Law-Decree 679/992 (*Emblemas: Dictanse normas para el uso de los emblemas de la cruz roja y media luna roja, como vocablos “Cruz Roja”, “Cruz de Ginebra” y “Media Luna Roja”*).

Uruguay’s military criminal law was reviewed in 2000 and 2001. The *Instituto Jurídico para la Defensa* assessed the Military Justice Code from the standpoint of humanitarian law, with a view to proposing the amendments required to allow for the punishment of breaches of the law.

Other implementation measures

Pursuant to Executive Decree 678/992 (*Cométese la instrumentación de cursos en coordinación con la Comisión Nacional de Derecho Humanitario*), IHL was taught in 2000 and 2001 at the Military Institute of Superior Studies, where it was a mandatory subject in the Courses of High National Studies, and at the *Instituto Artigas de Relaciones Exteriores – Escuela Diplomática*.

National committee

The *Comisión Nacional de Derecho Humanitario* (CNDH-Ur) was founded in 1992. The Committee’s mandate was reconfirmed and broadened in 1996 (by Decree of 3 June 1996) to include dissemination of the 1949 Geneva Conventions and their Additional Protocols and promotion of their implementation through the adoption of legislative and administrative measures.

In 2001 the CNDH-Ur made presentations to the Ministry of Education promoting the implementation of the 1954 Cultural Property Convention, in order to garner support for the ratification of the Convention’s Second Protocol. The Advisory Service provided advice on the financial and practical implications of that ratification.

The ICRC also supported the Committee’s work by providing documentation and technical expertise on specific issues of humanitarian law.

UZBEKISTAN



Treaty participation

Uzbekistan is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its four Protocols, and the 1993 Chemical Weapons Convention.

Implementation of international humanitarian law

Legislation

The law on civil defence entered into force on 26 May 2000. It establishes a comprehensive system of civil defence, designed to cope with emergency situations resulting *inter alia* from armed conflicts. At the request of the authorities, the Advisory Service commented on the text of the law.

A round table discussion on the revision of the Criminal Code was held in Tashkent on 20 December 2000. The meeting was attended by officials from the ministries concerned, senior prosecutors, members of the judiciary and legal scholars. The debate was intense and resulted in a consensus on how to amend the Criminal Code in order to ensure that grave breaches and other violations of IHL can be prosecuted and tried in compliance with Uzbekistan's treaty obligations.



VENEZUELA

Treaty participation

Venezuela is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention, the 1997 Ottawa Convention and the 1998 Rome Statute of the International Criminal Court (ratified in June 2000).

Implementation of international humanitarian law

Legislation

Use of the red cross and red crescent emblems (and designations) is governed by Ley no. 27.759 de 1965 *de protección al nombre y emblema de la Cruz Roja*. A draft revision thereof was prepared on the initiative of the Venezuelan Red Cross.

The Penal Code provides for the punishment of breaches of international treaties ratified by Venezuela that engage State liability, including certain grave breaches of IHL. The Military Justice Code provides for the punishment of crimes under international law, including certain grave breaches of the 1949 Geneva Conventions and their Additional Protocols. Following the ratification of the Rome Statute, Venezuela started to reform its criminal law in order to bring it into line with the country's obligations under the Statute and other humanitarian law and human rights treaties ratified by it.

Other implementation measures

The Directorate for Human Rights and International Humanitarian Law of the Ministry of Defence, which was set up in 1998, coordinates training programmes in human rights and humanitarian law for the armed forces. In 2000 and 2001, training was provided to the armed forces at military academies and institutions.

A study of national law from the standpoint of IHL conducted by a local legal expert was finalized in 2000.

In November 2001 the government hosted a regional seminar on the International Criminal Court to discuss the action to be taken in order to give effect to the Rome Statute.

Venezuela established the National Human Rights Commission in 1996. The possibility of establishing a similar body to promote respect for IHL and coordinate the adoption of implementing measures in Venezuela, or of extending the mandate of the Human Rights Commission to include humanitarian law, was being considered by the relevant authorities.

YEMEN



Treaty participation

Yemen is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention (ratified in October 2000) and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The new Military Penal Code (Act No. 21 of 25 July 1998 concerning unlawful acts committed by military personnel) contains a section on war crimes. It provides for the punishment of any act, committed during an international or a non-international armed conflict and inflicting damage on persons or property protected under the international conventions to which Yemen is a party.

Presidential Decree No. 43/1999 regulates the use of the red cross and red crescent emblems and names.

A bill on the implementing legislation for the Ottawa Convention was being considered in 2001.

National committee

The National Committee for International Humanitarian Law Affairs was established in 1999 on the basis of a proposal by the Council of Ministers. The Committee comprises representatives of the Prime Minister, of the Ministries of Public Health, Defence, Legal Affairs, National Education, Justice and the Interior, and of the Yemen Red Crescent Society. It adopted rules of procedure and set up three subcommittees: research and studies; dissemination and teaching; coordination and follow-up. In 2001 the Committee participated in a bilateral meeting of national committees organized by the Jordan National Committee. Its priority was to study the implementation of the Rome Statute of the International Criminal Court. It also supported the teaching of IHL to law students at the University of Taizz.



YUGOSLAVIA (FEDERAL REPUBLIC OF)

Treaty participation

The Federal Republic of Yugoslavia is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols (and has made a declaration pursuant to Article 90 of Protocol I, recognizing the competence of the International Fact-Finding Commission), the 1954 Cultural Property Convention and its first Protocol, the 1972 Biological Weapons Convention, the 1980 Convention on Conventional Weapons and its first three Protocols, the 1993 Chemical Weapons Convention and the 1998 Rome Statute of the International Criminal Court (ratified in September 2001).

Implementation of international humanitarian law

Other implementation measures

On 28 September 2001 the Federal Republic of Yugoslavia withdrew the reservations to the Geneva Conventions made when the Conventions were ratified.

ZIMBABWE



Treaty participation

Zimbabwe is a party to the 1949 Geneva Conventions and their 1977 Additional Protocols, the 1954 Cultural Property Convention, the 1972 Biological Weapons Convention, the 1993 Chemical Weapons Convention and the 1997 Ottawa Convention.

Implementation of international humanitarian law

Legislation

The Geneva Conventions Act, 1981 (as amended in 1996), provides for the punishment of grave breaches of the Conventions and Additional Protocol I. Use of the emblems and names of the red cross and red crescent is governed by the Zimbabwe Red Cross Society Act, 1981.

In March 2001, Zimbabwe enacted the Anti-Personnel Mines (Prohibition) Act, which bans anti-personnel mines on the express basis of the Ottawa Convention. The Act provides for the punishment of the use, stockpiling, transfer or possession of anti-personnel mines other than for the development of and training in mine detection, clearance, or destruction. It also provides for the destruction of all mines not used for the above purposes.

National committee

The Interministerial Committee for Human Rights and Humanitarian Law was established in 1993 by decision of the Cabinet. It is chaired by the Ministry of Justice (Legal and Parliamentary Affairs) and includes all of the ministries working with humanitarian law. It advises the government on issues of implementation.



One of the Advisory Service's main aims is to encourage the exchange of information on legislative, administrative and other measures adopted by States to implement IHL. A special database has been set up for that purpose in addition to the ICRC's general IHL database. Regularly updated, it contains laws, regulations and other documents pertaining to national implementation, relevant decisions of national courts and a general commentary on the legal system of each country. The general commentary also includes information on national bodies responsible for implementing IHL and bibliographical references.

Each legislative document – whether an excerpt or the full text – is preceded by an introduction giving its source, the date of its promulgation and entry into force, and mentions of amendments to the initial text. The introduction provides a brief summary of the document, outlining the provisions most relevant to IHL.

Case law is also accompanied by a short summary, again focusing on IHL aspects. Decisions are usually given in full text. In other instances (long texts, irrelevant passages, untranslated documents, etc.) excerpts and more substantial summaries are given.

Documents are presented in the original language where this is English, French or Spanish. As a general rule, an English translation is given for all other languages. There is a short index of 24 key words to facilitate research. Links are provided to other relevant documents included in the database or to IHL treaty provisions in the ICRC's general IHL database.

The database is accessible on the ICRC's website (www.icrc.org/ihl-nat). It may also be freely consulted at ICRC headquarters in Geneva.

Countries included in the database

The number of States included in the database has increased steadily over time. Special care is taken to include States from all regions of the world and with different legal systems. At the end of 2001, the database contained entries relating to sixty countries:

Africa: Botswana, Cameroon, Congo (the Republic of the), Côte d'Ivoire, Ethiopia, Kenya, Lesotho, Mali, Nigeria, Senegal, South Africa, Zimbabwe

Americas: Argentina, Canada, Chile, Costa Rica, Ecuador, Nicaragua, Trinidad and Tobago, Venezuela

Asia: Australia, Azerbaijan, Brunei Darussalam, Cambodia, Fiji, India, Japan, Kyrgyzstan, Malaysia, New Zealand, the Philippines, Samoa, Singapore, Tajikistan, Thailand, Tonga

Europe: Austria, Belarus, Belgium, Croatia, the Czech Republic, Finland, France, Georgia, Germany, Greece, Hungary, Luxembourg, Norway, Poland, the Republic of Moldova, the Russian Federation, Slovenia, Spain, Sweden, Switzerland, Ukraine, the United Kingdom

Middle East: Egypt, Yemen

The information contained in the database will gradually be expanded, with the support of a network of external correspondents. Anyone wishing to contribute can obtain an explanatory document for contributors from the Advisory Service. Any questions can be sent to: advisoryservice.gva@icrc.org.

The following publications on national implementation of IHL can be ordered from the ICRC Production-Marketing-Distribution Unit by e-mail at dc_com_pmd.gva@icrc.org or at the following address:

International Committee of the Red Cross
Production-Marketing-Distribution Unit
19 Avenue de la Paix
1202 Geneva, Switzerland

National implementation of international humanitarian law: Biennial Report, ICRC Advisory Service on International Humanitarian Law
English, French, Spanish

Price: Sfr 15.-

ICRC

ref. 0775 (1999), ref. 0737 (1998), ref. 0718 (1997), ref. 0686 (1996)

Protection of cultural property in the event of armed conflict, María Teresa Dutli (ed.), in cooperation with Joanna Bourke Martignoni and Julie Gaudreau

English, French, Spanish

Price: Sfr 35.-

ICRC

ref. 0805

Punishing violations of international humanitarian law at the national level: A guide for common law States – Drawing on the proceedings of a meeting of experts (Geneva, 11-13 November 1998), by Anna Segall

English

Price: Sfr 36.-

ICRC

ref. 0792

Respect for international humanitarian law, Handbook for Parliamentarians – No. 1, Inter-Parliamentary Union/ICRC, Geneva, 1999

English, French, Spanish, Arabic, Russian, Portuguese

Price: Sfr 10.-

ref. 1090

National measures to repress violations of international humanitarian law (civil law systems): Report on the meeting of experts, Geneva, 23-25 September 1997, Cristina Pellandini (ed.)

English, French, Spanish

Price: Sfr 25.-

ICRC

ref. 0726

Committees or other national bodies for international humanitarian law: Report of the meeting of experts, Geneva, 23-25 October 1996, Cristina Pellandini (ed.)

English, French, Spanish

Price: Sfr 20.-

ICRC

ref. 0683

The following documents are available directly from the ICRC's Advisory Service.

ICRC-UNESCO Seminar for SADC States and Madagascar on Implementation of International Humanitarian Law and Cultural Heritage Law,
ICRC, Pretoria, 19-21 June 2001, ICRC report
English

First regional meeting of experts on national implementation of international humanitarian law in Arab countries,
Cairo, 7-9 May 2001, ICRC report
Arabic

Statute of the International Criminal Court: Ratification and implementation at the national level – Proceedings of the regional conference,
Moscow, 20-22 March 2001, ICRC report
English/Russian

National implementation of international humanitarian law and related inter-American conventions: governmental expert meeting,
OAS/ICRC, San José, Costa Rica, 6-8 March 2001, ICRC report
English/Spanish

Second regional European meeting on national commissions and other bodies on international humanitarian law,
ICRC/Ministry of Foreign Affairs and Ministry of Defence of the Republic of Hungary, Budapest, 2-3 February 2001, ICRC report
English

Répression des crimes de guerre au niveau national et international : Actes de la conférence régionale,
Moscow, 29-31 May 2000, ICRC report
French

Rencontre européenne des commissions et autres instances nationales du droit international humanitaire,
Brussels, 19-20 April 1999, ICRC/Belgian Red Cross report
French

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Panama, 17 February 1998, Tatiana Flores Acuña (ed.), ICRC Guatemala
Spanish

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Ministry of Foreign Affairs of the Russian Federation/ICRC, Moscow, 2-3 December 1997, ICRC report
French/Russian

Regional seminar on the implementation of international humanitarian law and cultural heritage law,
UNESCO/ICRC, Kathmandu, Nepal, 19-23 May 1997, ICRC report
English

Mise en oeuvre nationale du droit international humanitaire : Séminaire national pour le Bélarus,
Minsk, 23-24 April 1997, ICRC report
French/Russian

Implementation of international humanitarian law in Nigeria,
Adekunle/Sagay (eds.), 1997, ICRC Lagos
English

Implementation of international humanitarian law: National seminar for Moldova,
OSCE/ICRC, Chisinau, 9-10 September 1996, ICRC report
English/Romanian

Séminaire national sur la mise en oeuvre du droit international humanitaire (DIH) et sur la protection des biens culturels,
ICRC/UNESCO, Tbilisi, Georgia, 13-14 May 1996, ICRC report
French/Russian

Seminar on national implementation of international humanitarian law (IHL) and on cultural heritage law,
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English/Russian

Séminaire national sur la mise en oeuvre du droit international humanitaire (DIH) et sur la protection des biens culturels,
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English

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Tashkent, Uzbekistan, 25-29 September 1995, ICRC report
English/Russian

Factsheets

What is international humanitarian law?

International humanitarian law and international human rights law: similarities and differences

Implementing international humanitarian law: from law to action

Protocols additional to the Geneva Conventions of 1949 for the protection of war victims

Protection of the red cross/crescent emblem

Penal repression: punishing war crimes

Punishing war crimes: international criminal tribunals

Statute of the International Criminal Court

Legal protection of children in armed conflict

Civil defence in international humanitarian law

National committees for the implementation of international humanitarian law

Red Cross and Red Crescent Societies and the implementation of international humanitarian law: guidelines for action

The International Fact-Finding Commission

1954 Convention on the Protection of Cultural Property in the Event of Armed Conflict and its Protocols

1972 Convention on the Prohibition of Bacteriological Weapons and their Destruction

1976 Convention on the Prohibition of Military or any Hostile Use of Environmental Modification Techniques

1980 United Nations Convention on Certain Conventional Weapons

1993 Convention on the Prohibition of Chemical Weapons and their Destruction

1997 Convention on the Prohibition of Anti-personnel Mines and on their Destruction

New Weapons

Information kits

Information kit on national enforcement of international humanitarian law

Method of incorporating punishment into criminal law

Command responsibility and omission

Penal procedure

Universal jurisdiction over war crimes

Cooperation with extradition and international judicial assistance in criminal matters

Time-barring

Information kit on the development of national legislation to implement the Convention on the Prohibition of Anti-personnel Mines

Issues raised with regard to the 1998 Rome Statute of the International Criminal Court by national constitutional courts and Councils of State

Ratification kits

Protocols additional to the Geneva Conventions of 1949 for the protection of war victims

The International Fact-Finding Commission (declaration of acceptance)

1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocols

1980 Convention on Certain Conventional Weapons and its Protocols

1997 Convention on the Prohibition of Anti-personnel Mines and on their Destruction

1998 Rome Statute of the International Criminal Court

Guidelines

Guiding principles concerning the statutes and methods of operation of national bodies for the implementation of international humanitarian law

Guidelines for drafting Geneva Conventions Acts

Practical advice for the protection of cultural property in the event of armed conflict

Activity reports by region

Participation in relevant treaties of international humanitarian law (IHL) and implementation thereof at national level: Latin America and Caribbean States (developments September 1999 – September 2000)

English, Spanish

Activities and results 1996-2000: An overview, Moscow Regional Delegation, June 2000

English

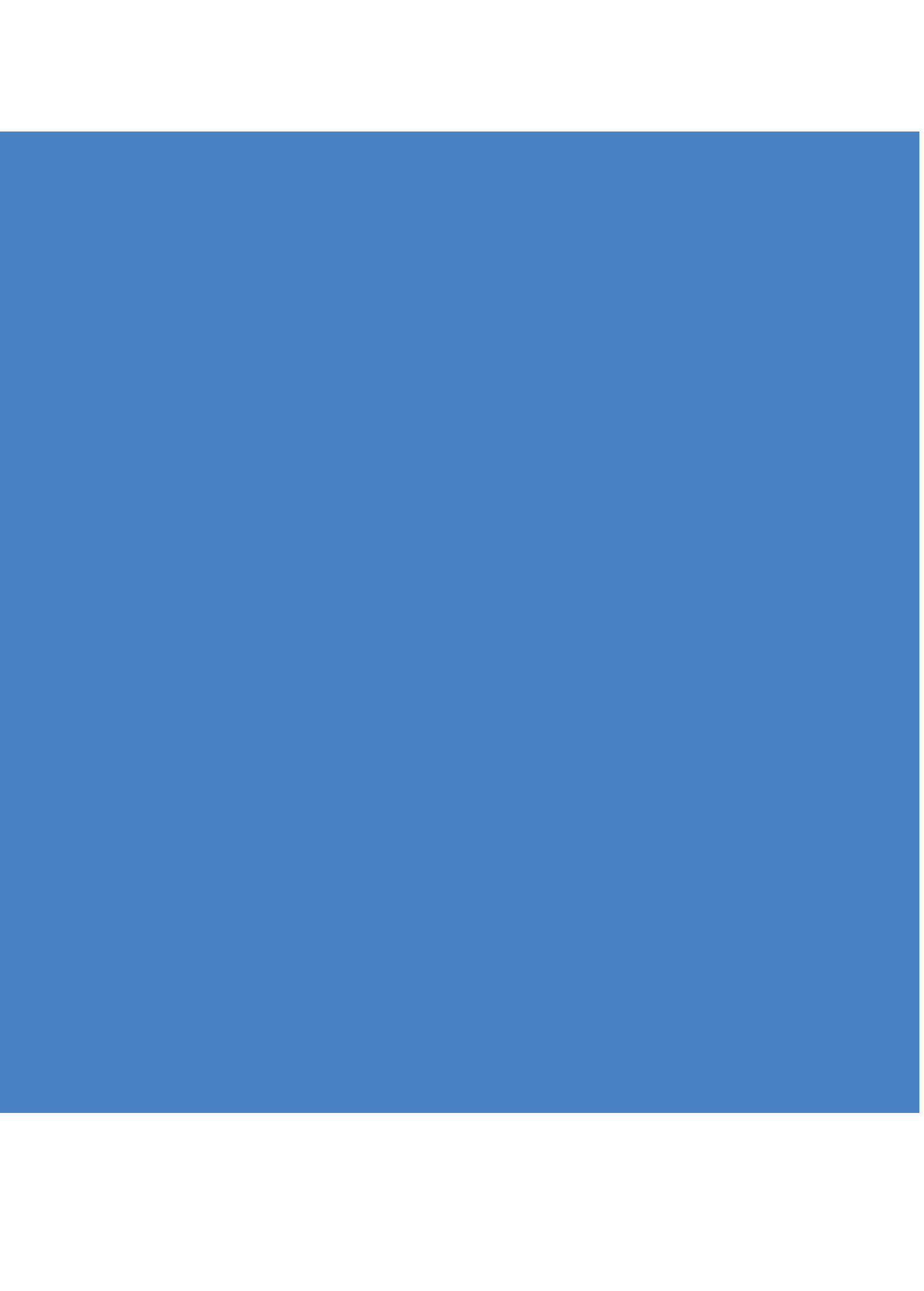
National implementation of international humanitarian law: Activities of the ICRC's Advisory Service on IHL, February 2000

English, French, Spanish

National implementation of international humanitarian law: Table of activities in the countries of the Organization of American States in 1999

English, Spanish

COUNTRY	DATE	COUNTRY	DATE
Argentina	1994	Kenya	2001
Australia	1981	Korea (Republic of)	1977
Austria	1988	Kyrgyzstan	1999
Belarus	1997	Lesotho	2001
Belgium	1987	Lithuania	2001
Benin	1998	Malawi	2001
Bolivia	1992	Mali	1998
Canada	1998	Mauritius	2001
Cape Verde	2001	Moldova	1996
Chile	1994	Namibia	1995
Colombia	2000	New Zealand	1980
Côte d'Ivoire	1996	Nicaragua	1999
Croatia	2000	Norway	1989
Denmark	1982	Panama	1997
Dominican Republic	1999	Paraguay	1995
Egypt	2000	Peru	2001
El Salvador	1997	Philippines	2000
Finland	1993	Seychelles	2001
France	1947	Slovakia	2001
Gambia	1999	Slovenia	1999
Georgia	1998	Sri Lanka	2000
Germany	1973	Sweden	1991
Greece	2000	Tajikistan	1999
Guatemala	1999	Togo	1997
Hungary	2000	Trinidad and Tobago	2001
Indonesia	1980	Ukraine	2000
Iran	1999	United Kingdom	1999
Italy	1988	Uruguay	1992
Japan	1999	Yemen	1999
Jordan	1999	Yugoslavia	1970
Kazakhstan	2000	Zimbabwe	1994



The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance.

It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles.

Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.



ICRC