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**COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT MOVEMENT**

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**Implementation of Resolution 1 of the 31st International Conference,
“Strengthening legal protection for victims of armed conflicts”**

PROGRESS REPORT

**Document prepared by
the International Committee of the Red Cross**

Geneva, October 2013

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PROGRESS REPORT

(A) EXECUTIVE SUMMARY

Through adoption by consensus of Resolution 1, members of the 31st International Conference of the Red Cross and Red Crescent invited the ICRC, in cooperation with States and other relevant stakeholders, to pursue research, consultation and discussion and to propose a range of options and recommendations for strengthening the law in two areas: (1) the protection of persons deprived of their liberty in relation to non-international armed conflict (the 'detention track'); and (2) the effectiveness of mechanisms of compliance with international humanitarian law (IHL) (the 'compliance track'). This report describes the steps the ICRC has taken to implement Resolution 1, outlines the consultations held so far and summarizes the main results achieved. The resolution accompanying this progress report calls on the Movement to continue to support the ongoing consultation processes, and to promote active State engagement with both tracks of work. The overall purpose of this report is to facilitate greater understanding and visibility of this work throughout the Movement, and to assist the Movement in encouraging States to participate actively in the ongoing consultation processes. The ICRC welcomes any comments that the other components of the Movement may have on the substance of this report or the consultation processes.

(B) THE REPORT

1) BACKGROUND

(i) Introduction: Background to Resolution 1

At the 31st International Conference, members adopted Resolution 1 concerning “Strengthening legal protection for victims of armed conflicts.”¹ Resolution 1 is an effort to address certain identified weaknesses in two areas of IHL: (1) the protection of persons deprived of their liberty in relation to non-international armed conflict (NIAC); and (2) the effectiveness of IHL compliance mechanisms. In Resolution 1, the International Conference invited the ICRC, in cooperation with States, to pursue research, consultation and discussion on these two areas, and to submit a report to the 32nd International Conference setting out options and recommendations for strengthening legal protection in these two areas. Although grounded in the same Resolution, and together forming the ICRC initiative on “Strengthening legal protection for victims of armed conflict,” these tracks of work are proceeding separately. The ICRC is facilitating the detention track, while the compliance track is a joint initiative being facilitated by the Government of Switzerland and the ICRC. Both tracks involve close cooperation with States. Resolution 1 encouraged all members of the International Conference, including National Societies, to participate in this work while recognizing the primary role of States in the development of international humanitarian law. Taking each of the two tracks in turn, this report summarizes past activities and sets out proposals for the way forward.

¹ Adopted 1 December 2011. Text available at: <<http://www.icrc.org/eng/resources/documents/resolution/31-international-conference-resolution-1-2011.htm>>.

2) DETENTION TRACK

(i) Description of past activities and current status report

Key challenges identified

There is a significant disparity between the robust and detailed provisions applicable to the deprivation of liberty in the context of international armed conflict (IAC), and the very basic rules that have been codified for NIAC. While the Four Geneva Conventions contain over 175 provisions regulating detention in virtually all its aspects in relation to IAC, there is no comparable regime for NIAC. This relative absence of specificity within IHL has led to uncertainty about the source and content of the rules governing detention in NIAC, and discussion and disagreement continue regarding the applicability and adequacy of human rights law, as well as the precise contours of customary IHL. There is general recognition that further reflection on how to strengthen the law regulating detention in NIAC is necessary in order to ensure – as stipulated in Resolution 1 – that IHL remains practical and relevant in providing legal protection to all persons deprived of their liberty in relation to armed conflict. The ICRC has identified four key areas in which the law is in need of strengthening: (a) conditions of detention; (b) vulnerable categories of detainees; (c) transfer of detainees; and (d) grounds and procedures for internment. Further information on these topics may be found in the background document that served as the basis for discussions with States, available at [weblink to be inserted once the document is made public and uploaded onto web](#).

Regional consultations

In 2012 and early 2013, the ICRC held four regional consultations with States, aimed at exploring whether and how the substantive rules of IHL in this area should be strengthened. A key factor for the ICRC in choosing participating States was the desirability of having a balanced regional representation, including from States with previous experience with armed conflict. The first consultation was held on 13-14 November 2012 in Pretoria, South Africa. Jointly hosted with South Africa's Department of International Relations and Cooperation, the meeting brought together African States. The second consultation, jointly hosted with the Government of Costa Rica, brought together experts from Latin America and the Caribbean and took place in San José, Costa Rica on 27-28 November 2012. The third regional consultation, gathering experts from Europe, the United States, Canada and Israel, was held in Montreux, Switzerland on 10-11 December 2012. A fourth meeting of experts from the Asia-Pacific and the Middle East was held in Kuala Lumpur on 11-12 April 2013, jointly hosted with the Government of Malaysia.

All these meetings enjoyed a high level of participation and led to constructive results. In total, the regional consultations involved 170 government experts representing 93 States. In each of the meetings, the participants responded to guiding questions intended to stimulate discussion regarding: (1) the practical humanitarian challenges that government experts see in the protection of persons deprived of their liberty in NIAC; (2) the adequacy of the law to address those challenges; and (3) how the law might be strengthened. The experts also discussed the procedural way forward. The ICRC drew up reports summarizing each regional consultation; copies will be made available on the ICRC website.

Other consultations and engagement

A briefing note and relevant background documents were sent to National Societies in May 2013, apprising them of the progress of the consultations and seeking their support in promoting their governments' engagement in the process. The ICRC Legal Division also gave presentations on the detention track and the compliance track at the annual meeting of National Society Legal Advisers in September 2012 and June 2013. The ICRC will continue to provide periodic updates in the lead-up to the next International Conference.

Status of consultations so far

States participating in the regional consultations have generally agreed with all the topics identified by the ICRC as key humanitarian concerns and with the need to address them. States have been

supportive of the consultation process facilitated by the ICRC, and have indicated that they are comfortable with the ICRC's proposed way forward for further consultations in the lead-up to the 32nd International Conference.

Conditions of detention and vulnerable categories of detainees

Existing treaty law and customary IHL regarding NIAC lack detail on conditions of detention and vulnerable categories of detainees, especially in comparison to the extensive detail found in the law applicable in IAC. The ICRC had identified a range of missing but necessary protections, including to address inadequate food, water and clothing; insufficient or unhygienic sanitary installations; the absence of medical care; over-exposure to the elements; lack of contact with the exterior; lack of fresh air; and a number of other problems most commonly observed by the ICRC during its visits to places of detention. The ICRC also raised concerns about making allowance for the specific needs of certain vulnerable groups of detainees, in particular women, children, the elderly and people with disabilities. Overall, participants recognized the absence of detail on these issues in the existing treaty law and customary IHL applicable in NIAC, especially in comparison to the extensive provisions applicable in IAC found in the Third and Fourth Geneva Conventions. Other areas identified by some experts as meriting attention included the need for appropriate infrastructure; the problems of overcrowding; the accommodation of convicted persons with security detainees and those awaiting trial; the failure on the part of detaining authorities to acknowledge the detention of particular individuals, sometimes leading to the phenomenon of forced disappearance; and the failure by authorities to register detainees and hold them in officially recognized places of detention. Some experts added some further categories to the identified list of vulnerable groups, including HIV-positive detainees and foreign nationals. At all four meetings, experts discussed the relevance of IAC standards as a possible avenue for filling the gaps. Some experts discussed whether international human rights law – including non-binding instruments such as the Standard Minimum Rules for the Treatment of Prisoners – might be useful to draw on in considering possible IHL standards of conditions of detention in NIAC. These issues were all identified as meriting further consideration in the ongoing consultation process.

Transfers of detainees

A key weakness in IHL identified by the ICRC – and generally confirmed by the experts at the regional consultations – is the absence of any express protections that would prevent detainees from being handed over to authorities that would commit abuses. The law protecting detainees against abuse following transfer revolves conceptually around the principle of *non-refoulement*. While the precise content of a *non-refoulement* obligation depends on the applicable treaty law in each case, as a general matter it reflects the notion that, where a certain degree and gravity of risk to the well-being of the detainee has been identified, a transfer must not take place. Overall, in discussing how the *non-refoulement* concept might apply to transfers of persons in NIAC, experts agreed that knowingly transferring detainees to a situation where they would face torture is prohibited. Experts also generally agreed that effective measures that could be taken to protect detainees against abuse include pre-transfer measures to ensure that the receiving authorities will not ill-treat detainees, as well as post-transfer monitoring of detainees. However, the extent to which pre- and post-transfer measures should amount to legal obligations was a point of debate. Opinions also varied regarding issues such as pre-departure interviews with detainees, and post-transfer monitoring of their treatment. Overall, experts agreed that these issues warrant further consideration.

Experts agreed on the applicability of *non-refoulement* obligations to removals from a State's own territory. However, some experts contested their applicability to situations where a State is engaged in an armed conflict extraterritorially (that is, on the territory of another State with the consent of that State). Reasons put forward for this view included concerns about whether it would be possible to fulfil that requirement when faced with high numbers of detainees or assertions of sovereignty by host States, and about the lack of alternatives when a transfer could not take place. In that context, experts also discussed whether guidance could possibly be drawn from the Third and Fourth Geneva Conventions. These two Conventions expressly prohibit certain transfers in the context of

IAC. Transfers to States not party to the Convention in question are categorically prohibited, as are all transfers of persons protected by the Fourth Geneva Convention to countries where they may have reason to fear persecution for their political opinions or religious beliefs. Other transfers of persons protected by the Third and Fourth Geneva Conventions may only occur after the Detaining Power has satisfied itself of the willingness and ability of the transferee Power to apply the Convention in question.

Grounds and procedures for internment

The notion of 'internment' in situations of armed conflict refers to deprivation of liberty initiated or ordered by the executive branch – not the judiciary – without criminal charges being brought against the internee. Internment is an exceptional, non-punitive measure of control that is not prohibited by IHL. The ICRC had identified the absence in both IHL and domestic legal orders of clear grounds and procedures for internment, and the resulting risk of arbitrariness, as a weakness in the existing law of NIAC. Experts agreed with this reading. Overall, there were mixed views about whether the standard of 'imperative reasons of security' used in the Fourth Geneva Convention could be transposed to NIAC as appropriate grounds for internment. Some experts agreed that the standard was appropriate. Others agreed that it was appropriate, but considered that there was a need to continue working on clarifying the meaning of the phrase. Some experts expressed a preference for a lower standard, such as 'threat to security,' which they said would offer a broader approach. A small number of experts, essentially in the Montreux meeting, preferred separate grounds, namely membership of an armed group, as an independent basis for internment. In their view, such internees should be treated by analogy with the Third Geneva Convention (relative to the Treatment of Prisoners of War). Rather than an individual threat assessment in each case, this would rely on identifying them as members of the non-State party to the NIAC. However, other experts disagreed with status-based internment, and it remained unclear to them how such a determination could be made without carrying out the equivalent of a threat assessment anyway.

Regarding procedural safeguards, there was general agreement that safeguards of the type suggested by the ICRC, and similar to those applicable in IAC, would be the starting point for safeguards appropriate for internment in NIAC. These included an opportunity to challenge the lawfulness of detention, periodic review of the continued need for internment by an independent and impartial body, and access to information sufficient to enable internees to challenge the lawfulness of their detention. There was some debate about the issue of status-based internment; overall however, there appeared to be general agreement that, regardless of where the law stood, holding periodic reviews of the continued threat and thus continued need for internment was good practice. There was, however, debate on when such obligations would be triggered.

Non-State armed groups

Throughout the four consultations, experts raised the issue of the capacity of non-State armed groups. A recurring question was whether non-State armed groups should be held to the same standards as States, or if expectations should somehow be calibrated based on what was feasible. Another recurring theme related to non-State armed groups was the need to ensure that, as Article 3 common to the four Geneva Conventions and Additional Protocol II clearly provides, imposing legal obligations on non-State armed groups does not grant them any legitimate status, or imply they have the right to detain under domestic law.

Possible outcomes of the consultations

The regional consultations included a preliminary exchange on what the outcome might be. A range of options were identified, including the development of best practices; a non-binding standards instrument; an expert clarification process, focused on clarifying the interpretation and application of the law; or a norm-setting exercise, such as by developing a treaty. States clearly supported there being an outcome of the process, and expressed interest in being involved in further consultations. Although the exact nature of that outcome is too early to determine, States participating in the consultations have generally expressed a preference for an outcome that is not legally binding.

Nonetheless, several experts asserted that no options were excluded at this stage, including the possibility of binding standards.

(ii) Planned way forward

The regional consultations have played an important role in serving to identify and discuss specific areas of IHL in need of strengthening. The results of these initial consultations will help shape future dialogue and eventual substantive proposals for strengthening legal protection in the years to come. The ICRC has prepared public reports of all four regional consultations, which summarize the discussion but do not attribute comments to individuals or governments. The ICRC has also drawn up a synthesis report that summarizes and analyzes the main findings of the four regional consultations, for presentation to all Permanent Missions in late 2013, together with the ICRC's proposed strategy for the way forward. All reports will be made publicly available and will be shared with National Societies. After that, the ICRC will hold further consultations, including two more experts' meetings in 2014 focused on specific thematic areas identified for strengthening. It is anticipated that a meeting will be held with all States in early 2015 to discuss the main findings of the two experts' meetings. To ensure a wide range of views are gathered, the ICRC will also be holding separate consultations with relevant international organizations (such as UN bodies), non-governmental organizations and academic experts.

3) COMPLIANCE TRACK

(i) Description of past activities and current status report

Key challenges identified

Contrary to most other branches of international law, IHL has only a limited number of mechanisms to ensure compliance with its norms. Three mechanisms are provided for in the 1949 Geneva Conventions and Additional Protocol I of 1977. These are: (1) the Protecting Powers mechanism (which obliges each party to the conflict to designate a neutral State, with the agreement of the other side, to safeguard its humanitarian interests, and thus to monitor compliance with IHL); (2) a formal enquiry procedure (which must take place at the request of a party to the conflict) into an alleged violation of the Geneva Conventions; and (3) the International Humanitarian Fact-Finding Commission (IHFFC). While Protecting Powers have been used on very few occasions since World War II, the other two mechanisms have never been used. In addition, the three mechanisms are limited in scope: while the vast majority of today's armed conflicts are non-international in nature, the existing compliance mechanisms apply to IAC. In practice, it is mainly the ICRC that carries out a range of functions aimed at strengthening compliance with IHL. The joint Swiss-ICRC follow-up initiative to Resolution 1 of the 31st International Conference does not intend to impinge on the role and mandate of the ICRC or to duplicate the activities performed by the organization. The ICRC's role and mandate are therefore not a focus of the process.

Overall, there is general recognition that, apart from the ICRC's work, the existing IHL compliance mechanisms have proven to be inadequate, that IHL compliance needs to be improved, and that further reflection on how to strengthen compliance mechanisms is necessary. Resolution 1 invited the ICRC "to pursue further research, consultation and discussion in cooperation with States and, if appropriate, other relevant actors (...) to identify and propose a range of options and recommendations to (...) enhance and ensure the effectiveness of mechanisms of compliance with international humanitarian law."

Consultation process so far

In 2012, the ICRC and the Swiss Government launched a series of discussions on strengthening IHL compliance. An initial informal meeting with all States was convened on 13 July 2012 in Geneva. The purpose of that meeting was to inform States of the initiative, to raise awareness of

the challenges of IHL compliance, and to enable a first survey of States' views. The meeting showed that there was general concern about lack of compliance with IHL, as well as broad agreement on the need for a regular dialogue among States on improving respect for IHL, and on compliance issues in particular. Following the July 2012 meeting, Switzerland and the ICRC continued discussions and consultations with a broad range of States in order to identify the main substantive issues of relevance to moving the process forward. Consultations were always open to all interested States.

Given that it is difficult to have a meaningful discussion on questions of substance in a format that would encompass all States at all times, a preliminary discussion with a group of States, representing all regions, was held in Geneva on 8-9 November 2012. This discussion was focused on a review of existing IHL compliance mechanisms, the reasons why they did not work, and whether some could be revived. Lessons that could be learned from other bodies of law for envisaging an effective IHL compliance system were also examined. There were also preliminary discussions on the functions that such a system would need to have, regardless of what its eventual institutional structure might be.

A second discussion with this group of States took place in Geneva on 8-9 April 2013. This discussion was aimed at examining in more depth the possible functions of an IHL compliance system. The functions considered included: periodic reporting; fact-finding; early-warnings; urgent appeals; and non-binding legal opinions. An important topic of discussion was the format that a regular dialogue on IHL compliance among States should have. Further information on these topics may be found in the background document that served as the basis for discussions with States, available at <weblink to be inserted once the document is made public>.

As facilitators, Switzerland and the ICRC are fully committed to ensuring that their joint initiative in follow-up of Resolution 1 is conducted in a transparent, inclusive and open manner. To this end, a second meeting of States was held on 17-18 June 2013 in Geneva, with the participation of 73 States and two observers. Switzerland and the ICRC presented an overview of the consultations that had taken place thus far and sought guidance on the substantive questions that had arisen and on possible next steps. The discussion covered: an overview and the inadequacies of existing IHL compliance mechanisms; the possible functions of an IHL compliance system; and the possible tasks and features of a Meeting of States.

Main outcomes so far

Overall, discussions and consultations within the Swiss-ICRC initiative have been constructive, with a good level of engagement by participating States. States have agreed that lack of compliance with IHL is an important issue that needs to be addressed and have expressed strong support for the initiative. It was acknowledged that compliance systems under other bodies of international law cannot fill the IHL compliance system gap, due to their focus on different sets of norms. States have confirmed that there is general support for the creation of a platform for regular and structured dialogue among States on IHL compliance. It was felt that a Meeting of States – as a first step in strengthening the IHL compliance system – would facilitate a permanent dialogue on IHL, enhance cooperation and help promote respect for this body of law. It was recognized that a regular inter-State dialogue on IHL should focus on a range of other possible ways of enhancing compliance with IHL. Such a dialogue should showcase domestic steps taken by States to prevent possible breaches of IHL. It should likewise enable States to exchange experiences in IHL implementation and share best practices, as well as highlighting their capacity-building needs. The dialogue should also encompass issues related to the challenges faced by States in implementing their IHL obligations, as a means of seeking cooperative solutions to issues of common concern. It was understood that domestic and international criminal justice mechanisms aimed at establishing individual criminal responsibility are not within the scope of the process.

States participating in the consultations generally expressed support for striving for concrete, pragmatic and meaningful outcomes of the consultation process. It was pointed out, among other

things, that current IHL compliance mechanisms do not envisage ways in which compliance with IHL by non-State armed groups could be considered. It was recognized by participating States that there is a need to consider that aspect, given the prevalence of NIACs today and their humanitarian consequences.

Existing compliance mechanisms

It was stressed that the Protecting Power system and the enquiry procedure provided for in the 1949 Geneva Conventions remain available to States in IAC, although doubts were voiced about whether there would be recourse to these two mechanisms in the future. It was pointed out, among other issues, that they could not be easily adapted for use in NIACs. As a result, it was stated that the process of strengthening IHL compliance mechanisms should not focus on ways of 'reforming' the Protecting Power system or the enquiry procedure. However, many States were of the view that it would be worth examining how the IHFFC could be put to better use to serve as part of an effective compliance system. It was said that ways could be found to enable the IHFFC to exercise its mandate without having to renegotiate Article 90 of Additional Protocol I (the treaty basis for the IHFFC's creation and mandate). The IHFFC's remit could be expanded to include situations of NIAC. Additional tasks could be given to it by States on a voluntary basis. For example, a Meeting of States could be authorized to trigger the IHFFC and could also recommend that the parties to an armed conflict avail themselves of the IHFFC's services. It was considered that, in addition to the IHFFC's mandate and trigger mechanism, it would be necessary to examine further issues related to the IHFFC's possible effectiveness going forward. They included its capacity to perform its tasks in terms of its composition, the requisite balance of expertise, and resource considerations.

Possible functions of an IHL compliance system

The second Meeting of States also looked at the possible functions of an IHL compliance system, including periodic reporting, fact-finding, early warnings, urgent appeals, non-binding legal opinions, good offices, country visits, State inquiries, dispute settlement, and examinations of complaints. There was broad agreement that reporting, thematic discussions and fact-finding should be given priority in further deliberations. Some States were of the view that a good offices function would also be useful, and others that an early-warning function would be desirable. Country visits were likewise mentioned as deserving of further attention. Still other States were open to examining all the compliance functions listed above.

It was pointed out that reporting on national compliance serves as a basis for self-assessment by States, but also provides a baseline of information for exchanges with other States on compliance issues. A reporting function should not entail a detailed overview of States' implementation of the applicable IHL treaties according to their provisions, but could be more focused, for example grouped by topic or issue. It should enable States to share practical experiences and challenges in IHL implementation, as well as best practices, without creating new legal obligations. It was also noted that further consideration could be given to whether non-governmental organizations should be involved in preparing reports. In addition, it was noted that the inclusion of actions by non-State armed groups should be the subject of further examination.

A range of other noteworthy aspects related to the reporting and fact-finding functions were raised. These included the body to which these functions would be attached, their periodicity, their public or confidential nature, voluntariness, sources of information, resourcing, and interface with other actors including NGOs and civil society. As regards fact-finding, it was pointed out that this function may or may not be linked to conclusions about the legal consequences of the facts established. These and other topics will be the subject of deliberations within the consultation process in the months ahead.

Another function identified for further consideration was State discussions on thematic issues, including policy-related concerns common to States. In contrast to periodic reporting – which, it was considered, would relate more to national compliance with IHL – thematic discussions would enable exchanges among States on topical issues and challenges arising in the field of IHL, particularly on those that may not fit readily within the remit of existing international bodies or fora.

Meeting of States

The second Meeting of States in June 2013 affirmed that there was strong general support among States for establishing a forum for a regular dialogue on IHL, that is a regular Meeting of States. This would be a forum for a range of possible ways of examining IHL implementation and compliance, and for thematic discussions on IHL issues. It was also suggested that a Meeting of States could serve as an anchor for other elements of an IHL compliance system, and complement and inform the discussions at the quadrennial International Conference of the Red Cross and Red Crescent. Several States also noted the desirability of ensuring, as far as possible, coherence and complementarity between an IHL compliance system and other international and regional fora that address IHL issues.

A range of aspects related to the Meeting of States were noted as meriting further consideration, including: the periodicity of meetings; ways to convene and institutionalize them; and whether a body could be created to prepare the meetings and perform intersessional and administrative duties. Other issues identified for further examination included: how to select topics for discussion; the outcomes of the meetings; the means by which a Meeting could include engagement with international organizations, non-governmental organizations and civil society, and the question of resourcing. It was also noted that, given the prevalence of NIAC, further consideration needs to be given to appropriate means of addressing IHL compliance by non-State armed groups. It was felt that the function of periodic reporting should be linked to the Meeting of States, regardless of its exact configuration. It was also generally emphasized that the role the ICRC could play as an expert body in the Meeting of States should be considered further.

(ii) Planned way forward

The Swiss-ICRC initiative is premised on several key principles that were enunciated in the discussions and consultations held thus far and reaffirmed at the second Meeting of States. It was emphasized that the following principles should serve as the overall framework within which the search for possible solutions to the challenges of improving compliance with IHL should be pursued: the need for an IHL compliance system to be effective; the importance of avoiding politicization; the State-driven nature of the process; the avoidance of unnecessary duplication with other compliance systems; the requirement to take resource considerations into account; and the need, as mentioned above, to find appropriate ways to encompass all types of armed conflicts and the parties thereto. Pursuant to the mandate conferred by Resolution 1 of the 31st International Conference, and based on this second Meeting of States, Switzerland and the ICRC will design – in continued discussion and consultation with States – concrete proposals and options, notably regarding the four priority areas identified so far by participating States: the form and content of a periodic reporting system on national compliance; the form, content and possible outcome of thematic discussions on IHL issues; the modalities for fact-finding, including possible ways to make use of the IHFFC; and features and tasks of a Meeting of States.

Prior to the next meeting of all States in the summer of 2014, there will be two preparatory meetings in Geneva open to all States, to exchange further ideas on concrete aspects of the topics mentioned above. The first meeting will be focused primarily on periodic reporting and thematic discussions, while the second meeting will focus on fact-finding, and will also consider further the Meeting of States.

4) CONCLUSION

The ICRC is pleased with the progress made so far in relation to both tracks of work on strengthening legal protection for victims of armed conflict. The years leading up to the 32nd International Conference will be rich with discussions and analysis about the state of the law, where the gaps lie, and how to approach filling those gaps. The ICRC looks forward to continuing to work with States, the different components of the Movement and other relevant actors to research

and discuss ways to address these challenges. National Societies are encouraged to inform the ICRC if they need any further information on the consultation processes and to share their views on the implementation of Resolution 1.

The ICRC (and Switzerland in relation to the compliance track) is available for bilateral talks with interested States at all times and will continue to inform the International Red Cross and the Red Crescent Movement, National Committees for the Implementation of IHL, international and regional organizations, and other relevant actors about progress on the two tracks. Following all the consultations, the ICRC will prepare a report setting out its views, with options and recommendations for consideration by the 32nd International Conference in 2015.