



ICRC

**First International Follow-up Conference to the
Political Declaration on Strengthening the Protection of Civilians from the
Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated
Areas
Oslo, 22–24 April 2024**

ICRC recommendations

The International Committee of the Red Cross (ICRC) welcomes the first international follow-up conference to the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (hereafter, the Declaration) and commends the 85 states that have already endorsed the Declaration.

This conference will be an important forum where progress and experiences in implementing the Declaration are shared by states and discussed. To maintain momentum and address the urgent need to strengthen the protection of civilians and civilian objects, the ICRC calls on the Oslo conference to take tangible actions to advance the implementation of the Declaration, by doing the following:

- 1. Establish a framework to guide and support implementation efforts**, including for the intermediary period between international follow-up conferences.
 - 1.1. Indicate the hosting country and date of the next international follow-up conference, ideally in 2025.
 - 1.2. Establish formal or informal focal points or working groups and structured intergovernmental and military-to-military exchanges, including with multistakeholder participation, at the global and/or regional levels to drive forward implementation of the Declaration.
 - 1.3. Organize a formal or informal network for collective, structured efforts to promote the Declaration, and pursue its adoption by the greatest possible number of states. The network should also discuss best practices to encourage adherence to its commitments by all parties to armed conflict, including non-state armed groups.
 - 1.4. Formalize a well-resourced structure to, *inter alia*, assist the exchange, compilation and sharing of good policies and practices, the organization of regular (ideally annual) international follow-up conferences, and the work carried out in between conferences under recommendations 1.2 and 1.3 above.

2. Agree collectively on milestones and a time frame to set priorities and measure progress.

The Oslo conference should propose a sequenced approach to set a direction for the implementation process in the following years for all the endorsing states. Such a sequence should include the following:

- 2.1. Launch a review process of their national policy and practice with regard to the protection of civilians during armed conflict involving the use of explosive weapons in populated areas and the implementation of the commitments undertaken under the Declaration.¹
- 2.2. Report back voluntarily on the findings of the review and the identification of measures taken and envisioned to develop or improve their national policy and practice.
- 2.3. Implement measures, in accordance with a timeline developed by each endorsing state, tailored to their experiences, capacities, resources and priorities.

The Oslo conference should propose a general timeline to support these efforts and emphasize the urgent need to strengthen the protection of civilians and civilian objects.

3. Pledge as individual states to undertake short-term, actionable steps in 2024 and 2025 towards the implementation of the Declaration.

- 3.1. Translate the Declaration into national languages to facilitate wider dissemination and integration.
- 3.2. Assign a focal point at the national level, mandated to work with relevant government ministries and agencies.
- 3.3. Place the implementation of the Declaration on the agenda of the national international humanitarian law (IHL) committees, or similar bodies, to facilitate inter-agency coordination.
- 3.4. Actively disseminate the Declaration within the Ministry of Defence and among their armed forces.
- 3.5. Include a module on the Declaration in armed forces' staff college curricula.
- 3.6. Encourage and institutionalize the collection by national armed forces and relevant other government authorities of good practices regarding the protection of civilians during armed conflict involving the use of explosive weapons in populated areas.
- 3.7. Share publicly, and with the support structure mentioned in recommendation 1.4, good policies and practices on the protection of civilians during armed conflict involving the use of explosive weapons in populated areas, including on the implementation of applicable IHL.

¹ The review could be structured according to a checklist developed through the framework recommended above under point 1, or to the Declaration's commitments in sections 3 and 4, with each commitment being examined through the following guiding questions:

- What are the existing national policies in relation to this specific commitment, and what gaps may exist?
- What are the existing national practices in relation to this specific commitment, and what gaps may exist?
- What kind of assistance do I need (or could I provide to other states) to develop or improve national policy and practices to implement this specific commitment?

- 3.8. Participate in and contribute to the formal and informal structures recommended to be established under 1.2 to 1.4 above.
- 3.9. Use relevant multilateral and other international and regional meetings and workshops to promote the Declaration and its adoption and effective implementation by the greatest possible number of states.
- 3.10. Include adherence to the Declaration's commitments in existing or future dialogue with non-state armed groups.
- 3.11. Share the Declaration with civilian essential service companies and authorities at both national and community levels and encourage them to assess and report back on the information they can contribute on critical civilian infrastructure and essential services, including location, nature, interconnections and specific vulnerabilities. This data will be valuable for military forces to assess, prevent and mitigate the direct and indirect effects of the use of explosive weapons in populated areas on these services.
- 3.12. Conduct and publish their own research, or provide support, including financial, to others' research, on the indirect effects of the use of explosive weapons in populated areas on the delivery of essential services.
- 3.13. Publish a voluntary report, outlining key domestic measures on the implementation of the Declaration and applicable IHL.² The report should showcase specific examples of successful implementation and identify areas where further implementation is required. It should also include details of the domestic processes in place and the entities involved in implementation. The drafting of the report may be led by the national IHL committee (or similar body) as part of its mandate. The report should be made public in order to foster and inform dialogue on domestic implementation, and to encourage other states to publish their own voluntary reports.

² For the ICRC, a voluntary report is any document drafted by or with the strong involvement of a state, often with the support of its national IHL committee and sometimes with the support of a National Red Cross or Red Crescent Society. The purpose of the report is to set out to what extent international legal obligations have been incorporated into the domestic system (i.e. law, policy and practice) and to identify areas requiring action. See <https://www.icrc.org/en/document/voluntary-reports-domestic-implementation-ihl>.