



ICRC

The Delegation of the International Committee of the Red Cross (ICRC) to the United Nations presents its compliments to the Legal Counsel of the United Nations and has the honour to refer to the letter (ref. LA/COD/2/2) dated 17 January 2022, regarding General Assembly Resolution 75/138 of 15 December 2020, entitled “Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflict.”

The ICRC is pleased to provide its contribution, enclosed, in its capacity as an Observer of the UN General Assembly for the report of the Secretary-General as requested in operative paragraph 11 of the above-mentioned Resolution.

The Delegation of the International Committee of the Red Cross to the United Nations avails itself of this opportunity to convey to the Legal Counsel of the United Nations the renewed assurance of its high consideration.

New York, 1 June 2022
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Encl: ICRC Submission

**Status of the Protocols Additional to the Geneva Conventions of 1949
and relating to the protection of victims of armed conflicts
Contribution by the ICRC
June 2022**

Status of adherence to the three Protocols additional to the 1949 Geneva Conventions and to other IHL instruments

1. At the time of writing, the **total number of states party to Additional Protocols I, II and III** is 174, 169 and 79 respectively. 76 states have current **declarations under Article 90 of Additional Protocol I** accepting the competence of the International Humanitarian Fact-Finding Commission.
2. The ICRC has continued to promote adherence to and implementation of **key IHL instruments**. In the period under review (June 2020 to April 2022), the ICRC notes the following **accessions and ratifications**:
 - 1 state (Cameroon) became party to Additional Protocol (III) to the Geneva Conventions,
 - 1 state (Suriname) became party to the Optional Protocol on the involvement of children in armed conflict,
 - 1 state (Philippines) became party to the Convention prohibiting Certain Conventional Weapons (CCW), amended Article 1,
 - 1 state (Philippines) became party to the CCW Protocol (V) on Explosive Remnants of War,
 - 5 states (Croatia, Denmark, Luxembourg, Slovenia, Sudan) became party to Convention for the Protection of all Persons from Enforced Disappearance,
 - 1 state (Philippines) became party to the Arms Trade Treaty,
 - 7 states (Chile, Côte d'Ivoire, Guinea-Bissau, Mongolia, Peru, Republic of Congo, Seychelles) became party to the Treaty on the Prohibition of Nuclear Weapons,
 - 3 states (Italy, Romania, Sweden) became party to the Amendment to the Statute of the International Criminal Court, amended article 8,
 - 2 states (Italy, Sweden) became party to the Amendment to the Statute of the International Criminal Court, articles 8bis, 15bis and 15ter,
 - 3 states (Liechtenstein, Spain, Sweden) became party to the Amendment to the Statute of the International Criminal Court, amended article 124,
 - 1 state (Romania) became party to the Amendment to the Statute of the International Criminal Court, amended article 8 (Blinding laser weapons),
 - 1 state (Romania) became party to the Amendment to the Statute of the International Criminal Court, amended article 8 (Weapons the primary effect of which is to injure by fragments undetectable by x-rays in the human body),
 - 3 states (Liechtenstein, Romania, Sweden) became party to the Amendment to the Statute of the International Criminal Court, amended article 8 (Weapons which use microbial or other biological agents, or toxins),
 - 2 states (Liechtenstein, Romania) became party to the Amendment to the Statute of the International Criminal Court, amended article 8 (Intentionally using starvation of civilians in non-international armed conflict).

3. This year marks the 45th anniversary of the adoption of the two Additional Protocols to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International and Non-International Armed Conflicts, of 8 June 1977. The ICRC has been working to encourage states that are not party to the Protocols to take this opportunity to consider acceding to the two Additional Protocols¹ and, where necessary, to enact implementing legislation to give effect to them. To this end, the ICRC has partnered with the Inter-Parliamentary Union (IPU) for a year-long series of events. The year commenced with a briefing to the IPU's Committee to Promote Respect for IHL and will culminate with a global webinar on the merits of being party to the protocols. In addition, the ICRC highlights that states may also consider making a Declaration under Article 90 of Additional Protocol I to recognize the competence of the International Humanitarian Fact-Finding Commission (IHFFC), in case they have not done so yet, and to use and encourage the use of IHFFC's good offices and fact-finding services.
4. The Treaty on the Prohibition of Nuclear Weapons (TPNW) entered into force on 22 January 2021. At the time of writing, 60 states are party to the treaty. The ICRC strongly encourages those states that have not yet signed and ratified or acceded to the treaty to do so without delay. To assist states in the ratification process, the ICRC has produced a ratification kit, a model declaration (under Art. 2 TPNW) and a model law.

Legal advice and technical assistance for the national implementation of IHL

5. Between June 2020 and April 2022, 142 **new laws and examples of domestic case-law** were added to the public ICRC database on national IHL implementation.² The database contains up-to-date information on the national legislation and case law of 195 countries, and serves as a research tool for sharing best practices and facilitating the fulfilment of states' obligations under IHL.
6. The ICRC continued to support states to implement their criminal repression obligations through domestic legislation. During the reporting period, the ICRC engaged in confidential bilateral dialogue with states to that end, and partnered with regional organisations, to hold closed-door state-to-state peer exchanges on the inclusion of penal repression provisions within IHL implementing legislation. States continued to lead an important international initiative which aims to develop a mechanism for mutual legal assistance. Throughout the reporting period, the ICRC was actively engaged in supporting this initiative, recommending an inclusive definition of war crimes, in line with treaty and customary international law. Additionally, the ICRC continued to support judicial training entities to integrate IHL into their judicial training curricula.
7. The ICRC also worked with states on adopting counter-terrorism (CT) legislation that complies with IHL. As states respond to the continued threat of terrorism, they are increasingly developing robust legislation and strengthening existing laws. As reflected in several UN Security Council Resolutions,³ CT measures must always comply with IHL obligations. In the ICRC's view, this means that such measures

¹ States may refer to the [ICRC's ratification kit for the Additional Protocols of 1977](#).

² The national implementation database is available at: <https://ihl-databases.icrc.org/ihl-nat>.

³ For example, UN SC Resolutions 2462(2019), 2482 (2019), 2610 (2021) and 2615 (2021).

may not prevent impartial humanitarian organizations from carrying out their humanitarian mandate. During the reporting period, the ICRC welcomed the adoption of “humanitarian exemptions” and “IHL saving clauses” in several domestic laws. The former aim at excluding exclusively humanitarian activities, undertaken by impartial humanitarian organizations such as the ICRC, from the scope of application of counter-terrorism measures.⁴ These clauses allow humanitarian organizations to carry out a number of activities such as reaching people in need living in areas controlled by non-state armed groups designated as terrorists and providing them with assistance, engaging with non-state armed groups on respect for IHL, visiting people detained by the non-state armed group, providing training on first aid, and conduct other humanitarian activities. As for “IHL saving clauses”, such provisions ensure that attacks against military objectives or other actions that are considered not prohibited under IHL are not labelled as “terrorists” and criminalized as such in domestic law. Attacks against lawful targets constitute the very essence of an armed conflict and should not be legally defined as “terrorist” under another legal regime. To do so would be contrary to the reality of armed conflicts and the rationale of IHL, which does not prohibit attacks against lawful targets and may ultimately disincentivize parties to an armed conflict, especially non-state armed groups, to comply with IHL.⁵

8. Every year, thousands of people become separated from their families, go missing or die as a result of armed conflicts. During the reporting period, the ICRC continued to encourage states to launch initiatives to raise awareness on the issue of the separated, missing and dead and the plight of their families, and to disseminate the relevant international humanitarian law obligations at global, regional and national levels. It also continued to emphasize the importance of states being prepared by adopting, already in peacetime, the relevant domestic legal, policy and regulatory frameworks to prevent family separation and people from going missing, to clarify the fate and whereabouts of those who do, to inform families, to respect the dead, and to investigate and prosecute, as appropriate, enforced disappearances and other serious violations of IHL resulting in people going missing in armed conflict. In this vein, the ICRC supported states in the development of comprehensive legal frameworks on missing persons, including through legislative reforms, the adoption of specific laws and the establishment and operationalization of national mechanisms to address the issue of missing persons.⁶ The ICRC continued to remind states about the role of its Central Tracing Agency (CTA) to keep families together, reunite them and help them stay in touch, prevent people from going missing, search for the missing, protect the dignity of the dead and ensure that the rights and needs of families are addressed. Additionally, the ICRC has started a five-year transformation programme of its

⁴ For example (as a non-exhaustive list), such ‘humanitarian exemptions’ were adopted by Ethiopia, Chad, the Philippines, Slovakia, and Switzerland during the reporting period.

⁵ For example (as a non-exhaustive list), Ethiopia and Chad adopted ‘IHL saving clauses’ in their respective counter-terrorism legislation during the reporting period.

⁶ For example (as a non-exhaustive list), in Lebanon, the National Commission on the Missing and Forcibly Disappeared appointed in 2020 has been drafting the bylaws necessary for its full operationalization. Peru adopted the Supreme Decree N°011-2021-JUS, which created the National Plan on the Search of missing persons until 2030. Croatia adopted in 2021 the Law on Civilian Victims of Homeland War and amended the Law on the Rights of Croatian Homeland War Veterans and their Family Members, both providing financial compensation for the family members of missing persons and other benefits and rights.

CTA, to improve its capacity to search, adapt to technological changes of recent decades and reinforce the services it provides.⁷ The ICRC works with states and parties to conflicts towards these goals and has developed resources to support them in this endeavour. Lastly, the ICRC seeks to ensure that its engagement is complementary to that of other actors. Its Missing Persons Project has created a global community of practitioners bringing together different stakeholders and families of the missing to encourage multi-disciplinary exchanges and the joint development of best practices and guidance documents. In addition, the Global Alliance for the Missing was launched by the ICRC and Switzerland on 11 May 2021 on the margins of the 150th anniversary of the CTA.⁸ The alliance aims to bring to bear the collective influence and diplomatic, political and financial capacities of states to improve the prevention of, and the response to, cases of separated and missing persons. Finally, the ICRC conducted an internal review and developed recommendation on “Gender and Diversity Dimensions of the Separated, Missing, Deceased, and the Families” to strengthen the application of a gender perspective throughout this work.

9. The ICRC also continued to work on recalling and strengthening respect for the well-established prohibitions of sexual violence as a war crime in international and non-international armed conflict. These prohibitions protect women, men, boys and girls, and/including persons of diverse sexual orientation and gender identity, and are an important component of how states and parties to armed conflict must act to prevent and respond to gendered harm in armed conflict. Yet while international law is clear on the prohibition of sexual violence, national legal and policy frameworks are more diverse. With this in mind, the ICRC has developed a *Checklist on the Domestic Implementation of IHL Prohibiting Sexual Violence*.⁹ It is also in the process of supporting several states in updating their domestic legal frameworks to ensure adequate domestic implementation of the international legal obligations prohibiting sexual violence during armed conflict.
10. As it works with states on their domestic implementation of IHL, the ICRC has supported the establishment of new national committees and other similar entities on IHL, and the strengthening of existing ones. During the period under review, 5 national IHL committees or similar entities were created or re-established (Cyprus, Italy, Mozambique, The Netherlands and Portugal). National IHL committees have been a key instrument in supporting their state in ensuring the adequate implementation of IHL at the domestic level. In order to support them in their work, the ICRC published in 2021 the *Bringing IHL home: Guidelines on the national implementation of international humanitarian law*.¹⁰ The Guidelines compile a series of checklists that states and Red Cross and Red Crescent National Societies can use to implement the commitments they have undertaken in the framework of the 33rd International Conference of the Red Cross and Red

⁷ More information is available at <https://www.icrc.org/en/document/central-tracing-agency-reuniting-families-since-1870>.

⁸ More information is available at <https://www.icrc.org/en/document/global-alliance-missing-persons>

⁹ The checklist is available here: <https://shop.icrc.org/domestic-implementation-of-international-humanitarian-law-prohibiting-sexual-violence-a-checklist-for-states-and-the-international-red-cross-and-red-crescent-movement-pdf-en.html>

¹⁰ The Guidelines are available in Arabic, Chinese, English, French, Russian and Spanish here: <https://shop.icrc.org/bringing-ihl-home-guidelines-on-the-national-implementation-of-international-humanitarian-law-pdf-en.html>

Crescent with respect to the domestic implementation of IHL.¹¹ In addition, and in line with the recommendations from the Bringing IHL Home resolution, the ICRC organized universal and regional meetings for national IHL committees, as a means to foster exchanges on good practices and solutions found to answer challenges faced by states in implementing IHL domestically.¹² Finally, during the first years of its existence, the online community for national committees and similar entities on international humanitarian law (NCIHL), launched by the ICRC in December 2019, saw the progressive inclusion of new members, with 36 national IHL committees participating in its work, at the time of writing. The ICRC continues to support the work of national IHL committees through this online tool, by enabling direct and regular exchanges and cooperation among them, sharing of information about their activities, as well as discussions on various IHL topics. The online community was also used to support the organization and conduct of the 5th Universal Meeting of national IHL committees.¹³

11. As much progress has been made on the domestic implementation of IHL, several states have published voluntary reports outlining the degree of IHL domestication. While there is no definition of what voluntary reports are, there is a common understanding that a voluntary report refers to any document drafted under the lead or with the strong involvement of a state entity (for instance, a National IHL Committee or similar entity, and sometimes with the support of the National Red Cross or Red Crescent Society), with the purpose of describing the state of IHL implementation within the domestic legal system, including law, policy and practice. The trend of publishing voluntary reports on the domestic implementation of IHL saw a sharp increase during the period under review, to reach 11 voluntary reports published by states, often with the support of their national IHL committees.¹⁴ In order to support states in this endeavour, the ICRC and Switzerland organized an expert workshop in June 2021, complemented by a side-event during International Law Week in October 2021. Both events aimed at supporting states to build their capacity to draft voluntary reports, including by providing practical responses to the questions that may arise before, during and after drafting such a report. Such voluntary reporting complements the submissions that several states make to the United Nations Secretary-General's report on the Status of the Protocols Additional to the Geneva Conventions of 1949 and relating to the protection of victims of armed conflicts. Throughout the period under review, the ICRC supported several states, on a bilateral basis and

¹¹ See in particular Resolution 1 "Bringing IHL home: A road map for better national implementation of international humanitarian law" available here: https://rcrcconference.org/app/uploads/2019/12/33IC-R1-Bringing-IHL-home_CLEAN_ADOPTED_FINAL-171219.pdf, as well as pledges related to the domestic implementation of IHL, available on the pledges' database here: <https://rcrcconference.org/about/pledges/search/>

¹² During the period under review, such meetings included: The Regional Conference of National Committees on IHL and Similar Entities of the Americas (organized with Ecuador), the Fifth Meeting of Representatives of National IHL Committees of Commonwealth member countries (organized with the British Red Cross and the United Kingdom's National Committee on IHL, with the support of the Commonwealth Secretariat), and the Fifth Universal Meeting of National Committees and Similar Entities on IHL.

¹³ More information on the online community and the possibilities it offers to its members can be found at: <https://www.icrc.org/en/document/online-community-national-committees-and-similar-entities-ihl>.

¹⁴ The following states have published voluntary reports: Belgium, Bulgaria, Burkina Faso, Germany, Nicaragua, Niger, Poland, Romania, Sweden, Switzerland, United Kingdom.

at their request, to draft a voluntary report and/or a submission to the Secretary-General's report. The ICRC also continues to strongly encourage other states to consider reporting on IHL domestication via those tools. Finally, the ICRC also welcomed and continued to support regional initiatives in which states voluntarily report, in a verbal manner, to each other on their respective advancement concerning IHL implementation. For example, during the reporting period, the ICRC facilitated exchange sessions among, respectively, Southern African states and ECOWAS member states, where each country representative presented to their peers the most recent domestic developments concerning IHL implementation.

Efforts by the ICRC to reaffirm, clarify and disseminate IHL

12. Throughout the period under review, the ICRC continued to work on update the Commentaries on the Geneva Conventions, together with a team of experts. The new Commentaries seek to reflect the current interpretations of the law, by taking into account developments in law and practice over the past seven decades, gleaned from state practice, case law, legal writings and the ICRC archives. They provide an important guidance tool for those who need to interpret and apply the treaties, including diplomats, members of the armed forces and policymakers. The ICRC published in 2020 the updated commentary to the [Third](#) Geneva Convention. The Third Convention deals comprehensively with the treatment of prisoners of war, from their capture and evacuation, their internment (including quarters, food, clothing and medical care) to their final release and repatriation. It is an essential tool for anyone dealing with detention issues in armed conflicts today. Hard copies of the updated Commentaries are available from Cambridge University Press.¹⁵
13. In close co-operation with the British Red Cross, its long-standing partner in the update of the practice part of the [Customary IHL Database](#), during the period under review the ICRC was able to make available new practice from 7 states in the online Customary IHL Database: Côte d'Ivoire and Viet Nam (added in 2020), Georgia, South Africa and Uruguay (added in 2021), and Sri Lanka and Zimbabwe (added in 2022). The database contains the 161 rules of customary IHL identified in the 2005 ICRC customary IHL study, the practice underlying that study, and regular updates of the study's practice part.
14. As part of the ICRC's efforts to address the environment and the climate crisis, the ICRC has updated its 1994 Guidelines on the Protection of the Natural Environment in Armed Conflict to reflect developments in treaty and customary IHL.¹⁶ While a certain amount of environmental damage may be inherent to war, it cannot be unlimited, and IHL contains rules that protect the natural environment in armed conflict. Accordingly, the updated 2020 Guidelines are a collection of existing IHL rules and recommendations relevant to reducing the environmental

¹⁵ <https://www.cambridge.org/ch/academic/subjects/law/humanitarian-law/series/commentaries-1949-geneva-conventions>

¹⁶ The updated Guidelines on the Protection of the Natural Environment in Armed Conflict are available here: <https://shop.icrc.org/guidelines-on-the-protection-of-the-natural-environment-in-armed-conflict-rules-and-recommendations-relating-to-the-protection-of-the-natural-environment-under-international-humanitarian-law-with-commentary.html>

impacts of armed conflicts. They are intended to serve as a reference tool for states, to support the incorporation of relevant IHL rules into military manuals, as well as national policy and legal frameworks. Currently available in English, French, and Chinese, the ICRC is currently translating the updated Guidelines into Arabic, Portuguese, Russian and Spanish.

15. In January 2022 the ICRC published a milestone report titled “Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas”.¹⁷ The report provides an in-depth analysis of the humanitarian, technical, legal and military-operational aspects related to the use of these weapons, as well as detailed practical recommendations to political authorities and armed forces on measures to better protect civilians and facilitate respect for IHL through a policy of avoidance.
16. In early 2022, the ICRC published a report entitled *Twelve issues: What States can do to improve respect for IHL in 2022*.¹⁸ The report gives a snapshot of 12 selected issues arising in relation to the application of IHL in today's armed conflicts and outlines five key efforts that are currently the focus of the work of the ICRC. Through this report, states can identify, discuss and ultimately address some of the most pressing issues related to the protection of people affected by armed conflict. Some of those issues are developed below.
17. The ICRC has consistently raised concerns about the discriminatory approach taken to the treatment of children associated with, allegedly associated with, or born to members of groups designated as terrorist. The ICRC continued to recall the rules of international law defining the rights of children affected by armed conflict – in particular the requirement under the Convention on the Rights of the Child that states parties take all appropriate measures to promote physical and psychological recovery and social reintegration of child victims of armed conflict,¹⁹ and the requirement under the Optional Protocol to the Convention to provide assistance for their physical and psychological recovery and their social reintegration.²⁰ UN Security Council Resolution 2427 (2018) and the Paris Principles and Guidelines on Children Associated with Armed Forces or Armed Groups set out further standards. The ICRC has also emphasized the importance of ensuring that children are treated in accordance with their legal entitlements as children, including that detention of children only be used as a last resort. Drawing from these laws and standards, the ICRC has provided legal and technical advice to a number of states during their repatriation operations and developed a range of humanitarian services to people who are returned home, including ensuring that their family links are duly restored and that their psychosocial needs are addressed. In parallel, the ICRC continued its access to education program, ensuring that children and school communities at frontlines, in remote areas and in highly violent zones can continue to go to school. As the ICRC's first 2018-2020 access to education strategy concluded, a comprehensive review was undertaken to understand what lessons were learned and how to improve programs in the

¹⁷ The report is available here: <https://shop.icrc.org/explosive-weapons-with-wide-area-effect-a-deadly-choice-in-populated-areas-print-en.html>

¹⁸ The report is available here: <https://shop.icrc.org/twelve-issues-for-2022-what-states-can-do-to-improve-respect-for-international-humanitarian-law-pdf-en.html>

¹⁹ Article 39 of the Convention on the Rights of the Child

²⁰ Article 6.3 of the Optional Protocol to the Convention on the Rights of the Child

future. It also lead to the adoption of a new strategy for 2021-2026, with 3 main objectives: 1) changing the behaviour of actors such as militaries and armed groups to ensure better respect for schools, 2) guaranteeing access to quality education, in particular for specifically vulnerable groups, including juvenile detainees, children associated with armed groups or forces, children with disabilities or with missing family members and IDP and migrant children, and 3) creating regional and global commitments to protect education, and influencing legal norms and policy on education.²¹

18. The ICRC continued to work globally to promote the protection of cultural property during armed conflict. To this end, during the reporting period, the ICRC renewed its memorandum of understanding with UNESCO and partnered with the African Union to raise awareness of practical steps that can be taken in peace time to enhance the protection of cultural property in the event of an armed conflict. This work was undertaken under the banner of the AU theme of the year “arts, culture and heritage: levers for building the Africa we want”.
19. Certain developments in the technologies of warfare, such as increasing autonomy in weapon systems, bring risks of harm for those affected by armed conflict, both civilians and combatants, raise challenges for compliance with international humanitarian law enshrined in Additional Protocol I, notably, the rules on the conduct of hostilities for the protection of civilians, and raise fundamental ethical concerns for humanity. In order to protect civilians and civilian objects, uphold the rules of international humanitarian law and safeguard humanity, the ICRC recommends that states adopt new legally binding rules to prohibit autonomous weapons that are designed or used in a manner such that their effects cannot be sufficiently understood, predicted and explained, as well as autonomous weapons that are designed or used to apply force against persons, and to strictly regulate the design and use of all other autonomous weapons.
20. As the use of cyber operations has become a reality of armed conflict and poses real risk of causing humanitarian consequences, the ICRC engaged bilaterally, in regional intergovernmental meetings, and multilaterally in UN General Assembly-established processes with States. Through a position paper as well as oral and written interventions in the UN processes, the ICRC called on States ‘to affirm that IHL applies to cyber operations during armed conflicts, on the understanding that such affirmation neither encourages the militarization of cyberspace nor legitimizes cyber warfare’.²² The ICRC looks forward to working with States on clarifying how and when established IHL principles of humanity, necessity, distinction and proportionality – as partly codified in Additional Protocol I – apply to cyber operations during armed conflict.
21. Despite the long-term desire of the international community to explore and use space for peaceful purposes, space systems have been employed for military purposes since the dawn of the space era. As the role of space systems in military

²¹ The 2021-2026 Access to Education strategy is available in Arabic, English, French, Portuguese, Russian and Spanish here: <https://shop.icrc.org/access-to-education-strategy-2021-2026-print-en.html>

²² ICRC, International Humanitarian Law and Cyber Operations During Armed Conflict, 2019, available here: <https://www.icrc.org/en/document/international-humanitarian-law-and-cyber-operations-during-armed-conflicts>

operations during armed conflicts increases, the likelihood of these systems being targeted also increases, with potentially significant harmful impacts for civilians on earth. The ICRC is primarily concerned with the potential human cost for civilians on earth of the use of weapons and other military operations in, or in relation to, outer space during armed conflicts, and the protection afforded by international law, including international humanitarian law IHL, against their effects. For these reasons, the ICRC published its positions on the potential human cost of military operations in or in relation to outer space during armed conflicts and constraints under international law thereon.²³ The ICRC has been engaging in bilateral discussions and multilateral processes with regard to space security, including the Open-Ended Working Group on reducing space threats through norms, rules and principles of responsible behaviours under the auspices of UN General-Assembly.

22. The ICRC further developed and updated reference tools to support IHL teaching and research in universities worldwide. In particular, it created a ready-to-use IHL syllabus to support lecturers teaching remotely during the pandemic.²⁴ The 2.0 version of the ICRC's IHL app was also released, providing users with offline access to additional law and policy documents in Portuguese and German and enhanced bookmark features.²⁵ "International Humanitarian Law: A Comprehensive Introduction", the reference IHL handbook by Nils Melzer, was translated into Ukrainian.²⁶ The interactive IHL e-learning course was further translated into French, Turkish and Spanish.²⁷ The ICRC also developed and updated its reference "How does law protect in war?" platform (visited by close to 300'000 users worldwide in 2021) with new introductory texts, bibliographic references, more than 30 new case studies and five new thematic highlights on contemporary IHL issues, such as "IHL from a gender perspective", "Terrorism, Counterterrorism and IHL" or "Protection of civilians".²⁸ The ICRC also organized and supported various IHL students competitions, roundtables and training courses for academics all around the world. In particular, it organized the 14th edition of the Advanced IHL Seminar for Academics and Policymakers fully online for the first time, aiming for concrete IHL implementation-related commitments and outcomes by 50 senior participants worldwide.
23. The ICRC continued to engage on the commonalities between IHL and Islamic law in relevant Muslim-majority contexts, highlighting the universal nature of IHL

²³ ICRC, working paper on "Constraints under International Law on Military Operations in, or in Relation to, Outer Space during Armed Conflicts", available at <https://www.icrc.org/en/document/constraints-under-international-law-military-space-operations>; and ICRC, position paper on "The Potential Human Cost of the Use of Weapons in Outer Space and the Protection Afforded by International Humanitarian Law", available at <https://www.icrc.org/en/document/potential-human-cost-outer-space-weaponization-ihl-protection>.

²⁴ The outline is available here: <https://www.icrc.org/en/teaching-ihl-through-digital-resources-syllabus-interactive-remote-teaching>

²⁵ The 2.0 IHL app can be downloaded for iOS and Android devices here: <https://www.icrc.org/en/document/ihl-digital-app>

²⁶ This new version can be downloaded here for free, along with the already existing ones in 6 languages: <https://shop.icrc.org/international-humanitarian-law-a-comprehensive-introduction-pdf-ru.html>

²⁷ The new language versions of the e-learning course can be accessed here for free, along with the existing ones in 2 languages: <https://www.icrc.org/en/document/introduction-ihl-e-learning-now-available-french-and-spanish>

²⁸ The platform can be accessed for free here: <https://casebook.icrc.org/>

and its shared origins with Islamic law, and working towards increased acceptance of the ICRC by actors using Islamic law as a key frame of reference. For example, during the period under review, the ICRC produced materials and held seminars to discuss Islamic burial laws and guidance to healthcare and deathcare workers in the handling of the people who have died from COVID-19 for Islamic burials. The ICRC also engaged in discussions with Islamic law experts and religious and community leaders from the Sahel and Lake Chad regions to enhance the protection of detainees in these regions.

24. Finally, to conclude this report, the ICRC's work on gender and IHL should be flagged as relevant for all themes and activities mentioned above. The ICRC is committed to strengthening the application of a gender perspective in its work for the understanding, dissemination of knowledge, and faithful application of IHL. This involves considering how the application of rules of IHL may impact diverse women, men, girls and boys differently, in order to better take account of gendered impacts of armed conflict and ensure that protections are applied without discrimination. Efforts to mainstream a gender perspective throughout the ICRC's IHL work have included, for example, the updated commentary to the Third Geneva Convention's analysis of the rules related to women from the perspective of contemporary practice and legal requirements.²⁹ The ICRC Report on report on "Explosive Weapons with Wide Area Effects" also includes analysis of gender-specific effects of these weapons.³⁰ In addition to mainstreaming efforts, to give the issue of gender and IHL a dedicated focus, in 2021 the ICRC convened an expert workshop to scope the gendered impacts of armed conflict and identify potential implications for the application of certain IHL obligations related to the protection of civilians. With this expert workshop, the ICRC sought to engage in a critical reflection on the role of IHL in addressing the gendered impacts of armed conflict. The workshop confirmed that gender shapes an individual's experience of armed conflict in complex ways, but that trends can be predictable. In particular, women and girls contend with structural gender inequality, including in conflict contexts. Women and girls have fewer financial resources, less access to essential services and less representation in decision-making bodies. Military operations do not therefore take place on an "equal playing field" for women and girls, and so a gender perspective is a relevant tool for practitioners seeking to understand and reduce civilian harm in armed conflict. The ICRC will publish a report based on the workshop in 2022, with the aim of advancing understanding of the gendered impacts of the application of IHL on different groups, including women and girls.

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International Committee of the Red Cross

²⁹ See ICRC, Commentary on the Third Geneva Convention, Introduction, para. 24: <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Comment.xsp?action=openDocument&documentId=1B9A4ABF10E7EAD2C1258585004E7F19>

³⁰ See ICRC, Explosive Weapons with Wide Area Effect: A Deadly Choice in Populated Areas, Geneva, 2022, p. 56.