



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 t.996 (hi)6.005 (s )-404 q0 2.998 (ns avai3( )JJE consideration.

New York, 1 June 2022  
NYC 22/047 LCX/bma

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



may not prevent impartial humanitarian organizations from carrying out their humanitarian mandate. During the reporting period, the ICRC welcomed the

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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.<sup>4</sup> 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 wit (vi)5 (4)TJET60 0 595.32 841.92



Crescent with respect to the domestic implementation of IHL.<sup>11</sup> In addition, and in line with the recommendations from the Bringing IHL Home resolution,

at their request, to draft a voluntary report and/or a submission to the Secretary-

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,

impacts of armed conflicts. They are intended to serve as a reference tool for states, to support



future. It also lead to the adoption of a new strategy for 2021-2026, wit

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.<sup>23</sup> 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.<sup>24</sup> The 2.0 version of the IHL app was also released, providing users with offline access to additional law and policy documents in Portuguese and German and enhanced bookmark features.<sup>25</sup>

was translated into Ukrainian.<sup>26</sup> The interactive IHL e-learning course was further translated into French, Turkish and Spanish.<sup>27</sup> The ICRC also developed and updated its reference

