



ICRC

Under the Global initiative to Galvanize Political Commitment to International Humanitarian Law (global IHL initiative), the International Committee of the Red Cross, the Republic of Colombia, the Federal Democratic Republic of Ethiopia and the Kingdom of Saudi Arabia invite you to the:

WORKSTREAM 3

FIRST STATE CONSULTATION ON IHL AND PEACE

For legal advisers and mediation experts from ministries of foreign affairs based in their capital city



Online

MONDAY, 26 MAY 2025
8:30–12:30 AND 14:00–18:00
(UTC+2)

BACKGROUND

With over 120 active armed conflicts worldwide, involving over 60 states and over 120 non-state armed groups, the global security landscape is increasingly complex. Many conflicts occur in countries already grappling with protracted violence, trapping generations in cycles of war and instability. Beyond the immediate human cost, violations of international humanitarian law (IHL) exacerbate grievances, fuel radicalization and obstruct pathways to sustainable peace.

Respect for IHL can be a first step towards building trust between parties to a conflict, facilitating de-escalation and the eventual path to peace. By preventing atrocities, ensuring humane treatment of detainees and protecting civilians from war's worst effects, IHL also helps create conditions conducive to dialogue and long-term stability. Moreover, by limiting the destruction of critical civilian infrastructure, IHL plays a crucial role in reducing the human, societal and economic toll of war, enabling faster recovery and laying a foundation for peacebuilding efforts. In contrast, disregard for IHL increases suffering, deepens societal divisions, and is likely to make long-term peace more difficult to achieve.

The workstream on IHL and peace of the global IHL initiative aims to identify some of the links between respect for IHL and peace. The first state consultation on this workstream will focus on IHL and mediation. It will explore how IHL can be operationalized in mediation – not by turning negotiations into legal drafting exercises, but by identifying legal and humanitarian issues that can serve as confidence-building entry points. Issues that frequently emerge as points of early friction can also offer practical opportunities for engagement and serve as meaningful gestures to build trust and facilitate dialogue. For instance, addressing matters early on, such as the treatment of detainees, the fate of the missing, or the reintegration of child soldiers, can humanize adversaries, foster dialogue and build trust, both between deeply divided parties and in the peace process.

Rather than tackling peace processes in general, this consultation will focus on the specific intersections between IHL and mediation: how IHL obligations can open up space for engagement even without formal negotiations, how they can shape the substance of peace agreements, and how they can support implementation in areas such as humanitarian access and the protection of vulnerable groups. The consultation will also examine the central role of states in promoting and ensuring there is commitment to IHL within mediation processes.

Challenges remain. Some mediators or parties to conflict may worry that referencing legal obligations too early in a mediation process could limit flexibility or politicize sensitive issues. This consultation will explore how humanitarian considerations rooted in IHL can be introduced in ways that are pragmatic, context-specific and conducive to dialogue. The aim is not to turn IHL into a mere tool to facilitate peace, but to reaffirm its role as a

binding legal framework – one that, when properly implemented, can also serve as a principled foundation for advancing peace efforts. Another challenge is that lasting peace should remain the key objective of any peace mediation efforts, and while IHL and the humanitarian steps following from it can be a way to build pathways towards that objective, peace should remain the objective and mediation should not be reduced to humanitarian issues.

Ultimately, this consultation will help address a fundamental question: how can IHL – a legal framework designed to mitigate the effects of armed conflict – meaningfully contribute to finding pathways to peace? By fostering dialogue, identifying good practices, and promoting practical implementation, this workstream aims to help states and mediators use IHL not only to alleviate suffering, but also to support efforts that lay the groundwork for more lasting peace.

By underscoring the relevance of IHL not only during armed conflict but also post-combat, this consultation invites reflection on how humanitarian obligations are continuous and legally binding, and how their consistent application can help lay the groundwork for dialogue, trust and lasting peace.

OBJECTIVE

The consultation will build on three previous high-level events:

- a launch panel discussion focusing on how IHL adherence can reduce harm to civilians, create space for dialogue and build trust – all essential elements for long-term stability
- a high-level panel discussion in Geneva on the importance of addressing the issue of missing persons in mediation and peace processes
- a closed-door round table with state representatives at the Global Security Forum in Doha, which will explore how IHL can be leveraged in mediation to build trust and deliver results.

These discussions confirmed both the urgency of the topic and the growing interest among states in exploring IHL's peace-enabling potential. Key points of these events will be shared during the consultation.

This consultation aims to:

- identify concrete ways in which IHL can inform and strengthen mediation processes and outcomes
- share good practices and experiences among states on operationalizing IHL in peace negotiations
- explore the role of states – whether as mediators, supporters or observers – in encouraging IHL compliance during mediation efforts
- highlight humanitarian issues that are central to both IHL and sustainable peace and foster discussion on how these can be addressed in peace processes.

NEXT STEPS

- The results of this first consultation will be shared in the general progress report of the global IHL initiative, to be published in September.
- The discussions will contribute to shaping the future steps of this workstream, culminating in actionable insights for broader policy.

DESIRED PROFILE OF PARTICIPANTS

- All states are welcome to participate and register up to two representatives who are well versed in IHL or peace mediation. There is a strong preference for legal advisers or mediation experts from ministries of foreign affairs based in their capital city.
- Kindly register **no later than 12 May 2025** at <https://forms.office.com/e/cWNiuuPuSS>

PROCEDURE

- The working languages will be Arabic, Chinese, English, French, Russian and Spanish, with simultaneous interpretation.
- Two repeat sessions are offered to accommodate different time zones. States are requested to register for the session most convenient for them. However, states may register for both sessions if they wish to hear all discussions, in which case we request that they kindly speak in only one of the two sessions.
- We ask states to kindly limit their initial statements to **four minutes** to ensure sufficient time for all participants to take the floor.
- The substance of the consultation will be summarized in a progress report, to be published in September. The consultation will be recorded to facilitate the preparation of the report, but the recording will not be made public, and the report will not attribute remarks.
- The inclusive, constructive, non-politicized and solution-oriented nature of the discussions will be maintained throughout the consultation.
- To foster a constructive dialogue, participants are asked to kindly refrain from discussing specific contexts or the practice of other states.

GUIDING QUESTIONS

1. How can respect for IHL be used to foster trust among conflicting parties during or in preparation for mediation processes, and what role can states play in encouraging this approach – whether as mediators, facilitators, guarantors or members of the international community?
2. How can mediators and supporting states ensure that IHL obligations are adequately addressed and respected throughout mediation processes and in resulting agreements?
3. What steps has your state taken, would consider taking or would recommend that other states involved in a peace process take to ensure that IHL obligations are upheld after a peace agreement?
4. How does your state ensure, support efforts to ensure, or recommend that other states involved in a peace process ensure that the needs and perspectives of individuals or groups afforded special protections under IHL – such as children, detainees or wounded or sick people – are taken into account in mediation and peacebuilding processes?

AGENDA

Following a brief introduction and discussion of the key humanitarian and legal issues by the expert panelists, states will be invited to take the floor for the remainder of the session. The agenda will be identical in both sessions.

- Welcome
- Presentations
- Statements by states, with regular breaks
- Discussion
- Closing words

The names of speakers for the welcome, presentations and closing will be circulated at a later date.