



Schweizerische Eidgenossenschaft
Confédération suisse
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Swiss Confederation

Global IHL Initiative

National IHL Committees

(Workstream 2)

First State Consultation

Geneva, 7 May 2025

Statement by Switzerland

Creation

Our Committee was established in December 2009 by the Swiss Government, upon the Minister of Foreign Affairs' proposal, coinciding with the 60th anniversary of the Geneva Conventions.

Recognized by the ICRC as a national IHL committee, it was created under the authority of the Federal Act on Government and Administration Organization.

Mandate

The Committee's remit is to exchange information and experience about IHL in general and to coordinate questions and activities concerning IHL at national level.

By doing so, the Committee fosters and coordinates the consistent implementation of Switzerland's obligations under IHL.

The Committee is also responsible for coordination among the federal authorities and maintains relations with the scientific community, civil society and other organisations concerned with IHL, such as the Swiss Red Cross (SRC) and the ICRC.

Structure and functioning

The Committee has a very simple structure: a secretariat – a role endorsed by the Directorate of International Law of the Ministry of Foreign affairs, and the members, that are representatives of five ministries:

Foreign affairs

Defense

Justice

Economics

Home Affairs

As well as representatives from the Office of the Public Attorney.

The Swiss Red Cross and the ICRC are not official members of the Committee, since they are not part of our government. Given the key role that they play in the domestic implementation of IHL, we see a real added value in having them around the table. They hence attend our meetings with a statute of observers.

The Committee does not have any decision-making powers.

In principle, our Committee meets twice a year, as attended by an average of 20 to 30 members. The agenda is determined by the members themselves, in order to create ownership and a sense of self-identity.

In order to create dynamic discussion, we have also organised informal meetings after our formal meetings on topics of common interest. Guest speakers have also been invited to intervene within this scope. These meetings allow to share common challenges faced in our daily work, collectively identify possible solutions, dialogue on topics that are relevant for several ministries, and create synergies among ministries and people that are useful beyond the committee.

In order to ensure a practical approach to our work, an action plan is approved by the Committee at the beginning of every year, which sets yearly priorities and objectives. This really helps us focus on the key issues we want to make progress on. At mid-year, an informal intermediate assessment is being made. A short report of activities is then adopted at the end of the year, which takes stock of what has been achieved, before elaborating the next action plan.

As examples of concrete activities, the Committee contributes to the ICRC's study on Customary International Humanitarian Law on a yearly-basis. In so doing, the Committee compiles new declarations, legal texts, and judgements on the part of Switzerland.

The Committee also participates in the dissemination of IHL and training of the Swiss authorities' personnel and persons outside the Federal administration in matters of IHL.

Voluntary report

The Committee also plays a central role for the drafting of voluntary reports on IHL, as it provides the natural platform of collaboration across various governmental department, which is necessary to elaborate such a report. This ensures that all perspectives and relevant expertise are integrated into the document.

Moreover, the elaboration of a voluntary report has a significant impact on the Committee itself: At the institutional level, it plays a pivotal role in fostering coherence and collaboration across various governmental departments, also clarifying responsibilities and strengthening institutional frameworks for monitoring and evaluating adherence to IHL standards; it also provides a structured framework to assess legislative updates, evaluate national practices, and address emerging challenges, hence informing the Committee's yearly action plans.

In 2020, the Committee drafted and published Switzerland's inaugural voluntary report on domestic IHL implementation, later adopted by the Government. A second voluntary report was published last year. It reflects recent legislative changes, developments in national practices, and adoption of new strategies. It also addresses new thematic considerations in IHL, covering developments in technology and other contemporary challenges, like for example the recent progress made regarding humanitarian exemptions.

Added value of the Committee

How does our national committee contribute to support the government in its action in the field of IHL?

- a. Through its Working methods: It creates synergies and strengthens the collaboration among the ministries and the people working in the ministries. This is useful on questions on IHL and beyond.
- b. Through the Substance: It allows to define common positions on IHL. It offers a platform to discuss, internally, key topics on the domestic implementation of IHL. It also contributes to promoting and disseminating IHL to the general population.
- c. Through Experience and information: It allows the exchange of experiences and information. These can, in turn, feed the work of the members of the Committee.
- d. Through Communication: It serves as a focal point for IHL at the domestic and at the international level.
- e. It contributes to building networks with other states: Exchanges with other national committees foster the sharing of best practices and innovative approaches. Upon request, our Committee does indeed regularly share expertise with other national Committees.

Expectations as regards the work of the Workstream

This last point reflects the reason why we are very much looking forward to engaging within this workstream: to exchange good practices worldwide to foster a better implementation of IHL at the national level.

In terms of expectations, we would be interested in hearing about other States' practice, in order to explore ways to increase the role of the Committee not only in policy shaping, but as an active driving force of constructive and forward-looking proposals to the Government.