

Under the Global Initiative to Galvanize Political Commitment to International Humanitarian Law (Global IHL Initiative), **Australia, Austria, Kenya, the United Arab Emirates and the International Committee of the Red Cross (ICRC)** are pleased to present the:

## WORKSTREAM 1

# SECOND STATE CONSULTATION ON PREVENTION GOOD PRACTICES

*For experts from armed forces, relevant ministries in capitals and legal and humanitarian advisers at permanent missions in Geneva*

TUESDAY, 25 NOVEMBER 2025  
9:00–18:00 (UTC+1)

FORMAT: IN PERSON (ICRC HUMANITARIUM IN GENEVA) AND ONLINE (ZOOM)

## Background

In every war, lives are lost, families separated and livelihoods destroyed. Some of the most damaging consequences of war can, however, be averted or mitigated if international humanitarian law (IHL) is respected. Primary responsibility for establishing the laws, institutions, and systems to limit the suffering caused by armed conflict rests with states. They negotiate legal instruments that protect certain categories of people and objects, or that regulate the use of specific weapons, and agree to be legally bound by these instruments by ratifying or acceding to them. States also incorporate IHL rules in domestic laws, policies, and practices; ensure that their armed forces know the law, are trained in it and subject to a strong disciplinary system. They establish and maintain robust disciplinary and judicial systems to prosecute those who commit serious violations of the law. Through bilateral, regional, and multilateral cooperation, states can ensure that their allies and partners fulfil their IHL obligations. For decades, states and other actors have worked to develop and strengthen these systems to uphold IHL obligations. Despite their existence, violations of IHL continue to take place – with a frequency and a severity, and on a scale, that is unacceptable. This workstream seeks to build on global experience in preventing such violations and to explore new approaches. Its aim, ultimately, is to identify good practices, successful strategies and effective methodologies, and thus provide evidence-based guidance for cultivating an environment conducive to respecting IHL.

In the first consultation – on Workstream 1, Prevention Good Practices – states shared their experiences in preventing violations of IHL. They identified a broad range of measures they considered

effective in preventing IHL violations. These included training and education; institutional and legal frameworks; regulation of weapons and methods of warfare; military hierarchy and discipline; accountability and enforcement; engagement with civil society and regional networks; and promotion of IHL norms. One of the conclusions reached by the consultation was that there were many concrete ways to strengthen respect for IHL.

The second and third consultations will build on the shared practices identified in the first consultation, by examining selected themes in greater depth. The second consultation, in particular, aims to look into state practice and analytical work done by the ICRC and others, in order to identify conditions that increase the likelihood of IHL violations during armed conflict. The circumstances in which violations take place are often predictable. They can often be observed as they emerge. By identifying these circumstances – as well as the form they take and what gives rise to them – states can implement measures to address risks pre-emptively or in real time.

On the basis of the first consultation, and work done by the ICRC and other actors, five sets of factors, listed below, were identified as creating the risk of IHL violations being committed. States are invited to consider how these can be monitored and whether systems can be established to track them and respond appropriately.

**1. Weak or incomplete legal and regulatory frameworks**

Strong domestic legislation is among the most effective safeguards against IHL violations. When laws clearly reflect IHL obligations, they not only bind the armed forces but also provide certainty to commanders, soldiers, and oversight bodies. When that is not the case, compliance with IHL might waver, because of shifting policies or leadership priorities, particularly under operational or political pressure.

**2. Breakdown of professionalism**

IHL violations often escalate when there is an erosion of military professionalism. Professionalism is more than a matter of discipline: it underpins lawful conduct in armed conflict. When command structures weaken, training standards decline, or leadership fails to enforce IHL, soldiers may flout their legal and ethical obligations; and may cast aside the professional standards that ordinarily restrain unlawful conduct.

**3. Dehumanization of the enemy and brutalization**

Dehumanizing the enemy, often accompanied by a wider process of brutalization, is another driver of violations. When adversaries or civilian populations are reduced to stereotypes or faceless targets, empathy for them diminishes, paving the way for acts that would otherwise be unthinkable—such as attacking civilians, mistreating detainees, or destroying protected property. Prolonged exposure to violence can normalize cruelty and embed it within operational culture.

**4. Lack of transparency and limited openness to scrutiny**

When military operations lack transparency and external oversight, IHL violations are more likely. Without independent monitoring, effective reporting systems, and accountability mechanisms, misconduct may go unnoticed or unpunished, fostering impunity. A permissive environment not only makes violations more likely to take place but also increases the likelihood of their recurrence. Transparency and scrutiny act as powerful deterrents. A vital safeguard against unlawful conduct is lost when they are absent.

#### 5. Lack of knowledge of the context

Inadequate grasp of the local context – social, cultural, political, and historical – increases the likelihood of actions that could risk violating IHL. For instance, if a party to a conflict is operating in a society with high levels of gun ownership, and is not aware of this, it might not realize that carrying a weapon does not necessarily indicate that the person is a combatant. Or, if instructions at checkpoints are given in a language not understood by the local population, it could lead to civilians behaving in ways that might be considered ‘hostile’. Forces with inadequate knowledge of the context could also fail to assure the protected status of sites.

## Objectives

This consultation seeks to:

- **provide an update on the workstream and its progress:**
  - brief participants on the findings of the first consultation reflected in the progress report and on insights gained from subsequent supporting events
  - outline the next steps towards identifying the workstream’s final recommendations
- **create a space for participants to:**
  - identify factors that create an environment where violations of IHL are more likely to happen
  - discuss how to monitor and minimize these risks at the domestic level
  - on the basis of the ideas proposed above, share practices and reflections on these ideas, and propose other ideas.

## Next steps

The results of this consultation will inform the broader work in the workstream on prevention good practices, and will lead to the formulation of concrete recommendations. One additional thematic consultation will be held in 2026 as part of this workstream, focusing on **training and socialization of IHL norms**. This will provide an opportunity to reflect on how IHL training can best be organized effectively to socialize the underlying norms of IHL, and an opportunity also to explore how its impact might be measured. This additional thematic consultation will also lead to the formulation of concrete recommendations. All recommendations will be presented in the second quarter of 2026 and will be the object of further discussions among all states.

Consultations will be complemented with topic-specific workshop and panels. All upcoming supporting events are announced on the [Humanity in War](#) website.

## Participants

- The consultation will be held primarily in person in Geneva. Online participation is also possible.
- The consultation is **open to all interested states**. There is a strong preference for military experts and representatives from relevant ministries in capitals and at permanent missions in Geneva.

- Other representatives with specific expertise in the subject matter (e.g. members of international organizations, civil society and academia) will also participate upon invitation.
- Kindly register no later than 20 November 2025, using this link : <https://forms.office.com/e/dYkrBsi8uG>

## Procedure

- The working languages will be **Arabic, Chinese, English, French, Russian and Spanish**, with simultaneous interpretation.
- We ask states to kindly limit their statements to **four minutes** to ensure sufficient time for all participants to take the floor. At the end of each session, and after all participating entities that wish to contribute have done so, states and other participants will be given an opportunity to discuss ideas proposed by others.
- When preparing their statements, participants are requested to kindly consider the **guiding questions** provided in the agenda below.
- Given the technical challenges of hybrid meetings, we encourage delegations who are in the room to make their statements in person and in all cases to give their full attention to delegations speaking online.
- The **inclusive, constructive, non-politicized and solution-oriented** nature of the discussions will be maintained throughout the consultation. While participants are encouraged to refer to their state's domestic practice during the consultations, they are asked to kindly refrain from discussing specific contexts or the practice of other states.
- To facilitate interpretation, we invite participants to share a copy of their statements by 23 November 2025, via email to [ihlinitiative@icrc.org](mailto:ihlinitiative@icrc.org), with "Prevention Good Practices second consultation" in the subject line. We also encourage participants to send their full written statements by email after the meeting. **Unless confidentiality is explicitly requested, these statements will be published on [Humanity in War](#).**
- The consultation will be recorded, but the recording will not be made public.

# Agenda

## Prevention good practices Second Round of Consultations

9:00–18:00, 25 November 2025  
ICRC Humanitarium, 17 avenue de la Paix, 1202 Geneva

*\* Depending on the number of statements given, all times set out below are subject to change.*

Registration and coffee / Login and connection	8:30–9:00
Opening of the meeting and introduction	9:00–9:45
Session 1: Weak or incomplete legal and regulatory frameworks	9:45–10:45
<b>Guiding questions</b> <ol style="list-style-type: none"><li>1. Do you agree that weak or incomplete legal and regulatory frameworks increase the risk of IHL being violated?</li><li>2. If you agree, are there specific types of legal or regulatory frameworks, the absence, weakening or inadequacy of which particularly raise the risk of IHL violations?</li><li>3. What measures can be taken to track whether the legal and regulatory frameworks identified in question 2 are weakening or incomplete? What would be required to implement this/these measure(s)? (For example, if you believe rules of engagement to be a key framework, you would want to set up some means of alert when clear rules of engagement are not in place at appropriate levels of command. Or, if you believe that it is necessary to have domestic laws that give force to the provisions of IHL, then a legislative-gap alert could be relevant. Or if you believe that it is necessary for interpretations of rules of engagement to align with IHL, then a measure to flag sudden or unexpected shifts in legal interpretations of IHL standards could be put in place.)</li><li>4. What kind of response would be required as a follow-up to the measures suggested under question 3? Which parts of your state would need to be involved in the response? Would other actors need to be involved in the response as well?</li></ol>	
Coffee break	10:45–11:00

<b>Session 2: Breakdown of professionalism</b>	11:00–12:00
<p><b>Guiding questions</b></p> <ol style="list-style-type: none"> <li>1. Do you agree that the breakdown of professionalism, or some aspects of it, within the armed forces of a state increases the risk of IHL being violated?</li> <li>2. If you agree, what elements in your view contribute to the erosion of professionalism?</li> <li>3. In what ways does the breakdown of professionalism manifest concretely, and how can it be observed? (For example, if you consider that a lack of leadership contributes to the erosion of professionalism, then this might be observed objectively in the number of command posts that remain vacant for a long period of time. Or, if you believe that an erosion of professionalism would be reflected in an increase in disciplinary action generally, then an increase in disciplinary incidents may signal that professionalism is breaking down.)</li> <li>4. Based on your response to question 3, what measures do you think can be taken to track the breakdown of professionalism? What would be required to implement this/these measure(s)? Which parts of the state, and what actors, would need to be involved?</li> <li>5. What kind of response would be required if a breakdown in a certain aspect of professionalism is observed? Which parts of the armed forces or the state would need to be involved in the response? Would other actors need to be involved as well?</li> </ol>	
Coffee break	12:00–12:15
<b>Session 3: Dehumanization of the enemy/Brutalization</b>	12:15–13:15
<p><b>Guiding questions</b></p> <ol style="list-style-type: none"> <li>1. Do you agree that dehumanization of the enemy and/or brutalization of your own forces through prolonged exposure to violence increases the risk of IHL being violated?</li> <li>2. If you agree, please say what contributes to or directly causes the dehumanization of the enemy and/or brutalization of your own forces?</li> <li>3. How does dehumanization of the enemy and/or brutalization of your own forces manifest itself? What are visible signs of it? (For example, it might manifest itself in the adoption of dehumanizing language within units, or in poorer psychological health among members of your own forces.)</li> <li>4. What measures can be taken to track one or more of the elements referred to in either question 2 or question 3 above? (For example, if you believe that there is a relationship between exposure to dehumanizing language and an increased risk of IHL violations, then tracking social media for dehumanizing language/hate speech might be a way to track whether the risk of dehumanization and thus IHL violations has gone up. Or, if you believe that there is a relationship between exposure to intense combat operations and brutalization, then tracking the duration of units' deployment in an area of active combat might be one way of tracking</li> </ol>	

<p>increases in the risk of brutalization.) What would be required to implement these measures? Which parts of the state, and what other actors, would need to be involved?</p> <p>5. What kind of response would be required if dehumanization and/or brutalization is observed through the measure(s) suggested in question 4? Which parts of the state would need to be involved in the response? What other actors could also play a role?</p>	
Lunch (not provided)	13:15–14:15
<b>Session 4: Lack of transparency/Openness to scrutiny</b>	14:15– 15:15
<p><b>Guiding questions</b></p> <ol style="list-style-type: none"> <li>1. Do you agree that a lack of transparency/limited openness to scrutiny increases the risk of IHL being violated? Are there particular types of measures for domestic oversight that can be more important than others, in relation to the risk of IHL violations (e.g. internal reporting systems, complaints systems for civilians, oversight provided by other parts of the state)?</li> <li>2. How can the lack of transparency and openness to scrutiny manifest itself? What are its visible signs?</li> <li>3. What measures can be taken to monitor transparency/openness to scrutiny, with a view to tracking the risk of IHL violations? What would be required to implement these measures? Which parts of the state, and what other actors, would need to be involved?</li> <li>4. How could the level of transparency/openness to scrutiny be raised, should the measure(s) in question 3 above indicate that this is required? Which parts of the armed forces or the state would need to be involved in the response? Would other actors need to be involved as well?</li> </ol>	
Coffee break	15:15–15:30
<b>Session 5: Lack of knowledge of the context</b>	15:30–16:30
<p><b>Guiding questions</b></p> <ol style="list-style-type: none"> <li>1. Do you agree that not knowing enough about the context increases the likelihood of actions that risk violating IHL? Are there any characteristics of the context and environment that are particularly important to know?</li> <li>2. If you agree, please say whether there are specific circumstances in which this is more salient?</li> <li>3. How does insufficient knowledge of the context manifest itself. What are visible signs of it?</li> <li>4. What measures can be taken to track one or more of the elements referred to in question 3 above? What would be required to implement these measures?</li> <li>5. What measures can a state take to ensure its armed forces have an adequate understanding of the local context?</li> </ol>	

Coffee break	16:30–16:45
<b>Session 6: Additional factors</b>	16:45–17:45
<b>Guiding question</b> Are there any other factors that raise the risk of IHL violations? How do they manifest themselves? What are their visible signs? What are some possible responses to this? What actors would be involved in the response?	
<b>Concluding remarks and next steps</b>	17:45–18:00