

Under the Global Initiative to Galvanize Political Commitment to International Humanitarian Law (Global IHL Initiative), **Bangladesh, Colombia, Ethiopia, Qatar, Saudi Arabia and the International Committee of the Red Cross (ICRC)** are pleased to present the:

### WORKSTREAM 3

# SECOND STATE CONSULTATION ON IHL AND PEACE

*For legal advisers from relevant ministries in capitals and legal and humanitarian advisers at permanent missions in Geneva*

WEDNESDAY, 26 NOVEMBER 2025  
9:00–18:00 (UTC+1)

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

## Background

With over 130 active armed conflicts worldwide, involving over 60 states and over 120 non-state armed groups, the global security landscape is becoming 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 a path, eventually, to peace. By preventing atrocities, ensuring humane treatment of detainees and protecting civilians from the worst effects of war, 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 aims to identify some of the links between respect for IHL and sustainable peace. The first round of consultations focused on IHL and mediation. It concluded that respect for IHL during conflict is fundamental to establishing the conditions for reconciliation, justice and sustainable peace. States generally agreed that, in addition to being strict legal obligations, respect

for fundamental rules of IHL – such as those protecting missing people and their families, ensuring humanitarian access and protecting detainees and civilians – contributes to ensuring an environment where parties to the conflict, and their respective populations, can envisage building a peaceful future together. The first round of consultations also highlighted the necessity of addressing these issues from the outset of negotiations and incorporating that in peace negotiations and peace agreements.

Moving forward, the workstream will explore how respect for IHL continues to contribute to peace even after hostilities have ended. Armed conflicts have humanitarian, social, political, and economic consequences that persist long after a war. Ensuring compliance with IHL in the aftermath of conflict is crucial to fostering peace, rebuilding societies, and preventing a resurgence of violence. In fact, although IHL is designed primarily to regulate conduct during armed conflicts, its obligations remain in effect even when the guns fall silent. Many rules continue to apply after the cessation of hostilities and some even after the formal end of armed conflict. These include some of the rules related to protecting people deprived of their liberty, searching for missing people and accounting for them, and facilitating the return of displaced populations. Respecting these obligations is a legal requirement, as much as it is essential to preventing renewed violence, laying the groundwork for reconciliation and contributing to long-term stability.

The second round of consultation will examine how, in the fragile period following a peace agreement, or the cessation of hostilities, respect for IHL can consolidate peace gains, reduce risks of renewed conflict, and ensure protection for affected populations. This consultation continues the trajectory of the workstream while responding to the call made by participating states in the previous round, and reflected in the mid-term progress report, to deepen reflection on post-conflict transitions.

The consultation will examine four core thematic areas in which IHL clearly sets out obligations that are applicable after the end of conflict; they are also critical to building sustainable peace:

**1. Accounting for the missing and the dead**

Under IHL, parties to a conflict have an obligation to clarify the fate and whereabouts of people reported missing in relation to the conflict and to provide answers to their families. This obligation is closely linked to the right of families to know the fate of their relatives. In addition, IHL requires parties to search for, recover, and identify the dead; record and preserve all available information; and ensure respectful burial or other dignified handling of remains. These are not only legal obligations; they also respond to a profound human need, helping families begin the process of healing and reconciliation, and preventing the issue of missing people from becoming a source of renewed tensions.

**2. Detainees**

Under IHL, the proper treatment and eventual release of people deprived of their liberty is a central obligation after active hostilities have ended. In international armed conflicts, this also means releasing and repatriating prisoners of war without delay after the cessation of active hostilities, a measure that is often directly linked to the restoration of peace. IHL also requires, in both international and non-international armed conflicts, that civilians and others detained in relation to conflict be released when the legal grounds for their internment no longer exist. Even more than releasing them, ensuring the safe repatriation, resettlement, or social reintegration of detainees is essential to reducing humanitarian risks, restoring family life, and rebuilding social trust. Addressing detainee issues in a humane and principled way can support reconciliation processes, prevent cycles of retribution, and lay the groundwork for more stable peace agreements.

### 3. Safe and voluntary return of displaced people

Displacement is one of the most visible and enduring legacies of armed conflict. IHL prohibits the forced displacement of civilians unless required for their security or imperative military reasons; it also says that such displacement can never be made permanent. IHL also requires parties – this obligation is set out very clearly – to enable, after hostilities have ended, the safe and voluntary return of those who have been displaced, within their own country or across borders. In practice, this requires addressing the conditions that make return possible, such as clearing explosive remnants of war, re-establishing security, restoring essential services and housing, and guaranteeing respect for property and documentation rights. Where return is not immediately possible, durable solutions such as local integration or resettlement must also be pursued. Ensuring that displaced people can rebuild their lives is both a legal obligation and a cornerstone of sustainable peace.

### 4. Children as agents of protection and recovery

Children are among those most affected by armed conflicts, but they are also potentially vital for post-conflict recovery. IHL contains specific protections for children, such as prohibitions against their recruitment and participation in hostilities; and obligations to ensure their care, education, and unification with their families. In post-conflict contexts, these protections translate into obligations to prevent exploitation; facilitate tracing of family members and family reunification; and support the social reintegration of children formerly associated with armed groups. In addition to protecting them, children must also be recognized as contributors to recovery and peace: ensuring their participation in peacebuilding processes and access to education, and giving them psychosocial support, are essential to breaking cycles of violence and creating inclusive, resilient societies. Safeguarding children during periods of social transition is therefore both a legal imperative and an investment in lasting peace.

## Objectives

This second consultation will be practical and results oriented. It aims 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.
- **identify concrete ways** for states to ensure compliance with IHL obligations that remain binding after hostilities cease, focusing on the four priority areas listed above
- **enable participants to share practices and lessons learnt**, highlighting institutional, legal, and cooperative mechanisms that have supported implementation in fragile transitions from conflict to peace
- **identify obstacles and gaps** that hinder the fulfilment of IHL obligations
- **explore inclusive and cooperative approaches**, including technical assistance, capacity-building and partnerships, that can translate legal commitments into tangible results.

## Next steps

The results of this consultation will inform the broader work in the workstream on IHL and peace, 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 the links between IHL, peace and disarmament. This will provide an opportunity to reflect on how respect for IHL combines with arms control and weapons regulation in preventing renewed conflict and fostering sustainable peace. 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 interactive workshops and regional discussions. 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 representatives from relevant ministries in capitals, who specialize in IHL and humanitarian affairs, and for representatives from 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 21 November 2025**, using this link: <https://forms.office.com/e/Haju9tVNXm>.

## 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 24 November 2025, via email to [ihlinitiative@icrc.org](mailto:ihlinitiative@icrc.org), with “IHL and Peace 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

## IHL and Peace Second Round of Consultations

9:00–18:00, 26 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
<b>Opening of the meeting and introduction</b>	9:00–9:30
<b>Scene-setting</b>	9:30–10:00
<b>“Voices from the aftermath: Needs and priorities in post-conflict recovery”</b>  This opening conversation will set the scene for the consultation by bringing forward diverse perspectives on what is needed in the fragile transition from conflict to peace. A former child soldier, a family member of a missing person, and a former member of a non-state armed group will share their experiences and reflections on post-conflict reconstruction, highlighting the human dimensions of IHL obligations and peacebuilding priorities.	
<b>Session 1: Accounting for the missing and the dead</b>	10:00–11:20
<b>Guiding questions</b> <ol style="list-style-type: none"> <li>1. What concrete measures and domestic mechanisms (legal, institutional, or cooperative) has your state adopted to clarify the fate of missing people, ensure dignified management of the dead, and provide information to families after the end of hostilities?</li> <li>2. What role can missing people's families play in shaping mechanisms, setting priorities, and sustaining trust?</li> <li>3. What challenges has your state faced in fulfilling its obligations in post-conflict contexts – those referred to in question 1 – and what measures or innovations have helped to overcome them?</li> </ol>	
Coffee break	11:20–11:40
<b>Session 2: Detainees: Release, return and social reintegration</b>	11:40–13:00
<b>Guiding questions</b> <ol style="list-style-type: none"> <li>1. What concrete measures can states take, or have taken, to fulfil their IHL obligations regarding the safe release, repatriation or resettlement and</li> </ol>	

<p>social reintegration – with due regard for their dignity – of people deprived of their liberty?</p> <ol style="list-style-type: none"> <li>2. What legal or institutional frameworks can states establish, or have established, to manage the post-conflict release, repatriation, resettlement, or social reintegration of detainees?</li> <li>3. What challenges can states face, or have faced, in fulfilling IHL obligations regarding the release, repatriation, or resettlement of detainees, and what measures have proven effective in addressing them?</li> </ol>	
Lunch (not provided)	13:00–14:00
<b>Session 3: Safe and voluntary return of displaced people</b>	14:00–15:20
<p><b>Guiding questions</b></p> <ol style="list-style-type: none"> <li>1. What concrete measures can states take, or have taken, to fulfil their IHL obligations to ensure the safe, voluntary and dignified return of displaced people, while also considering other durable solutions such as local integration or resettlement?</li> <li>2. What practical steps (e.g. clearance of explosive remnants of war, restoration of essential services, recognition of property rights, family reunification) have proven most effective in enabling displaced people to return in safety and dignity?</li> <li>3. What key challenges might states face, or have faced, in facilitating return or other durable solutions for displaced people, and what lessons have been learnt in overcoming them?</li> </ol>	
Coffee break	15:20–15:40
<b>Session 4: Children as agents of protection and recovery</b>	15:40–17:00
<p><b>Guiding questions</b></p> <ol style="list-style-type: none"> <li>1. What concrete measures can states take, or have taken, to ensure that children are protected and their rights safeguarded in post-conflict contexts? These measures include the social reintegration of children formerly associated with armed groups.</li> <li>2. What practices have enabled children and young people to play a meaningful role in peacebuilding and transitional processes, and how can children be empowered, not only as beneficiaries of resilience and peacebuilding in their communities, but also as active contributors to it?</li> <li>3. What concrete measures can states take, or have taken, to ensure the right to education in post-conflict contexts, and what good practices exist for incorporating peace education and psychosocial support in recovery strategies?</li> </ol>	
<b>Concluding remarks and next steps</b>	17:00–17:30