

DRAFT FOR FIFTH STATE CONSULTATION

Workstream 3 – IHL AND PEACE

CO-CHAIRERD by Bangladesh, Colombia, Ethiopia, Qatar, Saudi Arabia and the International Committee of the Red Cross

Overview

Respect for international humanitarian law (IHL) is a strategic investment in peace. It reduces human suffering, sustains essential services, limits environmental degradation and preserves the social fabric on which recovery, reconciliation and long-term stability depend. In addition, respect for IHL, combined with a commitment to return to peace, is the only path to reduce the financial burden resulting from the magnitude of humanitarian needs witnessed in today's conflicts. Preserving pathways to peace must remain a deliberate objective that informs decision-making at all levels. This requires ensuring that the legal, institutional and operational systems necessary to fulfil IHL obligations remain functional throughout hostilities and during transitions toward peace.

As means to achieve this, this document:

- provides recommendations to strengthen systems before armed conflicts break out
- provides practical ways for states, mediators and other stakeholders to integrate IHL into mediation and negotiation processes
- identifies concrete and verifiable actions that can be taken once hostilities end to maintain and support de-escalation, rebuild confidence and reduce the risk of renewed violence.

Outcome

Before hostilities: strengthening systems that preserve pathways to peace

In order to preserve pathways to peace, the legal, institutional and operational systems that underpin IHL must remain functional, even when armed conflict breaks out.

Preparedness, in this context, means strengthening and safeguarding these systems in peacetime to ensure that core functions remain intact if hostilities arise and to limit the harm caused by these hostilities. The policy and planning choices made prior to conflict affect whether legal obligations will be respected, which in turn influences whether parties to armed conflict will be able to live in peace again after the conflict has ended.

The following sections present a non-exhaustive list of peacetime measures that will contribute to ensuring respect for IHL during times of war and to creating the foundations for recovery and long-term peace when hostilities come to an end.

1. Building and maintaining peacetime systems on the separated, missing, dead and detained persons that can remain operational in times of armed conflict

When humanitarian obligations relating to separated, missing, dead and detained persons are upheld, people feel less resentment, carry less trauma and are less likely to get stuck in never-ending cycles of grief. This includes providing families with information about their missing loved ones, accounting for detainees and treating them in accordance with the law, and ensuring the dead are handled with respect and are properly identified. Integrating mental health and psychosocial support activities in addressing these and other humanitarian needs lead to even more effective outcomes. During peacetime, states can take certain measures related to these obligations to create conditions that will be conducive to reconciliation and the eventual restoration of peace, including:

- a) Develop and maintain legal, administrative and technical frameworks and systems to ensure that persons deprived of their liberty, missing persons and the dead are protected and registered, and that any information relating to them is properly managed. States may consider adequately resourcing these systems and when feasible testing in advance of a crisis so they can function without interruption in case of armed conflict.
- b) Ensure that civil registration and documentation frameworks, which enable legal identity and status, include contingency methods and simplified procedures that remain accessible during armed conflict.
- c) Establish or strengthen mechanisms that account for people separated from their loved ones, or at risk of going missing, such as the national information bureaus that are mentioned in the Geneva Conventions. It is important to ensure these mechanisms can work alongside registration systems, mortuary and burial services, and tracing mechanisms, and to ensure they are operational from the start of an armed conflict, to prevent fragmentation or loss of information once hostilities begin.
- d) Ensure that safeguards against destruction, manipulation and misuse of records are built into administrative systems, including digital resilience, secure backup, controlled access, cyber-protection measures and clear authority lines for lawful information-sharing during armed conflict.
- e) Take legal and administrative measures to ensure that, in the event of an armed conflict, access to essential services, including health care, is not restricted on discriminatory grounds, such as nationality or status.
- f) Set up oversight mechanisms for places of detention consistent with domestic and international law, including independent oversight, with a clear mandate, visiting procedures and trained personnel, so such safeguards against ill-treatment, including sexual violence, and disappearance remain functional during armed conflict or periods of transition, in addition to the mechanisms already foreseen by IHL.

2. Preparing during peacetime for the protection of civilians and civilian objects, including civilian infrastructure and essential services

By putting measures in place during peacetime to protect civilians and civilian objects and limit the disruption to essential services during war, states can mitigate the human suffering and societal breakdown that often fuel prolonged instability. The following measures can help to maintain the conditions necessary for recovery, reconciliation and a return to peace:

- a) Identify, map and regularly update information on infrastructure enjoying special protection and other infrastructure enabling the delivery of essential services for civilians as well as on their interdependencies, so that planning takes into account the foreseeable humanitarian consequences of armed conflict across the water, energy, health, sanitation, education, transport and communications sectors.
- b) Integrate mitigation and service-continuity measures into contingency and emergency-preparedness planning to reduce disruption and enable early recovery, including preparedness to address explosive remnants of war and other explosive ordnance. This includes establishing systems to record, retain and share information on the use or abandonment of explosive ordnance with relevant authorities, civilian populations and organizations involved in marking, clearance, removal or destruction, as well as in the maintenance and repair of infrastructure.
- c) Establish civil-military coordination mechanisms and non-hostile contact procedures, including designated focal points and communication channels, to address urgent protection risks and to support the continuity of essential services in case of armed conflict.
- d) Put in place measures to safeguard cultural property and places of worship against the effects of armed conflict, including inventories and digital documentation, secure backup systems, emergency planning, evacuation procedures for movable cultural property where appropriate, coordination with competent cultural authorities, and training of relevant civilian and military authorities.
- e) Identify and designate protected environmental zones, ideally in peacetime, to enhance the protection of areas of particular environmental importance in the event of an armed conflict, preserve critical ecosystems, and support sustainable recovery.
- f) Incorporate an assessment of the potential harm to civilians and civilian objects into planning processes, including cumulative societal and environmental impacts and long-term destabilization risks, and the heightened risks faced by children, persons with disabilities, women, older persons and other groups, so that security decisions are informed by protection considerations as well as operational objectives.
- g) Prepare child-centred, gender-responsive and disability-inclusive child-protection frameworks to prevent and respond to the recruitment and use of children by armed forces or armed groups, including procedures for their safe separation, handover to civilian child-protection actors, family tracing and reintegration.

3. Incorporating humanitarian restraint and building confidence through disarmament frameworks

Disarmament plays a critical role in upholding humanitarian norms, reducing the risk of escalation and building confidence among states, and hence helping to achieve the objective of peace for all people.

The following measures are proposed to contribute to create conditions conducive to de-escalation, dialogue and sustainable peace, by helping prevent civilian suffering and protect the environment in case of armed conflict. They focus on integrating humanitarian considerations into national policies on disarmament and arms control during peacetime – including clearance, stockpile destruction, victim assistance, transparency and environmental considerations where relevant – as well as incorporating disarmament commitments into military doctrines and practices.

- a) Take into account the views and perspectives of survivors and affected communities when drafting national policy on humanitarian disarmament. This helps to ground weapons policy in lived experience and to sustain political commitment.
- b) Join, faithfully implement, and refrain from withdrawing from humanitarian disarmament treaties and agreements, encourage others to join them and promote them as universal instruments, recognizing that they help to protect civilians, provide stability and ensure long-term security.
- c) Prioritize humanitarian disarmament, both in times of peace and during armed conflict, through disarmament instruments and endeavours that seek to uphold and strengthen IHL by preventing, mitigating and remediating human suffering and environmental harm caused by the use of certain types of weapons. This people-centred approach to disarmament includes prohibitions or restrictions on the development, production, transfer, stockpiling or use of weapons; the establishment and strengthening of normative frameworks; and measures to assist victims and remediate harm, thereby contributing to confidence-building among states and the maintenance of peace.
- d) Place the human cost and environmental impact of weapons and the risk of escalation at the heart of disarmament processes and negotiations, with a view to prohibiting or restricting weapons that have unacceptable effects, recognizing that the use of such weapons can fuel hatred, prolong hostilities and hinder reconstruction and reconciliation after conflict.
- e) Carry out arms-transfer, export and procurement processes that comply with applicable obligations, taking into account assessments on the potential harm to civilians, impacts on essential services, diversion risks, compliance patterns and long-term destabilization effects.
- f) Strengthen national arms-control frameworks by aligning domestic legislation with relevant international and regional instruments and ensuring that arms-control decisions incorporate appropriate risk assessments, including those relating to compliance with IHL.
- g) Strengthen regional and cross-border cooperation and information-sharing to prevent diversion in arms transfers and illicit arms flows, and to support the effective implementation of arms-control measures.
- h) Establish or maintain procedures for reviewing weapons prior to adopting or acquiring new weapons and new means and methods of warfare. This includes carrying out assessments on autonomy, digital dependencies, predictability, appropriate human control, cybersecurity and escalation risks in realistic operational environments, to the extent necessary to determine compliance with IHL.

- i) Incorporate appropriate safeguards into procurement and contracting processes to ensure that humanitarian considerations are taken into account when developing and deploying new weapons.

During armed conflict: integrating IHL into mediation and peace processes

During armed conflict, mediation and negotiation processes provide critical entry points for reinforcing compliance with IHL. Integrating concrete humanitarian commitments into mediation processes, ceasefires and special agreements can reduce suffering, build trust and preserve the conditions necessary for sustainable peace.

The following sections aim to provide guidance to states and mediators on integrating IHL into such agreements.

1. General considerations when integrating IHL into mediation and peace processes

The following elements are provided as general considerations to take into account when integrating IHL into mediation processes, ceasefires and special agreements:

- integrate discussions on implementing IHL obligations at the outset of any mediation and peace process, as confidence-building measures
- ensure that engagement on IHL and humanitarian principles is not subordinated to political dynamics
- preserve the clarity and integrity of humanitarian obligations, and ensure that they are not treated as negotiable or subordinated to political interests
- where appropriate, integrate neutral states and impartial intermediaries, with the consent of conflict parties
- use approaches that include local actors, including civil society actors, affected communities and are locally grounded, and ensure the full, equal and meaningful participation of women
- where relevant, offer technical, financial and logistical support to mediators, and foster structured exchanges between legal experts, humanitarian practitioners and political actors to bridge gaps and promote mutual understanding.

2. Preliminary list of actionable steps during mediation and negotiation efforts

The following section provides an initial list of how some of the most important humanitarian issues and related obligations can be integrated into mediation and peace efforts, to maintain respect for IHL throughout the conflict cycle and to create the conditions for secure sustainable peace. They are provided as examples of how the operationalization of IHL obligations can be discussed with parties or between parties to an armed conflict. This list is provided as a first step towards a more comprehensive tool on integrating IHL into mediation and peace efforts, to be developed in the future.

Reaffirmation of IHL

The Parties may use any opportunity during the mediation or negotiation process to reaffirm their obligations under IHL, in particular their obligation to respect and ensure respect for these rules in all circumstances and in good faith.

Measures on missing persons and information management

When parties seek to adopt further measures to fulfil their obligations regarding missing persons, persons deprived of liberty and the dead, including through national information bureaus or other agreed tracing mechanisms, it is particularly important that they:

- a) enable families to report missing persons and request information on them, and ensure that families receive timely, accurate and accessible information on the search process and its results
- b) protect personal data collected for these purposes from being destroyed, manipulated or misused, and ensure they are shared in accordance with data-protection and agreed procedures
- c) establish or strengthen a dedicated national mechanism to actively search for, identify and clarify the fate and whereabouts of missing persons, with meaningful participation from families and appropriate data-protection safeguards in place.

Release, transfer and reintegration

When parties negotiate for the release, transfer and reintegration of persons deprived of their liberty, it is particularly important that they establish clear, time-bound procedures, such as:

- a) verification of identity and legal status
- b) provision of medical screening and continuity of care, including mental health and psychosocial support (MHPSS) where needed
- c) means to restore or issue civil documentation
- d) notification of families and facilitating contact prior to release
- e) referring people to health, social welfare, reintegration and livelihood services, including measures to prevent stigma, retaliation and renewed violence.

Dignified treatment of the dead during hostilities

When parties seek to adopt measures or agreements to fulfil their obligations regarding the dead, it is particularly important that they consider ways to:

- a) search for and recover the dead, and mark recovery or burial sites, including the GPS location where possible
- b) collect and preserve personal information and information relating to burial sites and circumstances of death, and preserve personal effects, while taking into account cultural, religious and community beliefs
- c) use chain-of-custody procedures for remains and effects
- d) communicate with families in a timely and open manner
- e) take into account forms of mourning and honouring the dead in accordance with their own religion, culture and customs.

In addition, it is important to coordinate recovery operations with explosive remnants of war risk mitigation measures to ensure safe access. Ensuring that recovery and identification efforts continue during negotiation phases and that they are not suspended pending political settlement is crucial to fruitful results.

Humanitarian access

When parties put in place measures or agreements to fulfil their obligations regarding humanitarian assistance, it is particularly important that they:

- a) work together to agree on the technical arrangements that need to be put in place in order for humanitarian aid to be delivered safely and for all civilians in need to access such aid safely
- b) take steps to ensure that the exercise of right of control never results in unduly delaying or rendering impossible the delivery of the humanitarian relief in context of international armed conflict (including occupation) and non-international armed conflict
- c) take steps to ensure that humanitarian arrangements shall respect the principles of humanity, neutrality, impartiality and independence.

As a means of meeting their obligation to respect and protect humanitarian personnel, objects and transport involved in the delivery of such assistance, the parties may consider implementing the practical actions as outlined in the Declaration for the Protection of Humanitarian Personnel.

Protection of cultural property and places of worship

When parties seek to adopt measures or agreements to fulfil their obligations to respect and protect cultural property and places of worship, it is particularly important that they:

- take measures to minimize damage through appropriate precautions, information-sharing and coordination
- take feasible measures to prevent looting, vandalism, illicit removal and destruction
- facilitate safe access, including where explosive hazards are present, for the assessment, emergency stabilization, protection or recovery of damaged cultural property and places of worship important to affected communities.

Child protection

When parties seek to adopt measures or agreements to fulfil their obligations in regard to the protection of children, it is particularly important that they:

- ensure that special measures are in place to protect children affected by armed conflict
- design measures to ensure that children allegedly associated with armed forces or armed groups are treated primarily as victims, and that the best interest of the child is a primary consideration
- treat children in a manner consistent with their specific rights and protections
- release children from armed forces and armed groups without delay, swiftly demobilize them where applicable, provide them with appropriate help for their physical and psychological recovery and social reintegration, and transfer them to designated child-protection actors in accordance with agreed handover protocols

- take measures to comply with the prohibition to unlawfully or arbitrarily deprive children of their liberty and the obligation to ensure that arrest, detention or imprisonment of a child is only a measure of last resort and for the shortest appropriate period of time, including by seeking alternatives such as non-custodial measures and non-judicial alternatives to prosecution
- take measures to ensure the rehabilitation and reintegration of children in an environment that fosters the child's health, self-respect and dignity
- take measures to facilitate the tracing of family members and reuniting children with their families, and ensure access to civil documentation for all children without discrimination
- take measures to ensure that children's uninterrupted access to safe and quality education is restored as quickly as possible, recognizing that the destruction of schools and essential services has profound long-term impacts on their physical, cognitive and psychosocial development.

All such measures shall be implemented in accordance with the best interests of the child, with due consideration given to the child's views and evolving capacities.

The safe, voluntary and dignified return of displaced persons

When parties seek to adopt measures or agreements to support the safe, voluntary and dignified return of displaced persons, it is particularly important that they take steps to:

- a) ensure that anti-personnel mines and other explosive remnants of war are surveyed, marked and cleared in priority areas for return
- b) ensure the restoration of essential services, or the adoption of plans for their timely restoration
- c) ensure access to civil documentation for all, including children who were born during the armed conflict or who were displaced by the armed conflict
- d) put in place transparent mechanisms to resolve housing, land and property issues, including restitution or compensation where appropriate
- e) ensure that return processes identify and mitigate accessibility barriers and protection risks affecting persons with disabilities, older persons and others with specific needs, including through appropriate protection and support measures.

Women's full, equal and meaningful participation

Women's participation shall be meaningful and equal to men's participation. When parties work towards ensuring the full, equal and meaningful participation of women, it is particularly important that they take effective steps to:

- a) ensure that they are fully involved in designing, negotiating, implementing and monitoring humanitarian commitments under any agreements they make
- b) set up dedicated consultation pathways for women's networks working on tracing, documentation, the safe and voluntary return of displaced persons and community reconciliation
- c) fund and deploy women with technical expertise on IHL-related issues
- d) recruit, train and include female experts in monitoring, verification or implementation teams (for issues such as access, explosive remnants of war, tracing and reintegration).

Community-based implementation and social cohesion mechanisms

In addressing a variety of issues across conflicts, community-based and social-cohesion mechanisms may contribute to more effective implementation. In this regard, it is particularly important that the Parties:

- a) formally recognize the importance of families of the missing, encouraging them to participate in search and clarification processes, and of community-based mechanisms including elders' councils, women's groups, traditional, religious and indigenous actors, customary reconciliation forums, clan structures and culturally validated practices
- b) recognize that safeguarding cultural heritage helps preserve the identity and dignity of affected communities and supports recovery, reconciliation and long-term stability, and therefore include measures for the protection, restoration and preservation of cultural property and places of worship as part of community recovery and reconciliation efforts
- c) recognize the importance of supporting and promoting civil society-led support – especially local, grassroots, women-led organizations, religious and community leaders, and girls- and youth-led organizations to improve prevention and response to sexual violence in conflict and post-conflict, and recognize the importance of supporting community mobilization campaigns to help shift the stigma of sexual violence from the victims to the perpetrators, and to promote related cohesion among community members.

Role of neutral and impartial intermediaries

The Parties acknowledge that neutral, impartial and independent intermediaries may, where appropriate and with the consent of the Parties, facilitate the implementation of humanitarian commitments and other agreed confidence-building measures.

Such actors may help to, among other things, complete and implement special agreements, as stipulated by IHL, release and transfer persons deprived of their liberty, search for missing persons, return human remains, establish humanitarian arrangements, or implement other measures agreed between the Parties.

The Parties shall take appropriate measures to ensure that such actors are duly protected and can perform agreed facilitation roles safely and without undue interference. Neutral mediators and humanitarian intermediaries shall not be targeted, criminalized, sanctioned or otherwise impeded for carrying out humanitarian facilitation consistent with IHL, including safeguarding humanitarian dialogue undertaken in accordance with IHL.

Implementation framework and monitoring

Humanitarian commitments should specify designated focal points, timelines, reporting formats and agreed verification methods, including cooperation with neutral intermediaries where appropriate. The parties can establish a joint or coordinated mechanism to monitor implementation and provide regular progress reports, both when hostilities are ongoing or wavering.

After hostilities: post-conflict implementation checklist for preserving pathways to peace

Once hostilities have ended or de-escalated, the legal, institutional and operational systems that are required for implementing IHL obligations need to be activated promptly, coordinated and sustained if pathways to peace are to be preserved. Effective post-conflict implementation directly shapes public trust, social cohesion and the durability of peace.

This model checklist reflects operational priorities that have been identified during consultations on missing persons and the dead, detention, displacement and durable solutions, and children affected by armed conflict.

1. Institutional coordination and participation for post-conflict implementation

Effective post-conflict implementation depends on having a person or group of people in place that are responsible for coordination, and more specifically, that are capable of organizing obligations across sectors, led by a designated state authority. In many contexts, an existing national IHL committee or interministerial body may fulfil this role, provided it has the authority to coordinate operational implementation and avoid fragmentation during transition periods.

a) National post-conflict IHL coordination platform

- The lead authority is formally designated (named ministry or office).
- The Foreign Affairs Justice, Interior, Defence, Health, Environment, Social Welfare, Civil Registry and Mine Action authorities as well as authorities responsible for cultural property and environmental protection are represented.
- Local administration (state or municipal level) is included.
- The terms of reference explicitly cover detention and release, missing persons and the dead, civil documentation, explosive remnants of war, displacement and return, sexual violence response, as well as child protection and reintegration.
- The terms of reference include overseeing the implementation of any disarmament treaty or agreement concluded between the parties.
- A coordination mechanism is activated immediately after hostilities have ended or de-escalated and is maintained during intermittent hostilities.

Possible indicators that implementation has taken place: a decision or decree, terms of reference, a membership list, meeting minutes.

b) Participation framework

- Families of the missing have a well-defined and sustained role in designing, implementing and reviewing national mechanisms on the missing.
- Women's organizations and women-led organizations have defined, resourced and formalized participation channels, such that women's participation is full, equal and meaningful.
- Children are able to participate in a safe, voluntary and age-appropriate manner, with safeguards in place.
- Community-based mechanisms are formally recognized as being important contributors to implementation and monitoring (including elders' councils, religious and traditional authorities, civil society actors, reconciliation forums and culturally validated practices).

Possible indicators that implementation has taken place: participation framework, consultation calendar, budget allocation, monitoring composition.

c) Protection monitoring and sequencing

- Findings from monitoring protection work systematically inform priority-setting and sequencing.
- Monitoring feeds into transitional justice, accountability and peacebuilding planning.
- Early warning analysis is integrated into implementation reviews.

Possible indicators that implementation has taken place: dashboards, referral pathways, review minutes.

2. Clarification of the fate and whereabouts of missing persons and the dignified management of the dead

Clarifying the fate and whereabouts of missing persons and ensuring the dead are managed in a dignified way are post-conflict obligations that have a significant influence on building public trust. It is important to take prompt action, put reliable information systems in place and maintain a sustained dialogue with families so that social cohesion and reconciliation can take place.

a) National mechanism and strategy

- A legal mandate exists to search for, identify and clarify the fate and whereabouts of missing persons.
- A multi-year national strategy is adopted that recognizes the long-term nature of the clarification process.
- Predictable and sustained resourcing is identified.
- Interdependence with the medico-legal system, police and judiciary is clarified.

Possible indicators that implementation has taken place: law or decree, strategy document, budget allocation.

b) Data systems, registration and safeguards

- Operational ante- and post-disappearance data systems are in place.
- There is interoperability between tracing mechanisms, detention registries, medico-legal systems and civil registries.
- Operational data-protection safeguards are in place (access control, secure storage and lawful sharing).
- Civil registries and tracing databases are protected against destruction, manipulation, cyberattack or misuse during transition periods.

Possible indicators that implementation has taken place: standard operating procedures (SOPs), interoperability protocol, IT security documentation, data-sharing agreements.

c) Family engagement and case-level communication

- Individual case-management procedures enable families to submit information, access case files where appropriate, and receive regular updates on progress.
- Standardized communication protocols define the frequency and format of updates, as well as the authorities responsible for providing them.
- Referral pathways provide access to MHPSS for people involved in clarification processes.

Possible indicators that implementation has taken place: case-management SOP, communication schedule template, helpdesk/hotline records, MHPSS referral protocol.

d) Dignified management of the dead

- Procedures are in place for recovering, documenting, identifying and returning the dead.
- First responders are equipped (body bags, PPE, forensic kits, mobile morgue capacity).
- Personnel are trained in recovery, chain-of-custody and documentation.
- Coordination between rubble clearance and explosive remnants of war clearance teams is established.
- Personal effects are recorded and preserved.
- Cultural and religious considerations are integrated where appropriate.

Possible indicators that implementation has taken place: training records, chain-of-custody forms, coordination minutes.

3. Detention review, release and reintegration

Post-conflict detention and release processes directly affect public trust and stability. Clear legal frameworks, structured review mechanisms and coordinated reintegration measures reduce irrational actions and support the transition back to peacetime governance.

a) Legal framework and safeguards

- Legal bases for internment and detention related to the conflict are clearly defined in law or regulation, including authority, grounds and procedural safeguards.
- Review mechanisms are in place to assess whether internment is still required and legal, particularly for non-international armed conflicts.
- Post-conflict release frameworks distinguish between:
 - POWs and other protected persons in international armed conflicts
 - persons interned for imperative security reasons
 - persons detained for criminal offences that are related or unrelated to the conflict.
- Release decisions, transfers or continued prosecutions are based on clearly articulated legal grounds and subject to review in accordance with IHL and, where relevant, domestic law aligned with international obligations.

Possible indicators that implementation has taken place: legal framework documentation, review body mandate, release criteria or procedures, interministerial legal guidance notes.

b) Registration and record integrity

- A continuous registration system is in place from the moment a person is captured until their release.
- There is interoperability between tracing mechanisms, civil registries and national information bureaus (where applicable).
- Record Protection and backup measures are in place to prevent records from being destroyed or manipulated during institutional reform.

Possible indicators of implementation: registry database, interoperability protocol, audit report.

c) Oversight and access

- An active independent oversight body or judicial mechanism is in place.
- SOPs allow supervisory visits in accordance with IHL.
- Detention staff receive ongoing training on humane treatment and vulnerability screening.

Possible indicators that implementation has taken place: oversight mandate, visit agreements, training logs.

d) Operational release, transfer and repatriation procedures

- Time-bound SOPs are in place for the release, transfer or repatriation of persons deprived of their liberty.
- Specific procedures are in place for the immediate identification and release of captured children associated with armed forces or armed groups, including their prompt handover to civilian child-protection actors.
- Identity verification, medical screenings and documentation restoration are integrated into the SOPs.
- Procedures are in place to notify families prior to the release of their loved ones.
- Reintegration referral pathways include health, psychosocial and livelihood support.

Possible indicators that implementation has taken place: release SOP, interministerial protocol, referral directory.

e) Legal regime-specific obligations (where applicable)

- POWs are released and repatriated without delay after active hostilities have ended.
- The seriously wounded or sick are repatriated in accordance with applicable standards.
- Interned civilians are released when there are no longer legal grounds for their internment.
- In non-international armed conflicts, release occurs when legal or security grounds for detention no longer exist.
- Amnesty considerations are consistent with international law.

Possible indicators that implementation has taken place: repatriation plan, review outcomes, legal memoranda.

f) Reintegration and preventing retaliation

- Community preparation measures have been implemented.
- Anti-stigma initiatives are in place.
- Measures to prevent retaliation and renewed cycles of violence are established.
- Reintegration measures are age- and gender-sensitive, taking account of distinct needs and risks such as those of survivors of sexual violence and children unlawfully recruited by armed forces and armed groups.
- Disarmament initiatives are linked with reintegration and community recovery programmes.

Possible indicators that implementation has taken place: reintegration plan, community engagement records.

4. The safe return of displaced persons and long-lasting solutions

If displaced people are to be returned safely, voluntarily and in a dignified manner, and if other solutions are to be effective in the long term, coordinated legal, security and service-related measures

need to be put in place. Addressing legal documentation, housing, land and property issues, and explosive remnants of war reduces the risk of renewed displacement and instability.

a) Preconditions for the safe, voluntary and dignified return of displaced persons

- Explosive remnants of war are surveyed, marked or cleared in priority areas.
- Risk education is provided.
- Essential services have been restored or restoration plans are in place.
- Safe access is ensured for engineers and service restoration teams.

Possible indicators that implementation has taken place: mine action reports, restoration plans, access authorizations.

b) Civil documentation and legal identity

- A documentation strategy is activated prior to or alongside the return of displaced persons.
- Mobile documentation teams or simplified procedures are in place.
- In civil documentation procedures, evidential value is given to documents issued by other parties to the conflict.
- Children are registered and receive legal proof of identity, including children who were born during the armed conflict or who were displaced by the armed conflict.

Possible indicators that implementation has taken place: policy directive, issuance statistics.

c) Housing, land and property

- A transparent restitution or compensation mechanism is in place.
- A claims registry has been established.
- A mechanism addressing unlawful occupation is in place.

Possible indicators that implementation has taken place: Housing, land and property law; decisions database.

d) Consultations and long-lasting solutions

- Consultations are carried out with displaced persons and host communities.
- Reintegration programmes are in place that benefit both returnees and host communities.
- A multi-year investment plan is in place that supports livelihoods, services and infrastructure.
- Local integration and resettlement options are assessed when it is not possible for a displaced person to return.
- International cooperation or burden-sharing arrangements are initiated where relevant.
- Protection monitoring mechanisms are in place to identify risks of coercion, discrimination or premature return and inform corrective measures.
- Psychosocial and psychological support services are available to displaced persons, returnees and host communities, including community-based MHPSS interventions that facilitate safe reintegration and long-term recovery.

Possible indicators that implementation has taken place: consultation reports, programme framework, bilateral or multilateral arrangements.

5. Child protection and reintegration

Children affected by armed conflict require protection long after hostilities have ended. They need to be effectively reintegrated into society and provided with survivor-centred assistance, reintegration and education programmes. Reintegration support should be age-appropriate, gender-responsive and disability-inclusive as well as trauma informed, long-term and sustainable. Such support will contribute to preventing them from being marginalized in the long term and from returning to violence in the future.

a) Immediate protection and handover

- Protocols are in place for the release and handover of children associated with armed forces or armed groups.
- Protocols are in place to ensure continuity of education for returning children, including the rapid establishment of safe and accessible learning environments.
- Children are released from armed forces or armed groups and, during disarmament, demobilization and reintegration processes, accommodated separately from adults to ensure their protection and access to appropriate services.
- Children are immediately referred to civilian child-protection actors

Possible indicators that implementation has taken place: SOPs including Handover Protocols, referral pathway.

b) Tracing, reunification and documentation

- Family tracing mechanisms are in place.
- Documentation processes respect the best interests and evolving capacities of the child.

Possible indicators that implementation has taken place: case-management protocol, documentation records.

c) Reintegration and long-term follow-up

- Child protection is integrated into disarmament, demobilization and reintegration, justice, education and return strategies.
- Reintegration programmes include gender-responsive and age-sensitive approaches, including targeted support for girls and young mothers.
- Access to mental health and psychosocial support, including specialized services where needed, especially for survivors of sexual violence, is ensured for all children.
- Accountability and child-sensitive justice mechanisms are established.
- A long-term follow-up mechanism is established.

Possible indicators that implementation has taken place: strategy annex, follow-up protocol.

d) Education and safe learning environments

- Access to education and vocational opportunities is supported. Education responses are inclusive and adapted to the needs of girls, children with disabilities and marginalized groups
- Safe community spaces are in place.
- Teachers and educators are supported who have children formerly associated with armed forces and armed groups in their places of learning.
- Alignment with the Safe Schools Declaration and its guidelines where applicable.
- Teaching practices include psychosocial support and avoid causing children any further trauma.

Possible indicators that implementation has taken place: education recovery plan, safeguarding guidance.

e) Child-related early warning indicators and participation

- Early warning indicators for risks of renewed violations affecting children (including attacks on schools, recruitment or child displacement) are established.
- Safe, confidential and child-friendly complaint and feedback mechanisms are established, including at community-level.
- With relevant safeguards in place, children are encouraged to take part in recovery initiatives on a voluntary basis.

Possible indicators that implementation has taken place: early warning SOP, risk assessments, safeguarding protocols.

6. Explosive remnants of war and environmental safeguards

Explosive remnants of war and environmental contamination affect recovery, return and long-term stability. Coordinated clearance, risk mitigation and environmental protection help to keep civilians safe, facilitate the safe, voluntary and dignified return of displaced persons, and support sustainable reconstruction.

a) Explosive remnants of war coordination

- Explosive remnants of war information-sharing mechanisms have been established, including the exchange of available information on the location and nature of explosive hazards.
- Data collection and casualty recording systems support prioritization of clearance operations.
- Return and recovery areas are prioritized for the survey, marking and clearance of explosive hazards.
- National work plans for explosive remnants of war survey, clearance and risk education are developed with input from affected communities.
- National mine action frameworks link clearance, risk education and recovery planning.
- Mine Risk Education programmes are integrated into schools and other safe learning environments.
- Rubble clearance teams coordinate with explosive remnants of war specialists to ensure the safe restoration of infrastructure.
- Stockpiles of explosive ordnance are identified, secured and destroyed in accordance with applicable safety and environmental standards.
- Measures to support cross-border clearance and coordination to improve regional security are in place.
- Local volunteers are used to lead risk education and build community trust.

Possible indicators that implementation has taken place: mine action plan, tasking orders, coordination minutes.

b) Environmental risk mitigation

- Environmental risk mitigation is integrated into clearance and disposal methods.
- Contaminated land, water and toxic remnants are assessed and prioritized in recovery planning.

Possible indicators that implementation has taken place: environmental risk assessment, remediation plan elements.

c) Disarmament and weapons governance continuity

- Mechanisms to implement any disarmament treaty or agreement concluded between the parties are put in place.
- Article 36 weapons review procedures are maintained and applied.
- Interministerial coordination mechanisms for oversight, traceability and review of weapons transfers, procurement and stockpile management remain operational.
- Weapons marking, tracing and border-control cooperation mechanisms remain operational.
- Stockpile management systems ensure the safe storage and destruction of surplus weapons.
- Interministerial traceability and oversight arrangements are maintained.

Possible indicators that implementation has taken place: review procedure note, risk assessment template, oversight record.

7. Monitoring, reporting and periodic review of humanitarian commitments

The transparent monitoring and periodic review of humanitarian commitments can help ensure that they are effectively implemented and sustained over time. Reporting and verification mechanisms support accountability, allow authorities to identify gaps in implementation and enable measures to be adapted as circumstances evolve.

a) Monitoring and reporting

- Responsible authorities are designated for monitoring implementation across thematic areas (detention, missing persons, explosive remnants of war, return, child protection, etc.).
- Women's full, equal and meaningful participation within the designated authorities is ensured.
- A periodic reporting framework is established, including agreed reporting formats, timelines and responsible entities.
- Data and information from relevant ministries, operational agencies and local authorities are consolidated through the national coordination mechanism.
- Monitoring results are shared with relevant national authorities and, where appropriate, with oversight bodies or partners involved in implementation.

Possible indicators of implementation: reporting templates, monitoring dashboards, periodic implementation reports.

b) Verification and periodic review

- Independent or neutral verification modalities are identified where appropriate (including cooperation with neutral intermediaries or oversight institutions).
- Regular implementation-review meetings are held to assess progress, challenges and corrective measures.
- Lessons learned are incorporated into updated operational procedures, national policies or planning tools.
- Monitoring findings inform longer-term peacebuilding, recovery and institutional reform processes.

Possible indicators of implementation: review meeting minutes, updated SOPs, corrective action plans, lessons-learned reports.

8. Accountability for grave breaches and other serious violations of IHL and support for lasting peace

Ensuring accountability for grave breaches and other serious violations of IHL is a critical component of building lasting peace in the aftermath of conflict. Conducting effective and impartial investigations into alleged grave breaches and other serious violations of IHL and holding those responsible accountable and implementing broader transitional justice measures can help address the human cost of conflict, rebuild trust among affected communities, and support reconciliation within fragile societies. These efforts also contribute to restoring confidence in institutions, strengthening the rule of law, and rebuilding inclusive and stable governance structures.

Accountability and peace are not competing objectives but mutually reinforcing elements of sustainable recovery. By addressing serious violations and their consequences, accountability measures can help remove obstacles to peace, prevent renewed cycles of violence, and contribute to the prevention of future violations through their deterrent effect.

The following measures, which reflect a combination of existing law and good practices, are particularly important to promoting accountability and fostering sustainable peace:

a) Criminal legislation and prosecution of grave breaches and other serious violations of IHL

- Criminal legislation is in place to facilitate the investigation and prosecution of grave breaches and other serious violations of IHL, including war crimes.
- Mechanisms are established to ensure effective and impartial investigations and, where appropriate, prosecution of those responsible for grave breaches and other serious violations of IHL allegedly committed by nationals or armed forces, or within the state's territory.
- Armed forces are provided with clear instructions on the types of incidents and information that should trigger investigations into potential grave breaches and other serious violations of IHL.
- Protections are in place to prevent retribution or reprisal against individuals who report grave breaches and other serious violations of IHL.
- National mechanisms are established or strengthened to review military operations resulting in damage to civilian infrastructure, including through post-strike assessments, inter-agency review processes and appropriate transparency measures.
- Legislation or procedures are in place to exercise universal jurisdiction over serious violations of IHL, including "grave breaches" of the Geneva Conventions and Additional Protocol I.

Possible indicators that implementation has taken place: criminal codes; prosecution records; court rulings; universal jurisdiction legislation, investigation reports; post-strike assessment records; policies on reporting protections.

b) Transitional justice and reconciliation mechanisms

- Truth and reconciliation commissions or similar mechanisms are established to address divisions and foster social cohesion.
- Processes are in place to address the needs of victims of IHL violations, including reparations, acknowledgement of harm, and memorialization efforts.
- Community-based initiatives are supported to promote dialogue and reconciliation among affected populations.

- Social integration programmes are implemented to address grievances, prevent stigmatization and help break the cycle of violence.
- Transitional justice strategies explicitly integrate the views and needs of survivors and affected communities to ensure inclusivity and effectiveness.
- Post-conflict mechanisms are established to address the consequences of violations, including the restoration of rights, the safeguarding of human dignity, and the rebuilding of trust among communities.

Possible indicators that implementation has taken place: establishment of reconciliation commissions, reports on reparations, community engagement initiatives.

c) International cooperation and capacity-building

- International cooperation mechanisms are established to support accountability efforts, including the sharing of evidence and expertise on grave breaches and other serious violations of IHL.
- Capacity-building programmes are in place to train national authorities, including judicial and military personnel, on IHL compliance and accountability measures.

Possible indicators that implementation has taken place: international agreements, training programme reports, capacity-building assessments.