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**NOTE**

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From:	Presidency
To:	Working Party on Public International Law
Subject:	Report on the implementation of pledges submitted by the EU and EUMS to the 32nd session of the International Conference of the Red Cross and Red Crescent

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Delegations will find attached the final version of the Report on the implementation of pledges submitted by the EU and EUMS to the 32nd session of the International Conference of the Red Cross and Red Crescent.

# REPORT ON THE IMPLEMENTATION OF PLEDGES SUBMITTED TO THE 32ND INTERNATIONAL RED CROSS AND RED CRESCENT CONFERENCE BY THE EUROPEAN UNION AND ITS MEMBER STATES

## 1. Strengthening compliance with international humanitarian law

*The EU and its Member States will strongly support the establishment of an effective mechanism on strengthening compliance with international humanitarian law. The EU and its Member States will assess and, as necessary, enhance the implementation of the EU Guidelines on promoting compliance with international humanitarian law in light of the ongoing discussions on establishing an international humanitarian law compliance mechanism.*

The EU and its Member States have been strong supporters of the intergovernmental process to strengthen respect for International Humanitarian Law (IHL), as coordinated by the International Committee of the Red Cross (ICRC) and Switzerland. Member States participated in the Formal Meetings convened since the 32nd International Conference of the Red Cross and the Red Crescent in 2016, as well as in the open-ended consultations and informal meetings in preparation for the Formal Meetings. They addressed the process in a number of bilateral and multilateral meetings and consultations, and carried out demarches in third countries' capitals to encourage stronger participation in the process by third states.

The European Union, through its delegation in Geneva, has facilitated this intergovernmental process by organising informal meetings of the EU Member States. In the framework of the Council Working Group on Public International Law (COJUR), a position paper has also been prepared, outlining possible options for furthering the initiative with a view to establishing a new space for regular dialogue on IHL among States.

Despite a lack of consensus on the process, EU Member States continued to engage, including with other like-minded States in cross-regional consultations in order to explore opportunities to improve IHL compliance through the creation of a safe space for State dialogue on IHL.

The importance of promoting compliance with IHL has been restated in several EU policy papers. For example, the 2016 Staff Working Document 'Humanitarian Protection: Improving protection outcomes to reduce risks for people in humanitarian crises' addresses protection issues in humanitarian response and advocacy, and the 'Operational Priorities for Humanitarian Aid in 2019', outline that strengthening compliance with IHL - in particular child protection - will continue to be a priority for the EU. The EU Action Plan on Human Rights and Democracy 2015-2019 also committed to support compliance with IHL.

The EU continued to implement the European Union Guidelines on promoting compliance with international humanitarian law, adopted by the Council in 2005 and updated in 2009, to support and reinforce the Union's role in this field. In April 2018, the COJUR Working Group issued the first Annual report on the action taken by the European Union to implement the EU Guidelines. The report aimed to present a more systematic and transparent overview of the implementation of the Guidelines as a whole, to facilitate the assessment of the work carried out by the Union in this field, as well as to achieve wider awareness of the EU's efforts in promoting compliance with IHL.

Based on the conclusions of this first Annual report, EU Member States initiated discussions on how to further enhance the EU's capabilities and structures to strengthen the visibility and coherence of EU action for the promotion of IHL and international criminal justice.

## 2. **Strengthening international humanitarian law protecting persons deprived of their liberty**

*Mindful that deprivation of liberty is an ordinary and expected occurrence in all situations of armed conflict, and international humanitarian law sometimes dictates that military necessity may be more proportionately and humanely served through States' use of non-arbitrary detention than through the use of lethal force, deeply concerned that persons deprived of their liberty in relation to armed conflict are vulnerable to murder, forced disappearance, the taking of hostages, torture, cruel or inhumane treatment, rape and other forms of sexual violence, and disregard for their basic needs, the EU and its Member States will strongly support the drafting of an outcome document to enhance the legal protection of the detained persons in Non-international Armed Conflict.*

The EU and its Member States supported an outcome document to enhance the legal protection of detained persons in Non-international Armed Conflict that would adequately ensure safe and dignified conditions of detention, protection for especially vulnerable groups of detainees and procedures for the internment and transfers of detainees from one authority to another.

On 6-7 April 2017, the ICRC convened the first formal meeting of States to implement Resolution 1 'Strengthening international humanitarian law protecting persons deprived of their liberty', adopted at the 32nd International Conference of the Red Cross and Red Crescent. EU Member States actively participated in consultations, with the goal of drafting concrete and implementable outcome documents aimed at strengthening IHL protection in this area and continuously supported the intergovernmental discussions led by the ICRC in the framework of Resolution 1.

No consensus was, however, reached on the modalities of how to reinforce the protection of detained persons in Non-international Armed Conflict and the project (drafting of an outcome document) is currently not being pursued.

After the termination of the process, some EU Member States continued to support the ICRC in its efforts to address the topic, including through training and other educational activities. In July 2018, several EU Member States participated in the ICRC-led 'State Expert Meeting on Challenges and Practices for Ensuring Humane Conditions of Detention during Armed Conflict', which enabled and fostered substantive exchanges on legal and humanitarian issues.

### 3. International Criminal Court

*The EU and its Member States underline that those who have committed serious crimes of concern to the international community, including war crimes, crimes against humanity or the crime of genocide must be brought to justice.*

*In line with its efforts to fight impunity, the EU and its Member States pledge:*

- to continue to promote the universality and preserve the integrity of the Rome Statute;*
- to include the fight against impunity for the most serious crimes of international concern as one of the shared values of the EU and its partners through the insertion of provisions concerning the ICC and international justice into its agreements with candidate countries and third parties;*
- to continue their support to the Court, civil society and to the third States interested in receiving assistance in order to become party to the Rome Statute or to implement it.*

The EU and its Member States continued to support the work of the International Criminal Court (ICC) and its efforts in combating the impunity of perpetrators of serious crimes of concern to the international community, as well as in promoting the universality of the Rome Statute and preserving its integrity. Member States were actively engaged in the Assembly of States Parties of the Rome Statute (ASP), some of them acting as focal points on issues of complementarity, universality and cooperation, as well as in the framework of the Informal Ministerial Network supporting the ICC.

The EU and EU Member States have encouraged states not yet party to the Rome Statute to accede to/ratify it, e.g. within the framework of the UN Human Rights Council Universal Periodic Review and during the EU's regular human rights dialogues with third countries.

The EU and the ICC continue to work together in accordance with the 2006 Agreement on cooperation and assistance, with regular consultations taking place with the organs of the Court and follow-up on requests for assistance by the ICC.

The EU and its Member States have provided financial assistance to the ICC, both directly by contributing to the Court's outreach activities, and indirectly, by supporting civil society organisations that support the work of the ICC. Member States have also provided regular voluntary contributions to the ICC Trust Fund for Victims.

The EU continued to make every effort to further promote the universality and integrity of the Rome Statute, in particular during its regular human rights dialogues with over 40 countries and through systematic demarche campaigns encouraging accession to and ratification and implementation of the Rome Statute. It also organizes dedicated high level and cooperation seminars, fosters closer cooperation between States and the Court and provides assistance and guidance to visiting ICC teams through the EU Delegations worldwide in relation to political, logistical, organisational and security matters.

During the relevant period, the EU has also systematically included an ICC clause in agreements concluded with third countries.

To date, 19 EU Member States have ratified the Kampala Amendments to the Rome Statute of the International Criminal Court on the crime of aggression, and 18 EU Member States have ratified the amendments to Article 8 of the Rome Statute.

The EU and its Member States continue to be fully committed to the implementation of the principles of complementarity and cooperation enshrined in the Rome Statute and have strived to increase the capacities of national justice systems through their bilateral or EU-financed development programmes.

On the occasion of the 20<sup>th</sup> anniversary of the adoption of the Rome Statute, in July 2018, EU Member States organised a number of activities to mark this historical date, including several commemoration events, seminars, symposiums and international conferences.

#### **4. International Humanitarian Law Instruments**

*The EU and its Member States are convinced that national implementation and enforcement of international humanitarian law and other relevant legal instruments which have an impact on international humanitarian law are of great importance and fall under states' responsibilities.*

*In line with the EU guidelines on promoting compliance with IHL, the EU Member States pledge:*

- to work towards further participation in the principal international humanitarian law instruments and other relevant legal instruments which have an impact on international humanitarian law by considering ratification of those instruments to which they are not yet all party, including*
  - the 2006 Convention for the Protection of All Persons from Enforced Disappearance;*
  - the Additional Protocol III to the Geneva Conventions;*
  - The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;*
  - The [First] Protocol to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;*
  - The Second Protocol to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict;*
  - Protocol V to the 1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects;*
  - The Convention on the prohibition of military use of environmental modification techniques.*
- In order to improve implementation of international humanitarian law at national level the EU and its Member States pledge:*

- to support states in their efforts to adopt relevant national legislation pertinent to their international humanitarian law obligations.*

*The EU welcomes the entry into force of the Arms Trade Treaty in December 2014. It promotes its effective implementation, which notably applies to the IHL related provisions of the Treaty by states parties. Against this background, the EU and its Member States pledge:*

- to continue its efforts towards effective implementation and universalisation of the Arms Trade Treaty;*
- to work for robust and transparent reporting in accordance with the object and spirit of the treaty;*
- to fully apply – at its domestic level – the IHL related provisions of the Arms Trade Treaty consistently with its own principles regarding respect for IHL in arms transfers as enshrined in EU Common Position 2008/944/CFSP on arms export control.*

The EU and its Member States continued working towards further participation in the principal IHL instruments and other relevant legal instruments that have an impact on IHL.

The first Conference of the States parties to the International Convention for the Protection of all Persons from Enforced Disappearance was held on 19 December 2016 and 11 EU Member States participated; one EU Member State ratified the Convention in 2017.

To date, 25 EU Member States are party to the Additional Protocol III to the Geneva Conventions as well as to the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict, and 26 EU Member States are party to its First Protocol and its Second Protocol. EU Member States not yet party to these conventions are committed to making further progress towards ratification.

To date, 27 Member States are Party to the Protocol on Explosive Remnants of War (Protocol V) of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, and ratification by the remaining EU Member State continues to be under active consideration.

22 EU Member States are party to the Convention on the prohibition of military use of environmental modification techniques. Again, EU Member States not yet party to the Convention are committed to consider its ratification.

In order to improve the implementation of IHL at the national level, the EU and its Member States continued supporting third States in their efforts to adopt relevant national legislation pertinent to their IHL obligations. For instance, the EU has actively advocated with the Government of Iraq to accede to and proactively enact Additional Protocol II of the Geneva Conventions, allowing for the full application of IHL in the context of internal armed conflict.

At the national level, some Member States established dedicated units or working groups, for example on the protection of cultural property or worked to strengthen the protection of the Red Cross emblem nationwide, and reviewed their domestic legislation or updated their legal frameworks in order to improve their implementation of IHL. Moreover, EU member states supported initiatives in international fora that acknowledge IHL instruments on the protection of cultural property, such as the Resolution 'Cultural rights and the protection of cultural heritage' that was unanimously adopted by the UN Human Rights Council in 2016 and 2018, and the Council of Europe Convention on Offences Relating to Cultural Property.

The EU and its Member States continued to implement Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment. The promotion of effective national arms export controls and the principles and criteria of Common Position 2008/944/CFSP in selected third countries was pursued with the adoption of Council Decision (CFSP) 2018/1013, which secured the follow up to Council Decision (CFSP) 2015/23094.

Since the 32nd Conference, the remaining EU Member States ratified the Arms Trade Treaty. Outreach efforts also significantly increased on universalisation and implementation of the Arms Trade Treaty, and a large number of activities were carried out, for example several regional workshops, study visits and individual assistance events. In addition, further regional outreach activities, tailored national assistance programmes and ad hoc individual assistance workshops were carried out under Decision (CFSP) 2017/915, supporting the Arms Trade Treaty's effective implementation and universalisation.

Political dialogue meetings on arms export control issues were also held on a regular basis (in 2017 and 2018 with Norway, Canada, the United States and Ukraine). These political dialogues provided a forum for fruitful discussions on matters of mutual interest such as export policies to specific destinations, compliance and control issues and the Arms Trade Treaty process.

The EU and its Member States also played an active part in the Third Conference of States Parties, held in Geneva on 11-15 September 2017, and the Fourth Conference of States Parties, held in Tokyo on 20-24 August 2018.

Several EU Member States made financial contributions to the ATT Voluntary Trust Fund, which supports States in implementing the provisions of the treaty, and encouraged all other States, in a position to do so, to contribute to the Fund. EU Member States also actively participated in the EU's Arms Trade Treaty Outreach Programme.

## **5. Promotion and dissemination of international humanitarian law**

*The EU and its member States underline that proper training in, and dissemination of, international humanitarian law is required to ensure better compliance with international humanitarian law in time of armed conflict.*

*In line with the EU Guidelines on promoting compliance with international humanitarian law and the 2007 European Consensus on Humanitarian Aid, the EU and its Member States pledge:*

*- to continue their efforts in promoting dissemination and training in international humanitarian law in third countries, including in peacetime, in particular to national authorities, armed non-state actors and humanitarian actors.*

*The EU Member States pledge:*

*- to continue their efforts in promoting dissemination and training in international humanitarian law inside the EU, in particular to military and civilian personnel, involved in crisis management operations;*

*- to continue their efforts to advocate strongly and consistently for the respect of international law, including international humanitarian law.*

*In undertaking these efforts, the EU Member States will consider working with their respective National Red Cross Societies which, under the Statutes of the International Red Cross and Red Crescent Movement, have a recognized role in assisting their governments in disseminating international humanitarian law.*

*The EU and its Member States are concerned by the threats posed by anti-personnel landmines, cluster munitions, improvised explosive devices and explosive remnants of war.*

*The EU and its Member States therefore pledge:*

*- to advocate as appropriate in support of international instruments seeking to address humanitarian hazards of explosive remnants of war, cluster munitions, improvised explosive devices and anti-personnel landmines;*

*- to encourage as appropriate States Parties to the Anti-Personnel Mine Ban Convention and the Convention on Cluster Munitions to make timely reports in accordance with the relevant provisions of these treaties.*

*The EU and its Member States are concerned that conflict deprives children of parents, caregivers, basic social services, health care and education.*



*The EU and its Member States therefore pledge:*

*- to implement the EU Guidelines on Children and armed Conflict and the EU Action Plan on Human Rights and Democracy 2015-2019 with regard to the protection of children affected by armed conflict;*

*- to promote the physical and psychosocial rehabilitation of children affected by armed conflicts.*

The dissemination of IHL within the armed forces and other structures with responsibilities in this field, as well as within the civil society, has been one of the permanent priorities of EU Member States. Training in IHL took place at all levels of national defence services of EU Member States, e.g. as part of a mandatory annual training or in the context of a specific pre-deployment training for military and security forces deployed to international missions and operations. In some EU Member States, courses on IHL have been incorporated in the curriculum of police officers, who also regularly participate in seminars and workshops on IHL issues organised i.a. by the European Union Agency for Law Enforcement Training (CEPOL) and the International Criminal Police Organization (INTERPOL).

The EU Member States have put in place or continued using relevant inter-institutional processes and mechanisms such as national committees on IHL as means of promoting the importance of this body of law within governmental institutions, as well as of monitoring the implementation of IHL at the national level. The EU Member States have also organized regional events aimed at fostering peer to peer cooperation and sharing useful information, in support of enhancing the activity of national authorities in this field.

The International Committee of the Red Cross (ICRC) remained an important partner in providing IHL training and dissemination and continued to receive funding from the EU and from its Member States for that purpose. National Red Cross societies, in cooperation with EU Member States, worked in particular on the dissemination of basic norms of IHL and produced manuals and other pedagogical and information materials, organising regular courses on IHL as well as events focused on IHL dissemination.

The EU continued to be a major advocate of IHL, using a variety of means, as listed in the EU Guidelines on promoting compliance with International Humanitarian Law. In April 2018, the EU published the first report on the implementation of the Guidelines, covering the period between July 2016 - June 2017, and demonstrating more visibly the wide range of measures the EU undertakes in support of IHL.

Over the past years, and in line with its pledges, the EU and its Member States continued to support training on and the dissemination of IHL both within and outside the EU. For example, the EU provided funding to the ICRC in Afghanistan and Ukraine to increase the knowledge and capacity of duty-bearers on the respect for IHL in times of armed conflict. More broadly, in the period 2016-2018 the EU remained a key supporter of the work of the ICRC in upholding respect for IHL and the humanitarian principles, providing a total of over EUR 400 million to projects managed by the organisation.

The EU, through its funding for the Geneva Call NGO, supported the promotion of respect of IHL among all types of armed non-state actors in a number of countries, such as Iraq, Syria, Yemen and Democratic Republic of Congo. In addition, the EU supported the Geneva Call to reinforce globally the humanitarian community's capacity to negotiate access with non-state armed groups and promote their compliance with IHL in armed conflict.

Moreover, the EU has also funded other projects with an IHL objective implemented by other humanitarian partners, i.e. Europe's New Training Initiative for Civilian Crisis Management III, which aims at better enabling staff in EU, OSCE, UN, AU and other crisis management and stabilisation-type missions to work in an efficient, effective and sustainable manner in order to achieve their missions' mandates.

The EU also promoted capacity building on IHL in the context of Common Foreign and Security Policy /Common Security and Defence Policy (CFSP/CSDP) operations. For example, it organised a workshop on promoting and ensuring compliance with IHL and gender in the context of CFSP/CSDP, with a specific focus on Mali, Somalia and Central African Republic, given the current presence of the three EU Training Missions.

In line with its pledges, over the past years, the EU and its Member States have also continued their efforts to advocate strongly and consistently for the respect of international law, including IHL, in a variety of European and international fora.

The EU Member States contributed to efforts to strengthen IHL and accountability for violations of IHL in the UN Security Council (in particular, the protection of civilians and health and medical care in armed conflict have been included in several Council resolutions and press statements). Some Member States have been at the initiative of the adoption of the resolution 2286 (2016) and of 31 October 2017 political declaration on the protection of humanitarian and medical personnel.

As a member or observer in a range of international organisations and bodies, the EU frequently intervened on matters related to IHL, including in the context of the UN General Assembly (UNGA), and of the UN Economic and Social Council (ECOSOC). Most recently, the EU co-organised during the UN General Assembly Ministerial Week in September 2018, a high-level Side Event on 'Civilians Under Fire: Humanitarian Protection and Respect for IHL', drawing attention to the consequences of IHL violations on civilians, with a focus on humanitarian action, medical care, and education. The EU also continued to be very active in Geneva addressing in various fora key issues of compliance with IHL.

The EU continued to consistently and repeatedly raise issues of IHL compliance through statements, including those issued by the European Commissioner for Humanitarian Aid and Crisis Management in relation to particular humanitarian crises or the delivery of humanitarian aid. The EU dedicates particular attention to the protection of humanitarian workers. Every year it marks World Humanitarian Day on 19 August with a series of dedicated activities to draw attention to the challenges and dangers that humanitarian workers face in their work, and to foster understanding and respect of IHL and the humanitarian principles. In addition, for several years the EU has been the facilitator of the UNGA Resolution on the safety and security of humanitarian personnel and protection of the United Nations personnel.

All EU Member States are party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Treaty). Some EU Member States are members of the Ottawa Convention's Committee for the assistance to victims. The EU Member States have worked actively on the universalisation of the Convention and to encourage States Parties to make timely reports in accordance with the relevant provisions of the Convention.

The EU contributes towards the goals of this Convention through its commitment to mine action, which also addresses explosive remnants of war (ERW) including cluster munitions. The EU and its Member States continued to provide significant funding to mine action especially in the fields of risk education, clearance, stockpile destruction, and victim assistance, including through financial assistance to the United Nations Mine Action Service (UNMAS) and other relevant actors in this field. A number of EU funded projects contribute to the socio-economic reintegration of mine and ERW - including cluster munitions - victims, and to the enhancement of local and regional capacities. For example, the EU has funded projects aimed at creating employment opportunities for and providing vocational training to survivors.

In 2017 the Council of the EU decided to step up the EU support for the Anti-Personnel Mine Ban Convention. These efforts will also contribute to the objectives under this Convention. One of the projects will assist States Parties to the Mine Ban Convention to embed the victim assistance aspects of the Maputo Action Plan in an integrated framework linked with national policies on human rights and the rights of persons with disabilities. The project aims to empower mine victims to become active agents in their own development.

The EU and its Member States have worked actively to implement the EU Guidelines on Children and armed Conflict and the EU Action Plan on Human Rights and Democracy 2015-2019 with regard to the protection of children affected by armed conflict, as well as to promote the physical and psychosocial rehabilitation of children affected by armed conflicts.

The EU Member States have worked towards the strengthening of the protection of children affected by armed conflicts within the Group of Friends on Children and Armed Conflict (CAAC), by providing financial support to the UNICEF's Monitoring and Reporting Mechanism on grave violations against children in conflict or post-conflict areas and by supporting other relevant programmes targeting children and youth in conflict and post-conflict situations.

The EU Member States also sponsored a number of side events, conferences and seminars focused on children in armed conflicts, in particular on the protection of children, the reintegration and rehabilitation of children affected by armed conflict, as well as the development and implementation of child protection policies by the UN and regional organisations.

The EU is a major funder of programmes providing physical and psychosocial rehabilitation for children affected by armed conflicts. In the past three years, the EU has funded physical rehabilitation programmes, including for children affected by conflicts in Afghanistan, Iraq and Turkey. The EU has also continued to sponsor mental health and psychosocial support projects for children affected by conflicts. These include, among others, psychosocial support projects for refugees in Kenya, displaced Rohingya children in Bangladesh and for survivors of sexual violence in the Democratic Republic of Congo.

EU humanitarian action has also funded projects focused on children in armed conflicts implemented by other humanitarian partners, i.e. on the protection and education of children in Sudan and Niger, implemented by UNICEF, or on the re-integration of children in Senegal and Mali, implemented by SOS Villages d'Enfants Belgique.

In addition, the EU has become a global leader in the field of education in emergencies and protracted crises by further scaling up the funding for these activities to 8% in 2018 from the humanitarian budget. In May 2018, the European Commission issued a Communication on education in emergencies and protracted crises where the EU committed to addressing barriers to education and to providing out of school children safe and quality learning opportunities. In the Council Conclusions adopted in November 2018, the Council welcomed the comprehensive approach to education in emergencies which includes preparedness, disaster risk reduction, prevention, mitigation, rapid response, and a commitment to building resilient education systems.

## **6. Health Care in Danger: Respecting and Protecting Health Care**

*The EU and its Member States are alarmed by the frequent lack of respect for the medical mission in times of armed conflict and other emergencies. They underline the unacceptable character of attacks against medical personnel or patients, as well as any impediment to access to health care.*

*In order to improve the respect for and protection of the medical mission in times of armed conflict or other emergencies, the EU and its Member States pledge:*

- To support training on the rules protecting the provision of health care and the applicable sanctions to armed and security forces, as well as on rights and responsibilities of all health care personnel, including on ethical principles;*
- To support awareness-raising and trust building activities to ensure respect for the medical mission and the emblems of the red cross and the red crescent or other identification for health care;*
- To support relevant States and non-state actors implementing or reinforcing context-specific measures to enhance physical safety of health care personnel and infrastructure.*

In line with their pledges, besides its broader actions in support of compliance with IHL, the EU and its Member States have taken various steps to support specifically the respect and protection of healthcare in armed conflicts.

The EU Member States provided specialised IHL training for members of their armed forces and civilian personnel, focussed on the protection of the wounded and sick and healthcare services, in particular prior to their deployment to international operations. They also organised various conferences and seminars, often in cooperation with the national Red Cross, on the protection of health and medical care.

The EU and its Member States have been from the outset and continue to be a strong supporter of the landmark Security Council Resolution 2286. They also support the implementation of the UN Secretary General's recommendations made in 2016 pursuant to the Resolution. In addition, at the World Humanitarian Summit in 2016, the EU and its Member States committed to promote and enhance efforts to respect and protect medical personnel, transports and facilities, as well as humanitarian relief personnel and assets against attacks, threats or other violent acts. These commitments have been reinforced through advocacy in various fora, for example at the high-level UN General Assembly Side Event co-organised by the EU in September 2018 on 'Civilians Under Fire: Humanitarian Protection and Respect for IHL', the Humanitarian Liaison Working Group (HLWG) on 'Respect for International Humanitarian Law: the Protection of Humanitarian Personnel and Medical Workers in Armed Conflict' on 17 October 2018, or the Arria Formula Meeting on 'Protecting Medical Care in Armed Conflict – from Policy to Practice' on 21 December 2018. Some Member States have been at the initiative of the adoption of the resolution 2286 (2016) and of 31 October 2017 political declaration on the protection of humanitarian and medical personnel.

The EU also dedicated particular attention to the protection of medical workers through its recurrent facilitation role of the General Assembly of the United Nations (UNGA) Resolution on the Safety and security of humanitarian personnel and protection of United Nations personnel.

In addition, in 2015 the EU supported a campaign of the International Committee of the Red Cross (ICRC) on the Health Care in Danger (HCID) project: #Not a Target.

Moreover, the EU supports innovative approaches in addressing compliance with IHL by non-state actors. In this respect, the EU supports the activities of Geneva Call, which recently launched a Deed of Commitment on the protection of medical care in armed conflict.

The EU Member States strongly supported efforts aimed at ensuring the unimpeded delivery of health care in times of armed conflict and other emergencies and safeguarding the protection of health care personnel, facilities and medical transports. In this context, the EU provided support to relevant States and non-state actors in conflict affected regions, in particular health and medical services, training for local medical staff as well as expert assistance to local health care facilities.

7. **Additional pledges by the EU, EU Member States and national Red Cross Societies: sexual and gender-based violence during times of armed conflict or in the aftermath of disasters and other emergencies**

*The EU, its Member States and National Red Cross Societies are concerned about the critical humanitarian issue of sexual and gender-based violence during times of armed conflict and in the aftermath of disasters and other emergencies. Sexual and gender-based violence destroys local communities and infringes international human rights law and international humanitarian law, as applicable.*

*In the framework of its Comprehensive Approach to Implementation of UN Security Council Resolutions 1325 and 1820 on Women, Peace and Security, the EU and its Member States will prioritise the implementation of its Guide to Practical Actions at EU level for Ending Sexual Violence in Conflict, adopted at the end of 2014. Through a multidisciplinary approach, the EU and its Member States will undertake actions in the areas of prevention, support, protection and accountability, in contexts of conflict prevention, crisis response and humanitarian aid, and will promote cooperation in the multilateral fora, ensuring strong reporting and transparency to guarantee accountability, support of victims and the sharing of good practice. The EU also recently adopted a Joint EU Gender Action Plan which will set the framework for action for all EU's external services and that includes clear actions regarding response and prevention of GBV in emergencies, including capacity building of different actors, endorsement of international guidelines and the Call to Action Road Map.*

*The EU will report twice a year on progress made on the actions suggested in this Guide.*

*EU Member States and National Red Cross Societies will, according to their respective mandates,*

*a) raise awareness of the issues, including the causes and effects, of sexual and gender-based violence in armed conflict, disasters and other emergencies, through dissemination of and training in international humanitarian law and/or other humanitarian education activities; and*

*b) work together, as appropriate, to raise awareness of the issues of sexual and gender-based violence in armed conflict, disasters and other emergencies, and the policies, systems, and mechanisms necessary to prevent and mitigate this violence;*

*c) support the UN Secretary General's Special Representative on Sexual Violence's (Zainab Hawa Bangura) work and efforts to improve the international community's response to sexual and gender based violence in conflicts, disaster and other emergencies across the world;*

*d) explore opportunities to share lessons and knowledge learnt through responding to sexual violence in times of conflict that may be applicable to other situations, such as disasters and other humanitarian emergencies;*

*e) promote the International Protocol on the Documentation and investigation of Sexual Violence as a tool for States and local actors to investigate and record sexual violence crimes; and*

*f) continue supporting prevention and response activities related to sexual and gender based violence.*

The EU and its Member States actively promote the role of women in peace and security and are fully committed to the implementation the UN Security Council Resolution 1325 and related resolutions, which frame the Women, Peace and Security agenda. Twenty EU Member States are Party to the Council of Europe Convention on preventing and combating violence against women and domestic violence which applies in times of peace and in situations of armed conflict.

The fight against gender based and sexual violence has been a top priority in national Action Plans and national strategies to prevent and combat violence against women and for the implementation of Security Council Resolution 1325, which includes actions strengthening protection of women and girls from all types of conflict-related violence.

At the national level, the EU Member States encouraged the implementation of resolution 1325 in international bodies/organisations, including the UN, and NATO, and supported regional organisations in the development of regional Action Plans on the implementation of resolution 1325.

The EU and its Member States conducted a series of joint advocacy activities related to gender based violence in conflict and other emergency situations. They also supported a series of events, seminars and conferences with a thematic focus on the prosecution of sexual violence in national and international contexts, enabling implementation of Women, Peace and Security mandates in peacekeeping operations.

The EU Member States supported, including through voluntary contributions, the work of the UN Special Representative on sexual violence in conflicts, as well as other UN bodies, i.e. the UN Women programme. More generally, the EU Member States have strived to integrate a gender perspective in the work of the UN Security Council, advocating for gender parity and the inclusion of women in political processes.

Awareness raising activities on gender based violence have also been carried out, including through cooperation with the National Red Cross societies. Training on sexual violence in armed conflict issues destined to the general public has been provided. A series of training packages on gender, diversity, protection and sexual and gender based violence has been developed. Some Member States have also funded studies on gender-based violence in disasters and carried out a number of projects aimed at preventing sexual violence in dozens of countries.

Comprehensive training on sexual based violence in conflict regions, sexual exploitation and abuse and inclusive mediation in peace operations was provided to military, police and civilian personnel.

The EU and its Member States promoted the International Protocol on the Documentation and investigation of Sexual Violence, using it to provide capacity building to practitioners in various countries.

On the policy front, the European Consensus on Humanitarian Aid stresses the need to integrate gender considerations, including protection strategies against sexual and gender-based violence, in humanitarian response. It highlights the importance of promoting the participation of crisis-affected women, girls, boys, and men in the design, implementation and evaluation of humanitarian actions.

In 2016, the European Commission issued a new policy on protection, 'Humanitarian Protection: Improving protection outcomes to reduce risks for people in humanitarian crises' that includes further guidance for the programming of protection activities, including on gender-based violence. Ensuring that gender is taken into consideration in the EU's humanitarian aid is also included in the 'European Union Gender Action Plan 2016-2020', setting out the framework for action for all activities on gender equality and women's empowerment in the EU's external relations.

In September 2017 the EU launched a major new initiative to be implemented by the UN – the 'Spotlight Initiative'. The New European Consensus On Development 'Our World, Our Dignity, Our Future' identifies the promotion of women's rights and the empowerment of women and girls as a priority. Specific clauses on Gender are under negotiation in a number of Agreements with third countries.

From June 2017 to December 2018, the EU led the Call to Action on Protection from Gender-Based Violence in Emergencies. The Call to Action is a global initiative, which brings together 82 partners, including States and donors, international organisations and NGOs aiming to drive change and foster accountability in the humanitarian system to address GBV. The Call to Action Road Map 2016-2020 sets out an operational framework with common objectives for the humanitarian community. The EU has been an active member of the Call to Action since its creation in 2013. It has made a number of individual pledges under the Call to Action Road Map, focussing on policy dissemination, and ensuring that available funding supports the implementation process.

As lead of the Call to Action, the EU organised a number of global awareness-raising events in Brussels, Geneva and New York, and undertook continuous outreach to existing and potential new partners to strengthen the Call to Action partnership. For instance, a high-level panel debate on preventing, mitigating and responding to GBV in humanitarian crises was held during the 2018 European Development days. A public event held in the margins of the annual Call to Action Partners Meeting, in June 2018, discussed challenges and opportunities in responding to GBV in emergencies, while raising awareness of the efforts deployed by the Call to Action partnership to address the issue in different settings.

During its leadership of the Call to Action, the EU advocated untiringly for the key importance of collective action in prevention and response to GBV in emergencies. From June 2017 to December 2018, the EU welcomed 18 new partners to the Call to Action, including five EU Member States.

Through its Instrument Contributing to Stability and Peace (IcSP), the EU also funds actions contributing to the prevention, support, protection and accountability related to sexual and gender-based violence during times of armed conflict or in the aftermath of disasters and other emergencies, which are implemented by organisations such as UN Women, OSCE or Cooperation for Peace and Unity.



## **8. Additional joint pledges by EU Member States and National Red Cross Societies: Fundamental Principles of the International Red Cross and Red Crescent Movement**

*In commemoration of the 50th anniversary of the Fundamental Principles of the International Red Cross and Red Crescent Movement - humanity, impartiality, neutrality, independence, voluntary service, unity and universality - in 2015 and recognising their continued value, the EU Member States and the National Red Cross Societies pledge to co-operate and utilise the Fundamental Principles, as appropriate, in promoting mutual respect, non-violence and social inclusion, including through the provision of volunteering opportunities and educational activities which foster these humanitarian principles.*

Adherence to the Fundamental Principles of the International Red Cross and Red Crescent Movement continued to be the cornerstone of the EU and its Member States' humanitarian assistance and the fundamental reference for their efforts in making the international humanitarian system more efficient and more effective. The EU and its Member States continued to promote the application of the Fundamental Principles in the framework of their activities aimed at the dissemination of international humanitarian law. In particular, they upheld these principles through cooperation with the respective national Red Cross Movements. Their engagement focussed mainly on volunteering and educational aspects.

As envisaged by the Treaty of Lisbon, the European Union established the EU Aid Volunteers initiative. Implementation started in 2015 with the establishment of a certification mechanism for participating organisations, the launch of first calls for proposals and the setup of the training programme for candidate volunteers. The programme aims to strengthen the EU's ability to provide needs-based humanitarian aid and to strengthen the capacity and resilience of vulnerable or disaster affected communities in non-EU countries. At the same time, it allows European citizens to show solidarity with people in need by taking part in humanitarian actions in these countries.

The actions under the EU Aid Volunteers initiative are conducted in compliance with the humanitarian aid principles of humanity, neutrality, impartiality and independence and with the European Consensus on Humanitarian Aid. The actions are based on the humanitarian needs of local communities, promote transnational partnerships of organisations and have as a priority the safety and security of the EU Aid volunteers.

Progress on the EU Aid Volunteers initiative is marked by an increasing number of EU Aid Volunteers being deployed to third countries (nearly 400 have been deployed in 2017/2018 and more than 350 will be deployed in 2019), more than 200 organisations certified and 40 projects funded for capacity building and technical assistance for organisations.

The International Federation of Red Cross and Red Crescent Societies (IFRC) and the National Red Cross Societies are actively involved and implement projects funded by the EU Aid Volunteers initiative.