

# **REGIONAL SEMINAR FOR ENGLISH-SPEAKING AFRICAN COUNTRIES**

*Harare, 31 January-4 February 1994*

## **1. Introduction**

A regional seminar on the implementation of international humanitarian law (IHL), organized by the International Committee of the Red Cross (ICRC) in cooperation with the Henry Dunant Institute, was held in Harare (Zimbabwe) from 31 January to 4 February 1994.

The seminar provided a forum for exchanging views and assessing what countries had done to adopt national legislation for the implementation of IHL. Indeed, to ensure compliance with many of the provisions of the Geneva Conventions and/or of the Additional Protocols, legal and practical measures have to be adopted at the national level in peacetime. The subjects discussed included national legislation for the repression of grave breaches of the humanitarian treaties, considered as war crimes; legal provisions for the protection of the Red Cross/Red Crescent name and emblem; prescriptions with regard to medical personnel, units and transports; and the translation of the treaties into national languages.

The seminar was attended by 32 participants — mainly government officials — from 18 English-speaking African countries. It was a follow-up to a series of approaches made by the ICRC to the States party to the Geneva Conventions with a view to promoting the adoption of national measures of implementation; it also came after several other regional seminars, such as those held in Sofia, Bulgaria (20-22 September 1990), for European countries; San José, Costa Rica (18-21 June 1991), for Latin American countries; and Yaoundé, Cameroon (23-27 November 1992), for French-speaking African countries.

## 2. Conclusions

The participants' conclusions and recommendations were summarized as follows.

### At the international level

The participants agreed to do their utmost to:

- promote in their respective countries the universality of IHL treaties, including the 1977 Additional Protocols;
- urge the relevant authorities to recognize the competence of the International Fact-Finding Commission provided for in Article 90 of Protocol I;
- promote in their respective countries accession to the 1980 UN Convention on conventional weapons;
- coordinate activities with international governmental and non-governmental organizations working in the field of human rights, in order to harmonize efforts aimed at disseminating and ensuring respect for IHL;
- promote regional cooperation between States with a view to implementing IHL at the national level and exchanging information on the measures adopted or under consideration.

### At the national level

The participants agreed that the first step should be to set up national interministerial committees responsible for studying and adopting national measures. It was agreed that those committees should focus as a matter of priority on:

- adopting or adapting penal legislation which provided for adequate sanctions for persons having committed war crimes or ordered them to be committed, and which also provided for respect for the judicial guarantees laid down in IHL and reparation for the victims — the repression of violations of IHL in non-international armed conflicts was seen as a matter needing further consideration;
- adopting or adapting legislation which provided for sanctions to repress misuse of the protective emblem, and taking all possible steps to prevent any commercial misuse harmful to the emblem's credibility;

- appointing legal advisers to the armed forces and promoting the exchange of information on procedures chosen for such appointments;
- promoting the adoption of military manuals and other similar instruments suited to the different levels of the hierarchy, in order to spread knowledge of the obligations embodied in IHL;
- identifying qualified personnel among persons working in the IHL field, creating a network of specialized experts, and sending lists of qualified personnel to the ICRC to facilitate the exchange of information;
- stepping up the dissemination of IHL, in particular among the armed forces and officers responsible for its application, and among all relevant target groups.

It should not only be a matter of informing or teaching the various target groups and persons responsible for implementing IHL, but of obtaining a real commitment on the part of States and everyone concerned so as to improve respect for the rules of IHL applicable during armed conflicts.

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