The first half of 2019 has proven to be both challenging and exciting for the Regional Delegation in New Delhi. The year began with a visit by the ICRC vice-president, Gilles Carbonnier, who participated in the 4th Raisina Dialogue, along with Knut Doermann, head of the ICRC’s legal division. The ICRC vice-president, along with the Defence Secretary Shri Sanjay Mitra, presided over the launch of the ICRC – IIT Delhi ‘Humanitarian Policy and Technology Platform’. This Platform – TECHPOL – will address two key areas: new technologies for humanitarian action and the regulation of new technologies of warfare.

While new scientific and technological developments hold great promise for humanity, experts on international humanitarian law (IHL) predict that their use as a means of warfare may entail significant risks for civilian protection and may raise challenges for the interpretation and application of existing rules of IHL. As States put artificial intelligence to diverse uses, including in their armed forces, spanning weapons, detention and in humanitarian services, it becomes important to convene multidisciplinary discussions that look at both opportunities and challenges that technology can pose to the existing legal framework of IHL. This collaboration is aimed at bringing together government policy advisers and academic experts to research, discuss and debate this complex and multidimensional topic.

This partnership is also significant because 2019 marks the 70th anniversary of the Geneva Conventions of 1949. This provides the ICRC the opportunity to demonstrate and reinforce the relevance of the GCs more now than ever against these contemporary developments of warfare. The universally ratified GCs reflect not just law but universal values of ethical behaviour. States and non-state actors are bound to universally and unequivocally implement, respect and ensure respect for IHL. Through this partnership, we hope to work with some of the best minds in the field and connect with innovators who represent the future in the world of technological innovation.

We look forward to more engagements and partnerships as we deal with the challenges of a constantly evolving humanitarian landscape.

Yves Heller
Head of the Regional Delegation, a.i.
ICRC New Delhi
The 33rd edition of the South Asia Teaching Session (SATS) on International Humanitarian Law (IHL) was held in Kathmandu 25 February – 2 March 2019. Over 40 participants including government officials, military and police personnel, members of academia and human rights and civil society organisations from eight South Asian nations — Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka and Iran attended the six-day course.

On 14-15 March, 20 Coast Guard and Naval officers from seven countries came together in Kochi, Kerala to discuss international humanitarian law (IHL), with a special focus on laws of war at sea. The participating countries included Bangladesh, Benin, Cameroon, Ghana, the Maldives, Nigeria and Sri Lanka. Cameroon took this opportunity to ensure the participation of a female officer. Referring to the ever evolving dynamics of maritime security, the participants acknowledged the importance of IHL for those manning the seas in different parts of the world.

A recent international symposium organised by the Indian Society of International Law (ISIL) in collaboration with Indian Journal of Law and International Affairs (IJLIA) in New Delhi provided the perfect platform to discuss the relevance and the future of international humanitarian law (IHL). On the 70th anniversary of the Geneva Conventions in 2019, this was already the second conference which discussed challenges faced by the legal fraternity and the humanitarian world in the interpretation of an established legal framework, the Geneva Conventions (GCs).

To meet the needs of women, men and children in strife-torn countries worldwide, the ICRC procures items globally, with India emerging as one of the most important global hubs from which it sources goods and services. In 2017-18, the ICRC bought specialised food worth more than INR 10 Crore from Indian manufacturers. This therapeutic and supplementary food is treating severe to moderate acute malnutrition in children in conflict stricken countries.
Gilles Carbonnier, the ICRC vice-president, Knut Doerrmann, the head of the legal division at the ICRC, and Charles Sabga, the ICRC diplomatic adviser for Asia and the Pacific, visited New Delhi 7–11 January 2019. Carbonnier spoke at a panel on ‘Accountable Autonomy: When Machines Kill’ at the fourth edition of the Raisina Dialogue — India’s flagship annual geo-strategic conference organised by the Ministry of External Affairs (MEA) with the Observer Research Foundation. Doerrmann spoke on the panel entitled ‘Clicks and Kalashnikovs’, which debated ways to counter online and offline violent extremism. The conference was an opportunity for the ICRC to profile key humanitarian issues to more than 1,500 participants from 93 countries, including political leaders, strategic thinkers and policy practitioners. The head of the legal division of the ICRC met with the additional secretary of the MEA. They discussed a range of issues such as the ratification of the Additional Protocols by India and shared notes on the delegation’s ongoing academic and legal activities. At a dinner reception organised by the Swiss Embassy, the vice-president interacted with former ambassadors, government officials and civil society representatives.

The visit concluded with the launch of the Humanitarian Policy and Technology Platform, a joint initiative of the ICRC and Indian Institute of Technology Delhi. The secretary of the Ministry of Defence welcomed the creation of the platform to further the debate on technology, warfare and compliance with IHL norms.

“India has the capacity to mobilise international and global actors to debate very pertinent development issues and also humanitarian issues. I am very glad that the ICRC can also share our concerns and learn.”

Gilles Carbonnier, Vice-President of the ICRC

SHE’S GOT TRAINING ON HER MIND

Preeti Srivastav, India

“My legs don’t work – but my brain does!” exclaims Preeti Srivastav, who lives in Ghosi, Uttar Pradesh, whenever anybody pities her for her inability to walk, or if someone frowns upon her love for makeup. She makes it clear to them that she uses only a little more space to navigate in her wheelchair than them. Belonging to a family of six siblings, Preeti is sharp, alert and holds the highest regard for education. The ICRC’s wheelchair user peer training, conducted in New Delhi in collaboration with Motivation India, brought about a huge change in Preeti’s attitude. “Everybody was so positive and happy there. They’re some of my closest friends now,” she says. During the sessions, she was taught to manoeuvre her wheelchair, look after her diet and even manage menstruation. But Preeti is the most happy about the change that came about in her father’s attitude thereafter.
Even Wars Have Rules

What is international humanitarian Law?
The rules of war, or international humanitarian law (IHL) are a set of international rules that determine what can and cannot be done during an armed conflict.

What instruments make up IHL?
IHL consists of a large number of international treaties that have been developed over the past 150 years, starting with the 1864 Geneva Convention (GC). The bulk of modern IHL is, however, composed of the four Geneva Conventions of 1949 and their Additional Protocols of 1977.

What are the Geneva Conventions?
The Geneva Conventions and their Additional Protocols aim to protect persons and objects that are, or may be, affected by conflict (civilians, prisoners of war, medics, aid workers and civilian objects). They also protect those who are out of fight (wounded, sick and shipwrecked troops, prisoners of war).

Who all are party to the Geneva Conventions?
The Geneva Conventions enjoy universal ratification, meaning every country (State) in the world is party to them.

Who ensures respect for IHL?
It is primarily the duty of States to respect and ensure respect for IHL. States have a duty to take legal and practical measures – both in peacetime and in armed conflict situations – aimed at ensuring full compliance. States must, for example, adopt national legislation implementing their treaty obligations, disseminate the rules of international humanitarian law, train military and security personnel to apply them, translate the relevant texts into their national language and have legal advisers guiding the armed forces in application of these norms.

What happens when you break these rules?
A State responsible for IHL violations must make full reparation for the loss or injury it has caused. Serious violations of IHL are grave breaches and war crimes. Individuals responsible for these crimes can be investigated and prosecuted.

What are the provisions for PoWs?
Treatment of prisoners of war (PoW) is dealt with by the GC III. Its 143 articles deal with every kind of situation that may arise in relation to combatants who have fallen into the hands of the enemy (PoW) including the place of internment, religious needs, recreation, financial resources, the kind of work that captors can make PoWs do, the treatment of captured officers and the repatriation of prisoners following the end of the hostilities. GC III unambiguously states that PoWs must be treated: “humanely”. The responsibility for this lies with the detaining power, not just the individuals who captured the PoW.