ICRC/Geneva Call, Dissemination of IHL using I.T.

This case discusses the use of modern technologies such as video games and mobile applications in order to disseminate IHL.

Acknowledgments

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N.B. As per the disclaimer, neither the ICRC nor the authors can be identified with the opinions expressed in the Cases and Documents. Some cases even come to solutions that clearly violate IHL. They are nevertheless worthy of discussion, if only to raise a challenge to display more humanity in armed conflicts. **Similarly, in some of the texts used in the case studies, the facts may not always be proven;** nevertheless, they have been selected because they highlight interesting IHL issues and are thus published for didactic purposes.

A. ACCESSING FIGHTERS IN HARD-TO-REACH AREAS: NEW MOBILE APPLICATION ON THE RULES OF WAR IN AFGHANISTAN

[Source : Accessing fighters in hard-to-reach areas: New mobile application on the rules of war in Afghanistan, 5 June 2021. Available at https://www.genevacall.org/accessing-fighters-in-hard-to-reach-areas-new-mobile-application-on-the-rules-of-war-in-afghanistan/]

[...] Geneva Call in Afghanistan unveiled its new interactive "Conflict Has Rules Too" mobile application on the rules of war [...]. Hundreds of people have already downloaded the app, showcasing the breadth of impact it will have in the future.

With the recent announcement of the United States' military withdrawal from Afghanistan by September 2021 and the uncertainty it breeds over the future control of various territories, the need to increase knowledge of humanitarian norms is of the utmost importance. However, this remains a major challenge, as those most vulnerable are often the hardest to reach. Through this application, Geneva Call will try, at least partially, to overcome these difficulties by equipping users with the means to relate to and engage with humanitarian norms in an easily accessible manner. With this mobile application, Geneva Call expects to reach

communities and fighters in areas that are not easily accessible to other humanitarian actors.

As H.E. Mr Andreas Von Brandt, Ambassador and Head of Delegation of the European Union to Afghanistan, highlighted during his speech at the app launch event in Kabul, "Humanitarian partners such as Geneva Call, are able to reach areas that development- and state-run services cannot access. This way they also engage with affected communities that are otherwise not reached by other actors, except for insurgents."

Accompanying the mobile application with training sessions in person is still essential, particularly in hard-to-reach areas and targeting direct groups to ensure that messages are understood and incorporated in practice to protect civilians.

B. OUR "WAR HAS RULES TOO" MOBILE APPLICATION AND VIDEOS REACH THOUSANDS ACROSS UKRAINE

[Source : Our "War Has Rules Too" mobile application and videos reach thousands across Ukraine, 29 May 2019. Available at https://www.genevacall.org/fr/our-war-has-rules-too-mobile-application-and-videos-reach-thousands-across-ukraine/]

[1] Since the beginning of the conflict in eastern Ukraine in 2015, more than 3000 civilians have been killed, over 750 schools damaged, and the country heads the list of the most mine-contaminated territories. To protect civilians and prevent new violations, Geneva Call launched a public campaign entitled "War Has Rules Too" in December of 2018. To date, over 400,000 people have seen our specially developed videos promoting humanitarian norms.

[2] Subsequently, in February 2019, Geneva Call launched its "War Has Rules Too" mobile application in Ukraine. The free-of-charge mobile application, available in the Russian and Ukrainian languages, helps fighters, civilians living in conflict zones and anyone else who may be interested, to learn about the norms of war. The objective of this application was to extract the principles of international humanitarian law (IHL) from the books and to teach combatants how to use the law in practice. It is an especially effective way to disseminate international humanitarian law standards in hard to reach areas. In the first two months since the launch alone, over 15,000 people downloaded the app, in both the government and non-government-controlled areas of Ukraine.

[3] Geneva Call has received very positive feedback from combatants, civilians, the expert community and academic society following the launch of the app. A leading Ukrainian expert on international humanitarian law and the Chairman of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment, Professor Mykola Hnatovsky said about the app:

[4] "The mobile application is a modern response to the well-known call to extract IHL from books and learn how to use it in practice. It also helps to contradict the myth of the excessive complexity or unrealistic nature

of international humanitarian law: in fact, its basic rules come from the requirements of common sense and humanism. Acting under international humanitarian law is not difficult, but knowledge of at least the basic requirements must be shared by all involved in one way or another in hostilities or dealing with their consequences. With the mobile application "War Has Rules Too" it becomes much easier for everyone to master this knowledge."

[5] Combatants fighting in the Donbass frontline region also shared their positive impressions:

[6] "The app attracted my attention with its interesting design and the quiz format. This is a fairly fresh approach. I believe that in most of the scenarios, people can answer correctly just from a moral point of view (for example, why it is unacceptable to use violence against prisoners of war, women and children). But in many cases, I could feel the lack of knowledge from my side. I answered randomly and, unfortunately, often chose the wrong answers. I recommend all combatants to install the app "War Has Rules Too", go through all levels and test your knowledge of international humanitarian law." – said a female fighter.

[7] "I believe this the best way to learn and test yourself on the rules of war. Great that it uses real-life scenarios. Very useful app." – said the commander of a military unit.

[8] Civilians residing in the conflict zone have also downloaded the app. For some, it helped to open their eyes to existing problems and prompted others to talk about the rules of war and their rights. A journalist from Donbass, Marina Kuraptseva, who is also an internally displaced person, shares her impressions:

[9] "Unfortunately, even the combatants do not always know about the rules of war, and civilians even less. Going through this app, I learned a lot of details and started thinking about what I can do to promote IHL. I started a journalistic project to inform the public about the rules of war. I would like to thank Geneva Call and the application developers for providing this useful information that is easily understood and, importantly, is always at hand. The application makes it possible to obtain non-traumatic, structured information about the basic principles, standards and norms of international humanitarian law. This is very important for a country that has been living in a state of armed conflict for more than five years now."

[10] The mobile application "War Has Rules Too" is an important tool to ensure the protection of civilians during armed conflicts. At the moment, there are no other similar tools in Ukraine. [...]

C. RED CROSS DEVELOPS WAR VIDEO GAMES – WITH RULES

[Source : Red Cross develops war video games – with rules, 17 March 2019. Available at https://www.swissinfo.ch/eng/international-geneva_red-cross-develops-war-video-games---with-rules/44823126]

The idea that the International Committee of the Red Cross (ICRC) is developing military shooter video games may be a surprise to many. But the aim is not to kill everything that moves; it's a training tool to teach people that there are rules, even in wartime.

In war video games, the aim is often to shoot and kill as many enemies as possible. Unlike real conflict situations, children or other civilians are often not present in the games. And the issue of what can be shot at is seldom an issue.

The Geneva based ICRC wanted to change this idea by developing a video game in which combatants wage war while respecting the rules of international humanitarian law.

This means the player must distinguish between enemy and civilian combatants, and must provide assistance to the wounded. Anyone who kills prisoners of war or shoots civilians is penalised.

[...]

The ICRC has tried to make its video game as realistic as possible. The gamer must take time to load weapons and visibility is sometimes poor.

Yet Rouffaer acknowledges that in creating such a game the organisation is "walking a thin line" between glorifying war and building a game that is impossible to play as it is too close to reality.

The ICRC's lab is also working on virtual reality simulations to help train staff who work in war zones. Simulations include treating the wounded amid the confusion of battle.

[...]

D. IHL APP 2.0: INTERNATIONAL HUMANITARIAN LAW AND MORE IN YOUR POCKET

[Source : IHL App 2.0: International humanitarian law and more in your pocket 1 October 2021. Available https://www.icrc.org/en/document/ihl-digital-app]

Designed for the mobile user on the go, our updated app allows you to quickly check IHL references for legal practice and discussion. From the palm of your hand, you can search, save and share – anytime, anywhere.

IHL at your fingertips

Developed by the ICRC, the IHL App 2.0 provides access, via tablet, desktop and smartphone, to more than 75 treaties and other documents relating to international humanitarian law (IHL) – most notably, the Geneva Conventions and their Additional Protocols, the ICRC's original and updated Commentaries on the

Conventions and Additional Protocols, and the rules of customary IHL identified by the ICRC's 2005 study on customary IHL. Version 2.0 features over 60 law and policy documents and links, providing easy access to legal positions, publications and web pages on IHL topics of current interest.

The IHL App aims to support the promotion and implementation of IHL worldwide, by providing easy access to IHL treaties, customary rules, and related documents and links in various languages. The ICRC hopes this updated app can help professionals use IHL in their humanitarian dialogue and negotiations, inform law and policy debates, support teaching and promotion of IHL, and ultimately contribute to strengthening protection for everyone affected by armed conflict.

Access everywhere

Even when you are not connected to Wi-Fi, you can continue to access content through the app's offline mode, wherever you are.

Users can access the app in English, French, Arabic, Chinese, German, Portuguese, Russian or Spanish. Each IHL treaty article is available in both English and French, and each customary IHL rule is available in English, French, Arabic, Chinese, Portuguese, Russian and Spanish, with the documents also available as a PDF in these and other languages.

Advanced search features

Quickly search across the full content of the app, including treaties and additional protocols, to find documents with the search function. You can also use the "Find in page" feature to find specific words, phrases or numbers in a particular document.

Users can check which states have ratified which IHL treaties, even offline. With version 2.0, you can also quickly access a PDF list of all the states that have ratified the main IHL treaties, and browse those treaties by date.

Bookmark, share and give your feedback

Save search results easily, including full documents or parts of documents, with the app's bookmark function. Personalize and organize your bookmarks from the dedicated bookmarks tab in the side menu. With this latest version, you can create your own IHL folders and sort bookmarks easily based on your preferences.

Share search results quickly to email or social media with the share button. The 2.0 update also enables you to share entire bookmark folders and allow your contacts to access them from their devices. This is ideal for professionals working together on specific IHL themes, or lecturers wanting to share legal provisions and rules on a particular topic with students.

E. MSF RELEASES NEW MEDICAL GUIDELINES APP

Médecins Sans Frontières (MSF) has released medical guidelines, available to access through a mobile application and a website.

MSF has been producing medical guidelines for staff for more than 25 years, based on scientific evidence and experiences from our work in the field. The guidelines are the collaborative work of several experienced medical practitioners and specialists, and were developed for non-specialised medical staff. Data sources include the World Health Organization (WHO) and other internationally-recognised medical institutions, as well as medical and scientific journals.

The app was developed to improve access to the latest medical guidelines for field workers across MSF projects, also serving as a useful tool for training medical staff on mission. The guidelines are used by a number of other international organisations, such as WHO and UNICEF.

The MSF Medical Guidelines mobile application allows users to browse, save and download content in high and low quality resolutions to view remotely in the field. [...]

Discussion

I. Obligation of disseminating IHL

1. What is dissemination of IHL? To whom should it be addressed to? Why is it important? What are different methods used to achieve it? What dissemination mechanisms does IHL provide for or recommend?

2. When should the dissemination of IHL occur? Only after hostilities have broken out? Does it stop as soon as the hostilities end? (GC I-IV, Arts 47/48/127/144; P I, Art. 83 ; P II, Art. 19; CIHL, Rules 142 and 143)

3. Is it a State's obligation to disseminate IHL? Is there an obligation for States to include the teaching of IHL in military training? In schools? Should IHL only be taught to people participating in the conflict? (GC I-IV, Arts 47/48/127/144; P I, Art. 83; P II, Art. 19; CIHL, Rules 142 and 143)

4. Which main IHL rules and principles do you think should be taught through those applications? Regarding armed forces? Civilians? Governmental authorities? Should IHRL be included when teaching IHL?

II. Dissemination of IHL to armed groups

5. What are the rules in IHL regarding its dissemination among armed groups? Are there any conditions that a group must fulfil in order for the rules of IHL to apply to them? (P II, Art. 19)

6. Should the methods used for teaching IHL be different for armed groups? Could helping armed groups learn IHL cause tensions with States? Can States forbid organizations such as the ICRC to teach IHL to armed groups?

7. *(Document A)* "Accompanying the mobile application with training sessions in person is still essential, particularly in hard-to-reach areas and targeting direct groups": why are training sessions essential?

8. Does refusing an armed group access to IHL training, while the States that are fighting those groups are able to be given that training, violate the principle of the equality of belligerents in IHL?

III. Modernization of IHL dissemination

9. How does modern technology help disseminate IHL? How could these mobile applications ensure the respect of IHL in a conflict? Who is responsible for ensuring respect?

10. *(Document A)*

   1. "[T]hose most vulnerable are often the hardest to reach": who is considered as being most vulnerable in a conflict and why are they harder to reach? What are the advantages and disadvantages of informing potential victims of how IHL protects them? When they are in the power of a party? About when the may be lawfully incidental victims of an attack?
   2. How might the USA's withdrawal from Afghanistan impact the situation regarding IHL? Why is there a "need to increase knowledge of humanitarian norms"?

11. *(Document D)*

   1. How does the ICRC help ensure the respect for IHL?
   2. Do the rules of IHL change in time to adapt to new conflicts? Should they? Do you think that the current IHL rules are adapted for modern conflicts? If not, in which areas do you think changes should be made?

12. *(Document C)*

   1. How does the ICRC justify developing a war video game?
   2. The video game aims at teaching the rules of IHL in order to ensure its respect. Should it be assumed that political and military leaders, after learning such rules, when weighing between military advantages and humanitarian considerations, will always follow IHL?

13. *(Document B, para. [9])* Regarding the journalistic project envisioned by journalist Marina Kuraptseva, do you think the media has a role in disseminating IHL?

14. *(Document E)* Should medical staff be trained to IHL? How could this help them during an armed conflict?

15. What is the difference between the mobile applications presented in the five documents? Who are the target audiences? Why does each need to know IHL? Why is it important that each can be used without Internet access?