

The 34th International Conference of the Red Cross and Red Crescent, Geneva, 28–31 October 2024: Interview with Olivier Ray and Eva Svoboda*



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Why does the International Conference of the Red Cross and Red Crescent [International Conference] matter, and what distinguishes it from other multilateral fora?

Olivier Ray: The International Conference is unique in terms of process and substance. It is a hybrid format that involves not only States but also the components of the International Red Cross and Red Crescent Movement [the Movement],¹ which come together every four years in a forum uniquely dedicated to humanitarian issues. The International Conference is also critical when it comes to the development of international humanitarian law [IHL].

The 2024 International Conference, which took place in Geneva in October 2024, matters because geopolitical polarization is on the rise and is threatening the effectiveness of multilateral decision-making. This is not the first time that the International Conference has had to deal with polarization over its 160-year history:² the question of the representation of China, of the participation of the South African government during apartheid and of the participation of Palestine

1 Namely the National Red Cross and Red Crescent Societies (National Societies), the International Federation of Red Cross and Red Crescent Societies (IFRC) and the ICRC.

2 For further information about these examples, see François Bugnion, “The International Conference of the Red Cross and the Red Crescent: Challenges, Key Issues and Achievements”, *International Review of the Red Cross*, Vol. 91, No. 876, 2009.

have all seriously impacted the Conference at different times. The Conference even had to be cancelled in 1963 and 1991 because of such issues, leading some to wonder whether this tradition would be abandoned. But it wasn't abandoned, and rightly so.

The 34th International Conference has demonstrated once again the value of this particular breed of multilateralism, which consists in bringing together representatives of States and National Red Cross and Red Crescent Societies [National Societies] from across geopolitical divides to preserve the humanitarian space and deliver support to the populations most affected by conflict, violence and other crises, leaving political posturing outside. In sum, it is really a unique platform with no similarity to other multilateral fora.

Eva Svoboda: The International Conference has, on numerous occasions, played a key role in the development of IHL. I can give a concrete example where an International Conference made a huge positive difference: already in 1863, before the National Societies were created, the constituent conference paved the way for the adoption of the very first Geneva Convention in 1864.³ Then, in 1948 in Stockholm, the Conference discussed draft texts that became the basis for the Geneva Conventions that were negotiated at a Diplomatic Conference the following year. In some cases, discussions did not lead immediately to the adoption of a text, but they were nevertheless important both for creating a sense of a baseline and for future negotiations. For example, during the inter-war period, the Conference discussed a draft text of a convention for the protection of civilians. In many respects, that 1934 International Conference in Tokyo laid the groundwork for the codification of Geneva Convention IV of 1949. We clearly saw International Conferences setting the Movement and States up for a moment where States were then able to codify the Geneva Conventions, from which we of course still benefit today.

Having that dedicated space where we discuss not only very specific issues but, more broadly, the development, thinking and interpretation of IHL; where we bring concrete issues from conflict zones into the debate; where we can say, "This is why it matters that we speak about this and that we speak about it in a forum that gathers States as well as all components of the Movement" – that is quite unique and can be found nowhere else. Specifically, the fact that there are National Societies, States, the International Federation of Red Cross and Red Crescent Societies [IFRC] and the ICRC as equal partners, and yet with very different perspectives, coming together to discuss IHL and humanitarian action, bringing the realities of communities affected by armed conflict or disasters into a conference room and then bringing decisions back again into concrete humanitarian responses, I think that too makes it a very unique setting and occasion.

3 *Ibid.*, p. 688.

Reflecting on the progress made since the 2019 International Conference, what major developments or challenges stand out in the Movement's journey over the past five years?

Olivier Ray: There has been important progress made on resolutions adopted at the last International Conference in 2019.

The resolutions on mental health and pandemics adopted in 2019 just a few months before the COVID-19 pandemic hit were very timely: they formed the basis for the Movement's collective response during the pandemic, including National Societies helping over 160 million people to get vaccinations against COVID-19. The various levels of mental health care provided during the pandemic, from group psychological support to individualized clinical care, drew on that complementary expertise and experiences from different Movement components that were brought together during the International Conference.

There has also been very significant progress following the "Bringing IHL Home" resolution: since its adoption, there have been 175 ratifications and accessions to IHL instruments by a total of eighty-seven States, concerning twenty-six different treaties; the first treaty to prohibit nuclear weapons entered into force; and many States enacted legal, administrative and practical measures to implement IHL in their respective countries. These are very significant steps forward in an environment that wasn't necessarily conducive. Are they all due to the "Bringing IHL Home" resolution? Probably not, but the resolution certainly helped galvanize political momentum around delivering on IHL implementation.

Of course, the reality since 2019 has also been one of gross and very public violations of IHL, which also contributed to heightening the stakes for this year's International Conference. IHL is respected every day, but it's also, sadly, violated every day. Recent conflicts have rightly caused outrage and heightened attention around compliance with IHL as a way to minimize human suffering. Many eyes were turning towards the International Conference to see what the signal and message of the Movement and States would be, in a period when, clearly, IHL is not sufficiently applied. We will come back to this point later in the discussion.

The last five years have been characterized by several humanitarian crises, each of them eclipsing the one before. I've talked about COVID-19 in 2020, and we could also mention the collapse of the Afghanistan government in 2021, the escalation of the armed conflict between Russia and Ukraine in 2022 and the escalation between Israel and Hamas in 2023, to name just a few of the very significant crises that have generated a lot of attention. These crises are taking place in an environment where harmful narratives circulate and are increasingly used as intentional tactics of warfare. There is also increasing pressure on humanitarian funding. All of this made its way to the 2024 International Conference, and there was a risk that discussions would be derailed by that compounded pressure.

This year's International Conference was a real success in that it managed to preserve this very special space for a dialogue on humanitarian issues and deliver modest but meaningful progress despite geopolitical polarization. In the current

multilateral landscape, where many conferences have been derailed by walk-outs, boycotts or obstruction, the success of this year's International Conference was the result of a conscious choice made by States and National Societies to preserve that space for the purposes that it was designed for – that is, discussing our *collective and individual* responsibilities in preventing and responding to humanitarian needs – rather than finger-pointing at other parties for their lack of respect for IHL. That in itself is very significant. At any moment of the Conference, it could have gone the other way.

While the environment has been putting a lot of pressure on humanitarian actors, it is also because of this tense geopolitical situation that the success of the Conference – and the fact that the resolutions were adopted by consensus – is such a significant achievement.

Given the heightened geopolitical tensions, what was at stake at this year's International Conference, and what were the main preparations undertaken with National Societies, the IFRC and States to mitigate risks and seize opportunities? In the end, how successful were the IFRC General Assembly, the Council of Delegates and the International Conference, and how was the general atmosphere?

Olivier Ray: The International Conference was a test of multilateralism, and of this particular breed of “Red Cross/Red Crescent multilateralism”, which brings States, National Societies, the IFRC and the ICRC together around humanitarian challenges and solutions. The fact that, in the current geopolitical landscape, the Movement managed to preserve its unity showed that this forum has the ability to create bridges when dialogue doesn't take place elsewhere. This was one of the very significant stakes, and this is why we feel that the Conference was successful.

The groundwork for this success was laid at the Council of Delegates, building on the General Assembly of the IFRC, with National Societies from around the world showcasing the unity of the Movement behind its Fundamental Principles and the values that we share. The Council of Delegates adopted several very strong calls to States, such as the Call for Respect and Support for Principled Humanitarian Action, or the Solemn Appeal on War in Cities. Without this strong unity within the Movement, it would have been impossible to reach consensus at the International Conference.

Several other factors contributed to the Conference's success. The first was very early preparation, ensuring that all stakeholders had a shared understanding of what was at stake and the opportunity to share their positions on the resolutions multiple times, through an iterative process of development of the resolutions based on genuine dialogue and consultation over the course of 2024. This is what allowed us to arrive at the Conference with large areas of agreement and a few key issues to resolve through a final push in the negotiation.

I've been very impressed by how National Societies played a decisive role in making this happen on the three critical days of the International Conference. They did so by reminding States of the humanitarian issues at stake, what needed to

happen for the Conference to be a success, and why it was important for States to be partaking in a successful International Conference.

Furthermore, the collaboration between the IFRC and the ICRC at all levels of the two institutions was a significant factor in building a sequence where that unity of the Movement could be demonstrated and leveraged at the most critical junctures.

Lastly but importantly, International Geneva played an important role. There is a Geneva diplomatic community that cares about IHL and humanitarian action, as exemplified by the Permanent Representatives who were mobilized as officers at the Conference, alongside representatives of National Societies. This created a closely knit collective that allowed the Conference to succeed by stewarding an inclusive process in which all stakeholders felt that they were contributing to a respectful and genuine dialogue, where everything hadn't been pre-cooked somewhere else.

The feedback received from participants was that they were positively impressed by the atmosphere. The International Conference was designed around plenaries as well as a number of spotlight sessions, side events, and opportunities for informal engagements. Importantly, humanitarian realities were present with us throughout the Conference, not only through the voices of National Societies, which brought the realities of what their volunteers and staff experience daily, but we also had populations affected by conflicts and violence present through videos and testimonies. We could feel in the room that this Conference was fundamentally about the people that the Movement supports. This also contributed to success in the resolutions, because it wasn't about the people in the room, but fundamentally about the people that we support.

There were moments when the delegates at the Conference were truly emotional, whether listening to what populations affected by conflict and violence were going through, or when the resolutions were adopted by consensus. Delegates had a feeling of history in the making – you could really feel a sense of collective success in the room, with everyone having done their part to reach an agreement on something that was far from being a given.

For the ICRC and IFRC teams, the success was the result of significant and sustained preparation and mobilization on the substance of the resolutions and individual sessions, as well as on meaningful engagement with States and National Societies, so that their concerns and suggestions were heard. I'm sure more than a few colleagues have a few more grey hairs as a result, but I'm sure they also feel the effort was worth it.

The resolution on building a universal culture of compliance with IHL emphasizes the role of States in promoting and enforcing IHL across all contexts. How does the ICRC plan to support States in advancing IHL compliance, and what are the main challenges foreseen?

Eva Svoboda: In these polarized times, there are a lot of questions around the relevance of IHL, its pertinence and whether it is still fit for purpose. At the same

time, we could very strongly feel even before the International Conference that there was a sense of urgency to ensure that we, in a sense, reinvigorate and give a sense of purpose when it comes to IHL.

The resolution emphasizes the universal nature of IHL, and that word – universal – is very important because the Geneva Conventions are universally ratified. This means that all States have a responsibility to promote and uphold IHL. The essence of that resolution also reflects the Movement's scope and purpose, which are to protect civilians and ensure that the humanitarian principles which guide our work continue to serve those who are impacted by conflicts worldwide. This resolution really captures the essence of IHL, which I think is very important also because it provides the ICRC and the Movement with a further tool for engaging with States after the Conference.

How can we support States in translating this resolution into practice? A key example is support for national legislation, for which the ICRC has developed, over the past decades, tools for engaging with States. For example, model laws or checklists can help States design and adopt legislation to implement IHL in a manner that is fully compatible with their obligations. Another example is encouraging States to ratify additional IHL treaties and then translate and implement them into their own domestic legislation. It is also worth mentioning the crucial role played by dedicated national bodies such as national committees on IHL, as well as by National Societies disseminating IHL, in these endeavours. Finally, the ICRC is also very involved in training armed forces, including pre-deployment to a particular operational area. The ICRC has sought over the years to better understand what makes such training effective, and to share these findings with States, for example in its work on the roots of restraint in war.⁴ And of course, all of these efforts and systems can also form the underpinnings for an effective protection dialogue between the ICRC and parties to armed conflict.

This resolution really gives concrete examples of how IHL can be taken forward and how it can be strengthened now. The main challenges are the polarized environment, the increasing number of armed conflicts, the number of parties to those armed conflicts, and the identification of who is responsible for what, among others. But I would say that despite the fact of – or maybe because of – how the world looks today, there is an ongoing wide interest in IHL, and it often comes from unexpected corners, and so it gives us the opportunity to speak even more about IHL. It gives National Societies the opportunity to also raise awareness with the public. Other challenges may be related to resources, as typically the kind of regular, systematic and often painstaking engagement needed to create a culture of compliance with IHL requires specific skills and long-term dedication.

A good example of such long-term engagement is the engagement on nuclear weapons. The use of nuclear weapons would have a devastating effect on

4 Fiona Terry and Brian McQuinn, *The Roots of Restraint in War*, ICRC, Geneva, 2018, available at: www.icrc.org/en/publication/4352-roots-restraint-war (all internet references were accessed in January 2025).

populations, and responding to the effects of these weapons would far exceed the realistic capacity of any humanitarian organization. We spoke about this first in 1945. It took seventy-five years to get to the Treaty on the Prohibition of Nuclear Weapons. I'm not suggesting that everything takes that long, but influencing on legislation, on culture, on behaviour, takes a long time. In this regard we can work very closely with National Societies and the IFRC, and the resolution is a great tool in this respect.

Following the adoption of all resolutions by consensus at the International Conference, a number of States and National Societies made explanatory statements. Is this a new practice for the Conference? What impact does it have?

Eva Svoboda: The issuing of statements following the voting on or adoption of a resolution by consensus is a common practice both in the International Conference and in many other multilateral fora. It is foreseen in the Rules of Procedure for the Conference. At previous International Conferences, States have also made use of this option by giving statements after the adoption of resolutions by consensus. It may be useful to recall that the adoption of resolutions by consensus does not mean that there has to be unanimous agreement on a resolution; it merely means that no one *objects* to the adoption of the resolution. A consensus procedure enables all parties to allow a resolution to pass, even if it might not fully reflect the interests or decision of all.

At this year's International Conference, explanatory statements were made following the adoption of the resolutions by consensus. One such statement was endorsed by more than sixty-five governments and more than seventy National Societies, and it conveyed their position that IHL includes a binding obligation to "ensure respect" for its rules by others and expressed their wish that the resolution was stronger, even though they strongly supported the resolution that was adopted. Other statements clarified States' views in regard to other resolutions, and several States indicated that they were disassociating themselves from the resolution on protecting civilians from digital threats. In terms of the implications of such statements, as this is a normal procedure, foreseen in the Rules of Procedure of the International Conference itself, we should indeed see it as normal. States took a significant step forward with these resolutions, and their willingness to adopt them by consensus is important and should be valued in itself. At the same time, we fully respect the statements by States and National Societies who may have dissociated themselves, and we will continue to engage on all issues related to the resolutions in the same way that we have done leading up to the International Conference.

What is the significance of the resolution on protecting civilians from digital threats, and how does the Movement intend to address the unique challenges posed by information and communications technology [ICT] activities in conflict zones?

Eva Svoboda: The starting point of this resolution is the digital threats during armed conflict that we are all aware of. On the one hand, we see that digital technology and

connectivity are important for civilian populations to maintain contact with their loved ones and to access critical information such as where to seek safety. On the other hand, cyber and information operations pose new threats for affected people, such as cyber operations disabling civilian governance services or disrupting the provision of essential services like electricity, water or medical care; incitement of violence against civilian populations, as well as other violations of IHL, through social media and messaging apps; the disruption of humanitarian operations; the theft or leaking of humanitarian data; and disinformation undermining trust in humanitarian work.

The resolution is significant because through its adoption, it provides a common understanding of the potential human cost of ICT activities, clearly recognizing that cyber operations are today a threat to civilian populations affected by armed conflict and outlining some of the limits that must be respected in order to protect civilian populations, civilian critical infrastructure, medical facilities and humanitarian organizations against ICT activities.

It is hard to overstate the importance of the resolution. Multilateral discussions on the use of ICTs, and how international law applies to this, have been going on for over twenty-five years. However, these discussions have never had a humanitarian focus and thus the needs of populations affected by armed conflict were rarely considered. The protection of medical facilities or humanitarian organizations was barely mentioned despite the importance of protecting their life-saving services.

As for the law, questions around the application of IHL have long been controversial, with some States questioning whether IHL applies to cyber operations. However, with this resolution, we have a strong text that clearly states that IHL protects civilians against the risks of ICT activities, that calls for the protection of medical and humanitarian operations in accordance with existing IHL, and that calls on States to make IHL known and enforce it on their territory, including with regard to civilian hackers and tech companies.

Looking forward, how do you see the Movement's role evolving as it navigates both traditional challenges and challenges in new areas, such as the humanitarian impact of digital threats and the ethical considerations surrounding autonomous weapons? How will the movement prioritize and take forward the resolutions and commitments made at the 34th International Conference?

Eva Svoboda: While obviously implementation and overall compliance with IHL was a big theme, the spotlight sessions under this theme honed in on specific topics that are also relevant today but that we may hear a little less about, such as how IHL protects persons with disabilities in armed conflicts. This is an issue that the Movement has very much engaged on, but which is in my view still underreported. We also heard about the protection of the environment in armed conflict and the many ways in which States have worked to implement their obligations under IHL, and climate risks. Those are some of the issues that National Societies and the Movement more broadly face every day. They are

issues that impact the daily lives of the people whom the Movement serves, and National Societies are particularly well placed to deal with them, alongside the ICRC. We were very pleased to see so many States and National Societies adopting pledges at the International Conference to bolster their work in these crucial areas.

Olivier Ray: The Movement's role has been evolving for over 160 years to adapt to changing realities and humanitarian needs. What is a constant is that the Movement's unity is critical to its credibility and to the trust of communities and States in what it stands for. It is in this unity that our license to operate and our capacity to deliver for the populations most in need lie. Like in any big family, the Movement's unity is never a given – it needs constant efforts to cultivate the principles and values that bring us together despite the centrifugal forces of the geopolitical environment that surrounds us. So, maintaining that cohesiveness as a Movement, from our presidents to our newest volunteers, is certainly an effort that the Movement will pursue in the next few years.

Then, we need to focus on delivering on the pledges and resolutions of the International Conference – that is, implementing the Movement's commitments, but also doing our part in mobilizing States to implement theirs. National Societies, as humanitarian auxiliaries to their governments, can play a critical role here.

In this regard, in September 2024, the ICRC, together with Brazil, China, France, Jordan, Kazakhstan and South Africa, launched the Global Initiative on IHL, to ensure that IHL is a political priority at the highest levels of government across the geopolitical divides – an initiative which all States are encouraged to join.⁵ This is a way for the ICRC to play its role in mobilizing States to ensure that they deliver on some of the critical IHL-related commitments taken at the International Conference.

Another element which will be fundamental in the changing landscape around us is the work under way in the Movement on fighting the pervasiveness of misinformation and disinformation, as well as harmful narratives. The impact on populations affected by crisis and conflict is such that we will be working, as a Movement, on detecting, analyzing and responding to harmful information. There is an expectation that the Movement remains a trusted source of humanitarian information going forward, even in what some are referring to as the “post-truth era”. This is an area where the Movement can make a real difference in tackling new risks for humanitarian action and the populations we support.

At the next International Conference, as we do at every Conference, we will make sure to report on the progress achieved, but also on the challenges that we have encountered in delivering on these resolutions. The next Council of Delegates, in two years' time, will be an important milestone at which to take stock.

5 For more information, see ICRC, “Global Initiative to Galvanise Political Commitment to International Humanitarian Law”, available at: www.icrc.org/en/global-initiative-international-humanitarian-law.

Eva Svoboda: It shouldn't be seen as just going from one Council of Delegates to the next or from one International Conference to the next. Those are key moments in history or in time, providing an opportunity to report back, to put on the table particular issues, to adapt, to come together. But the actual work never really stops. It is not bound by these moments in time; it must continue without interruption.

Olivier Ray: I would like to end with an interesting soundbite that I heard from a diplomat in Geneva. This ambassador said: "The Conference struck me as a moment when the world was sick of being sick." Delegations to the Conference chose to depoliticize the conversations, and to take issues forward on a humanitarian basis. We could really feel it in the room. There was a sense of getting our act together for the populations affected by humanitarian crises around the world, leaving some of our institutional hats outside of the conference room. That's what we've witnessed. It shows that it *is* possible – that multilateralism isn't dead. It may also show that this special breed of multilateralism, which brings National Societies on board and relies on humanitarian principles, may have, in the current environment, slightly higher chances of success.