The Function of Political Declarations

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Outline

• What is a political declaration?
• Advantages of political declarations
• Common elements of political Declarations
• Impacts of political declarations
What is a Political Declaration?

• Commits states to political goals and standards of conduct

• Clarifies application of law and/or establishes progressive standards

• Politically although not legally binding
Advantages of Political Declarations

• Identify and codify areas of agreement
• Provide greater flexibility for adaption to national circumstances
• Help balance interests of stakeholders
• Contribute to the dynamic development of international law
Common Elements of Political Declarations

- **Problem statement**
- **Recognition of other relevant law**
- **Specific commitments**
“Armed violence—whether it occurs in the context of conflict or crime—is a fundamental challenge to our common humanitarian and developmental goals.”

Oslo Commitments on Armed Violence (2010)

“The widespread use of rape and other forms of sexual violence in armed conflicts around the world is one of the greatest, most persistent and most neglected injustices.”

Declaration of Commitment to End Sexual Violence in Conflict (2013)
References to International Law

“We recall that rape and other forms of serious sexual violence in armed conflict are war crimes and constitute grave breaches of the Geneva Conventions and their first Protocol.”

Declaration of Commitment to End Sexual Violence in Conflict (2013)

“We stress the importance, in all circumstances, of full respect for applicable international law, including the need to comply with the relevant obligations to end impunity.”

Safe Schools Declaration (2015)
Political Declaration on EWIPA

Introduction should include:

• Recognition of immediate and reverberating effects, and

• References to international humanitarian law.
Commitments

1. General commitment to end a humanitarian problem

“We commit ourselves ... to spare no effort to end the unlawful recruitment or use of children by armed forces or groups in all regions of the world.”

Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups (2007)

Child soldiers putting down their guns in a disarmament and release ceremony in Jonglei state, South Sudan, February 10, 2015
Commitments

2. Practical implementation measures, such as:
   a. Collecting best practices
   b. Training and education
   c. Capacity building

“Ministers also agreed to contribute to building the evidence base on the effective ways to prevent and respond to sexual violence in armed conflict and humanitarian emergencies.”

G8 Declaration on Preventing Sexual Violence in Armed Conflict (2013)
Commitments

3. Victim assistance

“Make every effort at a national level to ... provide assistance to victims.”

Safe Schools Declaration (2015)

“We commit ourselves ... [t]o ensure that any funding for child protection is made available as early as possible.”

Paris Commitments to Protect Children from Unlawful Recruitment or Use by Armed Forces or Armed Groups (2007)

A former child soldier stands during a ceremony to release children from the ranks of armed groups and start a process of reintegration © UNICEF
Commitments

4. Establishment and evolution of norms

“[Implement] fully existing instruments... and promoting the development of further international instruments, including legally binding ones.”


“[Review] national legislation, policies and procedures relevant to the protection of medical care in armed conflict.”

Political Declaration on the Protection of Medical Care in Armed Conflict (2017)
Commitments

5. Monitoring and compliance

“[Support] initiatives to measure the human, social and economic costs of armed violence.”


“Investigate allegations of violations of applicable national and international law and, where appropriate, duly prosecute perpetrators”

Safe Schools Declaration (2015)
Commitments

6. Continued efforts to end the problem

“We commit ourselves to pursuing this initiative in all appropriate fora and to meeting again no later than 2008 to assess our progress in achieving these goals.”

Geneva Declaration on Armed Violence in Development (2006)

“Support and encourage the development of the International Protocol on the documentation and investigation of sexual violence in conflict at national, regional and international levels, with a view to its conclusion in 2014.”

Declaration of Commitment to End Sexual Violence in Conflict (2013)
Elements of Political Declaration on EWIPA

• General commitment to stop the use of explosive weapons with wide area effects in populated areas
• Practical measures to implement that commitment
• Assistance for victims
• Establishment of norms, including adoption of national policies
• Data-gathering and sharing to promote monitoring
• Continued work, including in the form of regular meetings
Effects of Political Declarations

The effects of political declarations are dependent on:

• Specific commitments that are chosen.

• Follow-through by endorsing countries, international organizations, and civil society groups.
Concrete Improvements

• Violent incidents in schools decreased

• Militaries withdrew from schools

• Educational buildings rehabilitated and returned to authorities
Within two years, six countries updated their military manuals or policies.

Other states ordered armed forces to evacuate schools.
Information Exchange and Trainings

- GCPEA hosted regional workshops
- NATO incorporated scenarios involving attacks on education facilities in trainings
- ICRC provided technical advice and created handbook on implementation of Safe Schools Declaration
International Actions

- UN DPKO banned use of schools by peacekeepers
- Other UN bodies have embraced declaration’s standards
- UNSG and UNHCHR have called for more states to endorse declaration
- Endorsing states have held follow-up meetings

UN Secretary General António Guterres
Conclusion

• Political declarations:
  • Articulate widely accepted, clear, and strong standards.
  • Effectively reduce humanitarian harm.

• A political declaration represents critical step toward addressing civilian consequences of use of EWIPA with wide area effects.