

# International Humanitarian Law Knowledge Framework

For Australian Red Cross and Australian Humanitarian Agencies

September 2022



**Australian  
Red Cross**

**HUMANITARIAN  
ADVISORY GROUP**



# Acknowledgements

This Framework was prepared for Australian Red Cross by Humanitarian Advisory Group.

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Humanitarian Advisory Group would like to thank everyone who participated in the development of this International Humanitarian Law Knowledge Framework. Special thanks to Claire Cayzer and Fauve Kurnadi from Australian Red Cross for their support and input at various stages of the research process.

September 2022

# Contents

<b>Acknowledgements</b> .....	<b>2</b>
<b>Part 1: Introducing the Research</b> .....	<b>4</b>
Introduction .....	4
1.1 Why a framework to measure IHL knowledge? .....	4
1.2 What research have we done so far? .....	5
1.3 What has the research found? .....	6
<b>Part 2: The IHL Knowledge Framework</b> .....	<b>8</b>
2.1 About the framework.....	8
2.2 How to use the framework .....	8
<b>Part A: Rubric of IHL Knowledge Levels</b> .....	<b>11</b>
<b>Part B: IHL Knowledge Framework</b> .....	<b>13</b>
<b>Annex 1: International Humanitarian Law (IHL) Knowledge Framework and Baseline Survey (Summary)</b> .....	<b>16</b>
Part A: Rubric of IHL Knowledge Levels.....	18
Part B: Summarised version of the knowledge framework.....	19
<b>Annex 2: IHL Knowledge Mapping: Baseline Survey</b> .....	<b>21</b>

# Part 1: Introducing the Research

*"I thought it was really helpful; being able to have genuine conversations on IHL was really, really powerful for me... it shifted the power dynamic to be able to ground things".*

ANGO representative on IHL training they received as part of their operational role, during an interview for this research.

## INTRODUCTION



**International humanitarian law (IHL)** is a set of universally-accepted rules that seek to limit, for humanitarian reasons, the effects of war. The main purpose of IHL is to maintain some humanity in armed conflicts – saving lives, reducing suffering, and respecting basic human dignity. To do this, IHL protects people who are not or are no longer participating in hostilities, including wounded and sick soldiers, prisoners of war, medical personnel or aid workers, and all civilians. It also restricts the means and methods of warfare by placing limits on the types of weapons and military tactics used in armed conflict in order to limit unnecessary suffering.

*Source: Australian Red Cross*

Through its core mandate as a National Society of the International Red Cross Red Crescent Movement, Australian Red Cross has been engaging with and disseminating IHL to Australian-based humanitarian practitioners for many years. IHL is a permanent and central part of the operational and organisational identity of Australian Red Cross, which has been engaging with staff, volunteers and members, as well as the humanitarian sector at large, to further the reach and impact of IHL dissemination and implementation activities.

The principal objective of this project is to establish a framework for measuring the current level of IHL knowledge across different organisations and job profiles in the Australian humanitarian sector. The information will be collected through a baseline survey, with the ultimate aim of identifying opportunities to improve the sector's understanding and application of IHL for the benefit of communities affected by armed conflict.

### 1.1 WHY A FRAMEWORK TO MEASURE IHL KNOWLEDGE?

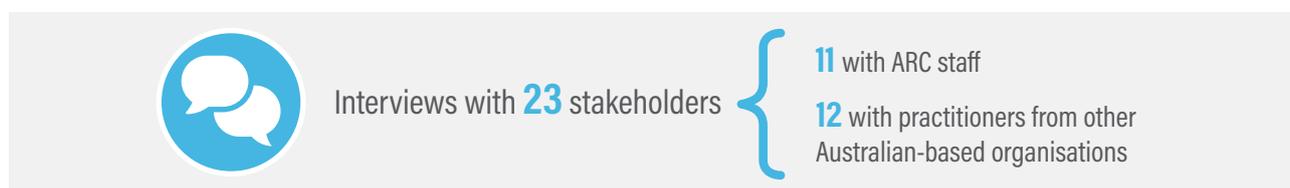
Australian humanitarian organisations often operate in situations where IHL knowledge is relevant. In some cases the linkages are clear, such as international programs in conflict-prone countries, or research and advocacy on issues of humanitarian concern. At other times the linkages may be less evident, for example for those working in finance, partnerships, risk management and HR roles in the sector, or as a spokesperson for the organisation when IHL issues are raised as part of public discourse.

As a result, personnel in different job profiles across the sector regularly engage in situations where IHL knowledge may be helpful, but they are not necessarily aware of it. At present, IHL knowledge across the sector appears highly varied but there are no benchmarks for determining what those levels are, what they should be, or whether there are clear pathways for strengthening IHL capacities when needed.

The information gathered through this framework will provide an evidence base for organisations to confirm the relevance of IHL across different facets of their work and determine the level of IHL knowledge and training that may be required for personnel across different profiles. Insights from this initiative can be used to track levels of IHL knowledge over time, to ensure it is maintained, and to identify opportunities to strengthen (or introduce) IHL knowledge where needed.

## 1.2 WHAT RESEARCH HAVE WE DONE SO FAR?

Australian Red Cross engaged Humanitarian Advisory Group (HAG) in mid-2022 to undertake a three-stage process to develop a framework to measure levels of IHL knowledge for the Australian humanitarian sector. Stage one included a review of related literature to understand how other organisations, if any, are measuring their activities and impact in this space. The team also examined if any other organisations are providing training and professional development courses on IHL and whether they have relevant resources to measure its impact.



Stage two focused on interviews with 23 stakeholders (11 with Australian Red Cross staff and 12 with practitioners from other Australian-based organisations) to explore their perspectives on the following key areas:

- ▶ the extent to which IHL knowledge is discussed, embedded and practiced within their organisations and their teams;
- ▶ concrete examples, where possible, of how IHL is applied in their work;
- ▶ the various ways they seek additional resources/support to strengthen their IHL knowledge; and
- ▶ their self-perceived indicators for success, that shows they have a requisite level of IHL knowledge to make an impact.

A sense-making discussion was held between the HAG and Australian Red Cross project team to discuss the findings from the literature review and interviews, to inform the draft framework (this document). The framework was presented to a small number of representatives of humanitarian organisations at an IHL Symposium in August 2022, providing an opportunity to introduce, test and refine the tools further. A baseline survey will be shared with participants after the symposium (to complete themselves and share with colleagues to do the same) to generate a picture of current IHL knowledge levels across the sector.

Phase three of the project will include collation and analysis of the survey results and ongoing engagement with interested staff from Australian humanitarian organisations, to guide them in utilising the framework and building IHL knowledge levels.

A note on limitations: Key informants were selected based on the contacts and connections of Australian Red Cross and HAG and therefore may reflect some bias. Given the timeframe of the project, convenience sampling was used with key stakeholders to take advantage of established relationships and known networks to access data.

Research phase	Process at a glance
<b>Phase 1:</b> Research, consultations and framework development	<ul style="list-style-type: none"> <li>▶ Literature review</li> <li>▶ Key informant interviews</li> <li>▶ Sense-making discussion</li> <li>▶ Research findings and development/finalisation of draft framework</li> </ul>
<b>Phase 2:</b> Framework revisions following sector engagement; baseline survey	<ul style="list-style-type: none"> <li>▶ Introducing the draft framework to the sector</li> <li>▶ Distribution, collation and analysis of baseline survey + results</li> </ul>
<b>Phase 3:</b> Ongoing engagement, implementation and monitoring	<ul style="list-style-type: none"> <li>▶ Australian Red Cross to take forward</li> </ul>

### 1.3 WHAT HAS THE RESEARCH FOUND?

 **Perceptions of IHL knowledge and practice within Australian Red Cross:** Staff perceived that there is a good understanding of Red Cross' fundamental principles and the role of IHL in it, but less understanding of how IHL is practically linked and relevant to their work.<sup>1</sup> They expect that those in higher leadership positions, particularly those in external engagement or spokesperson roles, have a deeper level of understanding of IHL.<sup>2</sup>

 **Perceptions of IHL knowledge and practice within other organisations:** Respondents of other organisations perceived that IHL is valuable and important but is not well embedded for various reasons. For some organisations, there is a perception that IHL is of limited relevance because their mandate and role has been to provide technical and grant management support to their country offices.<sup>3</sup> With other organisations, IHL knowledge has seemingly been “outsourced” to Australian Red Cross; interviewees described drawing on Australian Red Cross or in some instances the Australian Council for International Development (ACFID) to support on IHL as a result of a specific context or geographic event.<sup>4</sup>

 **IHL entry points:** There have been various opportunities identified for Australian Red Cross staff to develop or strengthen their IHL knowledge. One example is an induction program which covers the history of the International Red Cross and Red Crescent Movement and how it relates to IHL. IHL is also included to some extent in performance reviews (both induction and performance review processes are being re-designed), informal chats/team meetings within and across teams when IHL-related issues arise (e.g. Ukraine crisis), and through a two-day training program that is optional. Across most organisations outside Australian Red Cross, IHL training is not mandatory.<sup>5</sup> Opportunities to understand the level of IHL knowledge across staff is also not available.<sup>6</sup>

1 Interviews 1, 2, 3, 4, 5, 6, 7, 8, 9

2 Interviews 1, 2, 3, 4, 6, 7, 9, 10, 11

3 Interviews 15, 19, 20

4 Interviews 13, 14

5 Interviews 12, 13, 15, 16, 17, 18, 19, 20, 21, 23

6 Interviews 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23



**IHL application:** For most respondents within Australian Red Cross, IHL is considered fundamental to their role and they are able to provide concrete examples of how IHL intersects with and has been critical for them to successfully undertake their work.<sup>7</sup> For other staff, particularly those in corporate/support services roles, their understanding of those linkages is less clear.<sup>8</sup> For other organisations, some interviewees see the relevance of or have referred to IHL when undertaking advocacy with the Australian Government and the public, or other advocacy work within specific humanitarian contexts, e.g., protection of civilians/health care workers, and programming in fragile settings.<sup>9</sup> Interestingly, there is a perception from some interviewees that programming and policy discussions around IHL draw more from a need to minimise organisational risks (e.g. to prevent breaches of IHL and humanitarian principles by their own personnel) rather than promoting broader respect for IHL among their stakeholders and the public at large.<sup>10</sup>



**Measuring IHL knowledge:** All interviewees noted that they have not regularly assessed their IHL knowledge to understand potential gaps or areas for strengthening as there are no tools available that can guide such assessment. The literature reflects this reality as well – whilst many of these providers are evaluating their content and approaches (e.g. through course evaluations), there is a dearth of literature that assesses the impact of IHL as well as understanding the required levels of knowledge for certain roles and areas of responsibility within the humanitarian sector.

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7 Interviews 1, 2, 4, 5, 6, 7, 8, 9, 10

8 Interview 7

9 Interviews 12, 13, 14, 18, 20, 22, 23

10 Interviews 13, 17, 18

*Photo: © Rob Arcidiacono*



# Part 2: The IHL Knowledge Framework

## 2.1 ABOUT THE FRAMEWORK

The IHL knowledge framework has been developed primarily for use by Australian Red Cross to support their understanding of IHL knowledge levels internally and across the Australian humanitarian sector. However, it may also be relevant for other organisations interested in supporting, measuring and tracking the levels of IHL knowledge within their own organisations.

The framework comprises two components:

- A. A rubric which describes three levels of IHL knowledge: *Foundational, Advanced and Specialist*. These levels are then assigned to different profiles in the framework itself.
- B. A detailed framework which sets out eight organisational position types or areas of responsibility, identifies areas of intersection with IHL, indicates the level of IHL knowledge which is most appropriate, and presents examples of demonstrated knowledge that would be ideal for these roles.

## 2.2 HOW TO USE THE FRAMEWORK

The framework is designed for use by Australian Red Cross in conjunction with the baseline survey (see Annex). It should be used as a framework for analysing the data collected from the baseline survey, with a view to **measuring current levels of IHL knowledge**, identifying key trends and gaps for the consideration of the Australian humanitarian sector, and to inform any future training or other initiatives of Australian Red Cross or other organisations.

The framework can also be used for future surveys about IHL knowledge to support a consistent interpretation of findings and to **track the impact** of any initiatives by Australian Red Cross or other organisations to improve IHL knowledge levels over time.



## IHL Knowledge in action

During this research, members of the humanitarian sector in Australia were asked if they could share examples of the relevance of IHL in their roles and organisations. Here's a sample of what we heard:

- Several interview respondents described the importance of their staff having a good level of IHL knowledge for effective advocacy with government: *"It gives us important credibility when engaging with government"*.
- One interviewee regularly draws on her IHL knowledge when speaking to the media and communicating to the public. She described translating IHL's legalistic framework, which isn't compelling, into language that reflects IHL but is communicated in a way that the general public can engage with and understand.
- Several organisations described closely supporting their partners in Myanmar to navigate the political context following the February 2021 coup, with IHL knowledge a critical component of this support.
- One organisation provided specialised IHL training for project coordinators deployed to Iraq and Afghanistan, to ensure they could be effective negotiators and competent spokespeople for the organisation.
- Respondents reported their colleagues' understanding of IHL as key to their advocacy – to generate support for or to reinforce a particular convention.
- Using IHL messages as the basis for communicating issues of concern to the public was described as an effective way to generate support, including raising funds. One interview respondent said: *"People tend to respond well to the idea that the international order is being undermined or international laws are being broken"*. Agencies reported raising funds for responses in Afghanistan and Ukraine with this approach.

Photo: © Rob Arcidiacono



# Part A: Rubric of IHL Knowledge Levels

Foundational knowledge	Advanced knowledge	Specialist knowledge
<p>For humanitarian practitioners to have a <b>'Foundational'</b> level of IHL knowledge, they would ideally:</p> <ul style="list-style-type: none"> <li>▶ Know about the existence and purpose of the Geneva Conventions and Additional Protocols which have universal application in situations of international and non-international armed conflict, in particular regarding:               <ul style="list-style-type: none"> <li>• Protection of civilians and non-combatants</li> <li>• Protection of humanitarian aid</li> <li>• Protection of the Red Cross/Crescent emblem</li> </ul> </li> <li>▶ Understand IHL as foundational to the humanitarian principles (humanity, impartiality, neutrality, and independence).</li> <li>▶ Understand that humanitarian organisations can improve adherence to IHL and protection of people through building their own knowledge and advocacy efforts.</li> <li>▶ Be aware that other instruments also make up the body of the laws of armed conflict (eg. Conventions limiting the use of certain types of weapons).</li> <li>▶ Be aware that IHL has linkages to other international law such as human rights and refugee law.</li> <li>▶ Understand that governments and the International Red Cross Red Crescent Movement have a responsibility to make IHL known to all, including during peacetime.</li> <li>▶ Understand that all organisations engaging in humanitarian activities, domestically and abroad, should be aware of and adhere to the basic principles of IHL.</li> <li>▶ Know what they don't know, and as a result, know when to seek specialist IHL support.</li> </ul>	<p>For humanitarian practitioners to have an <b>'Advanced'</b> level of IHL knowledge, they would ideally:</p> <ul style="list-style-type: none"> <li>▶ Have a deeper understanding of the scope and content of the Geneva Conventions and Additional Protocols and existence of other key instruments.</li> <li>▶ Be able to describe the categories of protected persons/objects.</li> <li>▶ Understand the key principles of IHL, such as the principles of distinction, precautions, humanity and limiting unnecessary suffering, proportionality and military necessity.</li> <li>▶ Be able to identify some of the limits on the methods and means of warfare (eg. landmines, chemical weapons, cluster munitions etc).</li> <li>▶ Understand civil-military relations and the role of humanitarian organisations.</li> <li>▶ Know of the existence of the mechanisms for prosecuting war crimes.</li> </ul>	<p>For humanitarian practitioners to have a <b>'Specialist'</b> level of IHL knowledge, they would ideally have either 'Foundational' or 'Advanced' knowledge, and;</p> <ul style="list-style-type: none"> <li>▶ Have specialist knowledge based on their particular position profile and mandate of the organisation in a specific area of IHL, eg:               <ul style="list-style-type: none"> <li>• Protection of women</li> <li>• Protection of children</li> <li>• Detainees / prisoners of war</li> <li>• Prohibition of particular weapons</li> <li>• Civil-military relations</li> <li>• Logistics</li> <li>• Health</li> <li>• IHL dissemination and advocacy</li> </ul> </li> </ul>

# Part B: IHL Knowledge Framework

<b>Framework vision:</b>	Communities affected by armed conflict are provided with humanitarian and development assistance that is informed by, respects and actively upholds the principles of international humanitarian law.
<b>Framework objective:</b>	This framework is a practical tool for measuring the current level of IHL knowledge across different organisations and job profiles in the Australian humanitarian sector. The framework will be used to track current levels of IHL knowledge, help to ensure it is maintained, and identify pathways that can be sought to strengthen (or introduce) IHL knowledge where needed.
<b>Who should use this framework?</b>	The framework has been developed primarily for use by Australian Red Cross, to support their understanding of IHL knowledge levels internally and across the Australian humanitarian sector. However, it may also be relevant to other organisations interested in supporting, measuring and tracking the levels of IHL knowledge within their own organisations.
<b>What is the framework useful for?</b>	It is intended to be useful for, and used by, staff working across functions and at various levels within humanitarian organisations. It provides guidance on ideal IHL knowledge levels for managers and their team members and supports them to identify opportunities to strengthen that knowledge. The ultimate aim of this tool is to maximise the application of IHL in communities affected by armed conflict.

<b>Responsibility / role</b> <i>[Who needs to have IHL knowledge within aid or development orgs?]</i>  <i>*Note that different organisations will include different combinations of responsibilities in different roles, which should also be taken into consideration.</i>	<b>Rationale for IHL knowledge</b> <i>[Why do they need to have IHL knowledge?]</i>	<b>IHL knowledge level required (Foundational, Advanced, and/or Specialist)</b>  <i>[What do they need to know?]</i>	<b>Indicators of successful application of IHL knowledge</b>  <i>[How would this knowledge be demonstrated?]</i>	<b>Sources of verification</b>  <i>[What evidence can we point to?]</i>
<b>1. Leadership; Governance</b> <ul style="list-style-type: none"> <li>▶ Sets organisational principles, direction, culture, reputation</li> <li>▶ Internal and external communications and advocacy</li> <li>▶ High level engagement with government</li> <li>▶ Performance monitoring</li> </ul>	<ul style="list-style-type: none"> <li>▶ To ensure the organisation is fulfilling its humanitarian mandate, which includes understanding of and compliance with the key principles of IHL.</li> <li>▶ To play a leadership role both internally, across the sector and within the community at large in raising awareness about IHL and the need for the protection of civilians and humanitarian access.</li> </ul>	Advanced	<ul style="list-style-type: none"> <li>▶ Linkages between the basic concepts of IHL and the organisation's mandate, priorities and operations</li> <li>▶ References to IHL in relevant public statements, interviews, media</li> <li>▶ Organisation's mission/value statement/strategy reflects/acknowledges IHL and the principles that are derived from it</li> <li>▶ Ensures that organisation performance monitoring includes compliance with (or is not in conflict with) principles of IHL.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Organisational value statement</li> <li>▶ Mission statements</li> <li>▶ Strategic objectives</li> <li>▶ Organisational policies</li> <li>▶ Media, presentations and statements</li> </ul>

<b>Responsibility / role</b> <i>[Who needs to have IHL knowledge within aid or development orgs?]</i>  <i>*Note that different organisations will include different combinations of responsibilities in different roles, which should also be taken into consideration.</i>	<b>Rationale for IHL knowledge</b> <i>[Why do they need to have IHL knowledge?]</i>	<b>IHL knowledge level required (Foundational, Advanced, and/or Specialist)</b>  <i>[What do they need to know?]</i>	<b>Indicators of successful application of IHL knowledge</b> <i>[How would this knowledge be demonstrated?]</i>	<b>Sources of verification</b> <i>[What evidence can we point to?]</i>
<b>2. Strategy; Policy</b> <ul style="list-style-type: none"> <li>▶ Contributes to the organisation's strategy and advocacy priorities</li> <li>▶ Contributes to research and evidence gathering around key topics of humanitarian concern</li> <li>▶ Develops organisational positions and advocacy messages</li> </ul>	<ul style="list-style-type: none"> <li>▶ To assess the application of humanitarian principles and IHL in different settings as part of the monitoring of external trends and issues which affect the mandate and operations of the organisation</li> <li>▶ To drive the research agenda and prepare information for different stakeholder groups (internal and external) which should include, where relevant, the principles and application of different aspects of IHL.  Eg. Child protection, gender equality, Internally Displaced Persons (IDPs) and refugees, protection of humanitarian space etc.</li> </ul>	Advanced / Specialist	<ul style="list-style-type: none"> <li>▶ Actively links organisational strategy/policy to IHL where relevant</li> <li>▶ References to IHL in relevant organisational briefings/position papers</li> <li>▶ Includes IHL topics in relevant research initiatives</li> <li>▶ Keeps up to date with IHL developments on key topics of interest of the organisation (gender, child rights, shelter, health, protection, access etc)</li> <li>▶ Engages with other partners (eg. Australian Red Cross, ACFID) to access information and collaborate on the development of positions regarding IHL.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Position/advocacy papers (internal and external)</li> <li>▶ Presentations, briefings (internal and external)</li> <li>▶ Research projects, partnerships and collaboration on IHL issues</li> </ul>
<b>3. HR; People and Culture</b> <ul style="list-style-type: none"> <li>▶ Oversees position descriptions (in collaboration with management)</li> <li>▶ Recruits staff</li> <li>▶ Orients and inducts new staff</li> <li>▶ Monitors staff performance, code of conduct compliance</li> <li>▶ Oversees / links to staff professional development</li> </ul>	<ul style="list-style-type: none"> <li>▶ To ensure that any Code of Conduct for personnel includes relevant references to humanitarian principles and IHL.</li> <li>▶ To collaborate with management to ensure that relevant IHL knowledge is included in relevant position descriptions and skill requirements.</li> <li>▶ Where IHL knowledge is required for positions, ensuring this is included in the recruitment rubric and any testing requirements.</li> <li>▶ To ensure that foundational knowledge about IHL is included in relevant induction training.</li> <li>▶ To identify opportunities to advance IHL knowledge for relevant personnel through professional development plans.</li> </ul>	Foundational	<ul style="list-style-type: none"> <li>▶ Mapping of need for IHL knowledge across different positions/profiles</li> <li>▶ IHL knowledge included in relevant position descriptions and assessed during recruitment</li> <li>▶ IHL included in personnel inductions</li> <li>▶ IHL knowledge included in trainings and professional development of relevant staff</li> <li>▶ Partnerships with other organisation (such as Australian Red Cross) are established for training purposes.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Code of Conduct for personnel</li> <li>▶ Job descriptions</li> <li>▶ Induction training materials</li> <li>▶ Professional development courses / training opportunities</li> </ul>

<b>Responsibility / role</b> <i>[Who needs to have IHL knowledge within aid or development orgs?]</i>  <i>*Note that different organisations will include different combinations of responsibilities in different roles, which should also be taken into consideration.</i>	<b>Rationale for IHL knowledge</b> <i>[Why do they need to have IHL knowledge?]</i>	<b>IHL knowledge level required (Foundational, Advanced, and/or Specialist)</b>  <i>[What do they need to know?]</i>	<b>Indicators of successful application of IHL knowledge</b> <i>[How would this knowledge be demonstrated?]</i>	<b>Sources of verification</b> <i>[What evidence can we point to?]</i>
<b>4. Communications; Fundraising; Advocacy; External Relations, (incl. Government Relations)</b> <ul style="list-style-type: none"> <li>▶ Development of communications, public campaigns and advocacy plans</li> <li>▶ Engagement with the media and the public</li> <li>▶ Supporting advocacy initiatives</li> <li>▶ Supporting advocacy and engagement with government stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>▶ To identify opportunities where dissemination of IHL and key principles can be included in communications and advocacy plans. Eg. Child protection, gender equality, IDPs and refugees, protection of humanitarian space etc.</li> <li>▶ To ensure that communications about humanitarian situations in conflict settings are not undermining IHL principles and, where possible, are furthering public knowledge and understanding of relevant aspects of IHL.</li> <li>▶ To take opportunities to further strengthen the knowledge and application of IHL by key government stakeholders.</li> </ul>	Foundational / Specialist	<ul style="list-style-type: none"> <li>▶ Links identified between IHL and key advocacy, communications and fundraising priorities and themes</li> <li>▶ References to IHL included where relevant in press releases, media briefings, social media, campaigns.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Advocacy and public awareness / fundraising campaign strategies</li> <li>▶ Press releases, media briefings</li> <li>▶ Social media posts</li> </ul>
<b>5. Domestic operations; Programs (Australia-based)</b> <ul style="list-style-type: none"> <li>▶ Domestic program design, management and implementation</li> <li>▶ Training and preparation of personnel</li> <li>▶ Management of personnel</li> </ul>	<ul style="list-style-type: none"> <li>▶ To integrate IHL knowledge into relevant domestic programming to improve the overall quality of support to different stakeholder groups.</li> <li>▶ To ensure that domestic program personnel have relevant knowledge of IHL to perform their functions effectively.</li> <li>▶ To contribute specialist knowledge / support on IHL for specific program areas. Eg. personnel would benefit from awareness/knowledge about IHL when:               <ul style="list-style-type: none"> <li>• Working with new migrant communities and refugees who have experienced armed conflict / have strong social ties in countries experiencing armed conflict</li> <li>• Working with women /children directly/indirectly affected by armed conflict.</li> <li>• Provision of referral / legal / information services to stakeholders who may have been impacted by armed conflict.</li> </ul> </li> </ul>	Foundational / Specialist	<ul style="list-style-type: none"> <li>▶ Program/project documents identify links with IHL where relevant</li> <li>▶ IHL knowledge included in training of relevant program persone</li> </ul>	<ul style="list-style-type: none"> <li>▶ Program / project funding proposals, log frames and terms of reference.</li> <li>▶ Training materials</li> </ul>

<b>Responsibility / role</b> <i>[Who needs to have IHL knowledge within aid or development orgs?]</i>  <i>*Note that different organisations will include different combinations of responsibilities in different roles, which should also be taken into consideration.</i>	<b>Rationale for IHL knowledge</b> <i>[Why do they need to have IHL knowledge?]</i>	<b>IHL knowledge level required (Foundational, Advanced, and/or Specialist)</b>  <i>[What do they need to know?]</i>	<b>Indicators of successful application of IHL knowledge</b> <i>[How would this knowledge be demonstrated?]</i>	<b>Sources of verification</b> <i>[What evidence can we point to?]</i>
<b>6. International operations; Programs (internationally-based)</b> <ul style="list-style-type: none"> <li>▶ International program design, management and implementation</li> <li>▶ Training and preparation of personnel</li> <li>▶ Management of personnel</li> </ul>	<ul style="list-style-type: none"> <li>▶ To integrate IHL knowledge into relevant international programming to improve the overall quality of support to different stakeholder groups.</li> <li>▶ To ensure that program personnel have relevant knowledge of IHL to perform their functions effectively.</li> <li>▶ To contribute specialist knowledge / support on IHL for specific program areas.</li> </ul> <p>Eg. personnel would benefit from awareness/knowledge about the IHL when working in/around conflict affected countries on issues such as:</p> <ul style="list-style-type: none"> <li>• Civil-military engagement</li> <li>• Child protection / rights in conflict settings</li> <li>• Protection of women and GBV in conflict settings</li> <li>• Protection of civilian populations (including IDPs, refugees) in or from conflict settings</li> <li>• Protection and rights regarding specific humanitarian assistance in conflict settings (health services, shelter, food, education, logistics etc)</li> </ul>	Advanced / Specialist	<ul style="list-style-type: none"> <li>▶ Programme/project documents identify links with IHL where relevant</li> <li>▶ IHL knowledge included in training of relevant program personnel</li> </ul>	<ul style="list-style-type: none"> <li>▶ Program / project funding proposals, log frames and terms of reference.</li> <li>▶ Training materials</li> </ul>

<b>Responsibility / role</b> <i>[Who needs to have IHL knowledge within aid or development orgs?]</i>  <i>*Note that different organisations will include different combinations of responsibilities in different roles, which should also be taken into consideration.</i>	<b>Rationale for IHL knowledge</b> <i>[Why do they need to have IHL knowledge?]</i>	<b>IHL knowledge level required (Foundational, Advanced, and/or Specialist)</b>  <i>[What do they need to know?]</i>	<b>Indicators of successful application of IHL knowledge</b> <i>[How would this knowledge be demonstrated?]</i>	<b>Sources of verification</b> <i>[What evidence can we point to?]</i>
<b>7. Finance, donor relations, partnerships, legal, risk management, security</b> <ul style="list-style-type: none"> <li>▶ Financial management and accountability</li> <li>▶ Partnership development</li> <li>▶ Grant agreements</li> <li>▶ Donor relations</li> <li>▶ Legal and organisational risk management</li> <li>▶ Security (for field personnel)</li> </ul>	<ul style="list-style-type: none"> <li>▶ To ensure an organisationally-appropriate procedure is in place for reporting/responding to IHL abuses encountered or carried out by personnel domestically or abroad (eg. war crimes, use of illegal weapons, breaches of neutrality etc), and that all personnel are aware of the accountability system in place.</li> <li>▶ To ensure that all legal agreements, engagement with local partners and funding arrangements are in compliance with IHL, particularly as they relate to conflict settings (eg. neutrality, protection, provisions against diversion of resources etc).</li> <li>▶ To ensure that donors / funding partners and local operational partners are not actively participating in armed hostilities which may compromise the humanitarian principles of the organisation.</li> <li>▶ To ensure that staff deployed to conflict settings are provided with relevant security training and knowledge of IHL (eg. emblem use/abuse) to improve their overall safety and the organisation's reputation.</li> </ul>	Foundational	<ul style="list-style-type: none"> <li>▶ Procedures in place for addressing IHL abuses encountered or carried out by organisation personnel, donors, partners, and evidence of use</li> <li>▶ Legal agreements include specific IHL compliance measures as relevant</li> <li>▶ Training and awareness about IHL for relevant personnel, donors and partners.</li> </ul>	<ul style="list-style-type: none"> <li>▶ Whistle-blower and other reporting procedures</li> <li>▶ Legal agreements, partnership and funding contracts</li> <li>▶ Training materials</li> </ul>
<b>8. Learning and Development; Monitoring and Evaluation</b> <ul style="list-style-type: none"> <li>▶ Formal training</li> <li>▶ Setting Evaluation Terms of Reference, Monitoring and Evaluation and Key Evaluation Questions etc</li> </ul>	<ul style="list-style-type: none"> <li>▶ To track ongoing knowledge levels about IHL across the organisation.</li> <li>▶ To identify opportunities for formal organisational learning about IHL.</li> <li>▶ To include, where relevant, IHL considerations in the development of strategic, program and project evaluations. Eg. measuring the effectiveness of projects in the protection of children/women in conflict settings; the effectiveness of advocacy campaigns in raising awareness about IHL issue etc.</li> </ul>	Foundational / Specialist	<ul style="list-style-type: none"> <li>▶ Mapping of IHL knowledge (eg. collection of responses to Australian Red Cross baseline / monitoring surveys)</li> <li>▶ Partnerships with other organisation (such as Australian Red Cross) are established for training purposes</li> <li>▶ Terms of reference for MEL frameworks include references to IHL where relevant.</li> </ul>	<ul style="list-style-type: none"> <li>▶ IHL surveys</li> <li>▶ Training courses, materials</li> <li>▶ Monitoring, Evaluation, and Learning frameworks and Terms of Reference.</li> </ul>

# Annex 1: International Humanitarian Law (IHL) Knowledge Framework and Baseline Survey (Summary)

## *Understanding current levels of IHL knowledge within the Australian humanitarian sector*

### Background

**Australian humanitarian organisations often operate in situations where IHL knowledge is relevant.** In some cases the linkages are clear, such as international programs in conflict-prone countries, or research and advocacy on issues of humanitarian concern. At other times the linkages may be less evident, for example for those working in finance, partnerships, risk management and HR roles in the sector, or as a spokesperson for the organisation when IHL issues are raised as part of public discourse. As a result, **personnel in different job profiles across the sector regularly engage in situations where IHL knowledge may be helpful, but are not necessarily aware of it.**

**At present, IHL knowledge varies greatly** across the sector and across different types of roles but there are no benchmarks for determining what those levels are, what they should be or whether there are clear pathways for strengthening IHL capacities when needed. Previous research conducted by Australian Red Cross in 2019 led to the publication of the [‘Gaining Traction: Measuring the impact of IHL training’](#) report, which found that **IHL training and knowledge can be linked to improved humanitarian outcomes.** The ultimate aim of this project, therefore, is to support the sector to **know and use IHL to generate better outcomes for communities affected by armed conflict.**

As part of its strategy to ‘maximise the impact of IHL on people and communities impacted by armed conflict’, Australian Red Cross has an interest in supporting sector leaders to understand **what level of IHL knowledge and training their staff working in key roles would ideally have,** and to provide a useful tool and support for organisations to assess and build that knowledge.

Australian Red Cross recognises that it has a **unique IHL mandate** compared to other humanitarian agencies. For this reason and through this particular project, it seeks to **guide and support organisations** rather than impose standards across the sector or to fill all knowledge gaps in relation to IHL.

### Research project overview

In mid-2022, Australian Red Cross engaged a research team to develop **a framework for measuring the levels of IHL knowledge required for key roles** in the humanitarian sector, and **assessing current knowledge levels** through a baseline survey. Insights from this initiative will be used to **track levels of IHL knowledge,** help to ensure it is maintained, and identify pathways that can be sought to **strengthen (or introduce) IHL knowledge** where needed.

The framework development involved three stages;

1. **A review of related literature** to understand how other organisations in Australia and internationally, if any, are measuring their activities and impact in this space.
2. **Key informant interviews** with 23 Australia-based humanitarian practitioners to explore (i) their perspectives on the extent to which IHL is discussed, embedded and practiced in their organisations, (ii) the various ways they seek support to strengthen their IHL knowledge, and (iii) practical examples of IHL applied (or potential entry points for the same) in the course of their operations.
3. **Development of an IHL Knowledge Framework,** socialisation of the Framework with sector representatives and incorporating any revisions, and the completion of a baseline survey.

## What has the research found?

The literature review revealed that while organisations engaged in IHL training and education, in Australia and internationally, are evaluating their content and approaches, they **do not appear to be using frameworks, tools or other resources** to set and assess levels of IHL knowledge against key humanitarian roles. In this sense, an opportunity exists for the Australian humanitarian sector to play a lead role in this important work.

On the whole, interviews with Australian humanitarian practitioners suggested that **IHL is perceived as valuable and important, but is not well understood or embedded** in their respective organisations. For some organisations, there is limited reference to IHL because their mandate has been to provide technical support to country offices, with operational decision-making increasingly managed by locally engaged staff. For other organisations, interviewees described drawing on Australian Red Cross or in some instances the Australian Council for International Development (ACFID) for IHL information as needed for specific situations and contexts.

Sector representatives were largely supportive of a **simple, practical tool** that would help them to understand **what their staff in different roles would ideally know** with guidance to support organisations in this process.

## IHL knowledge in action

During this research, members of the humanitarian sector in Australia were asked if they could share examples of the relevance of IHL in their roles and organisations. Here's a sample of what we heard:

- ▶ Several interview respondents described the importance of their staff having a good level of IHL knowledge for effective advocacy with government: *"It gives us important credibility when engaging with government"*.
- ▶ One interviewee regularly draws on her IHL knowledge when speaking to the media and

communicating to the public. She described translating IHL's legalistic framework, which isn't compelling, into language that reflects IHL but is communicated in a way that the general public can engage with and understand.

- ▶ Several organisations described closely supporting their partners in Myanmar to navigate the political context following the coup, with IHL knowledge a critical component of this support.
- ▶ Respondents reported their colleagues' understanding of IHL as key to their advocacy – to generate support for or reinforce a particular convention.
- ▶ One organisation provided specialised IHL training for project coordinators deployed to Iraq and Afghanistan, to ensure they could be effective negotiators and competent spokespeople for the organisation.
- ▶ Using IHL messages as the basis for communicating issues of concern to the public was described as an effective way to generate support, including raising funds. One interview respondent said: *"People tend to respond well to the idea that the international order is being undermined or international laws are being broken"*. Agencies reported raising funds for responses in Afghanistan and Ukraine with this approach.

## What is in the IHL Knowledge Framework?

The draft framework comprises two parts:

- ▶ A rubric which describes three levels of IHL knowledge: *Foundational*, *Advanced* and *Specialist*. These levels are then assigned to different profiles in the framework itself.
- ▶ A detailed framework or matrix which sets out eight organisational position types or areas of responsibility, identifies areas of intersection with IHL, indicates the level of IHL knowledge which is most appropriate and presents examples of demonstrated knowledge that would be ideal for these roles.

## PART A: RUBRIC OF IHL KNOWLEDGE LEVELS

FOUNDATIONAL KNOWLEDGE	ADVANCED KNOWLEDGE	SPECIALIST KNOWLEDGE
<p>For humanitarian practitioners to have a '<b>Foundational</b>' level of IHL knowledge, they would ideally:</p> <ul style="list-style-type: none"> <li>▶ Know about the existence and purpose of the Geneva Conventions and Additional Protocols which have universal application in situations of international and non-international armed conflict, in particular regarding:               <ul style="list-style-type: none"> <li>• Protection of civilians and non-combatants</li> <li>• Protection of humanitarian aid</li> <li>• Protection of the Red Cross/Crescent emblem</li> </ul> </li> <li>▶ Understand IHL as foundational to the humanitarian principles (humanity, impartiality, neutrality, and independence).</li> <li>▶ Understand that humanitarian organisations can improve adherence to IHL and protection of people through building their own knowledge and advocacy efforts.</li> <li>▶ Be aware that other instruments also make up the body of the laws of armed conflict (eg. Conventions limiting the use of certain types of weapons).</li> <li>▶ Be aware that IHL has linkages to other international law such as human rights and refugee law.</li> <li>▶ Understand that governments and the International Red Cross Red Crescent Movement have a responsibility to make IHL known to all, including during peacetime.</li> <li>▶ Understand that all organisations engaging in humanitarian activities, domestically and abroad, should be aware of and adhere to the basic principles of IHL.</li> <li>▶ Know what they don't know, and as a result, know when to seek specialist IHL support.</li> </ul>	<p>For humanitarian practitioners to have an '<b>Advanced</b>' level of IHL knowledge, they would ideally:</p> <ul style="list-style-type: none"> <li>▶ Have a deeper understanding of the scope and content of the Geneva Conventions and Additional Protocols and existence of other key instruments.</li> <li>▶ Be able to describe the categories of protected persons/ objects.</li> <li>▶ Understand the key principles of IHL, such as the principles of distinction, precautions, humanity and limiting unnecessary suffering, proportionality and military necessity.</li> <li>▶ Be able to identify some of the limits on the methods and means of warfare (eg. landmines, chemical weapons, cluster munitions etc).</li> <li>▶ Understand civil-military relations and the role of humanitarian organisations.</li> <li>▶ Know of the existence of the mechanisms for prosecuting war crimes.</li> </ul>	<p>For humanitarian practitioners to have a '<b>Specialist</b>' level of IHL knowledge, they would ideally have either 'Foundational' or 'Advanced' knowledge, and;</p> <ul style="list-style-type: none"> <li>▶ Have specialist knowledge based on their particular position profile and mandate of the organisation in a specific area of IHL, eg:               <ul style="list-style-type: none"> <li>• Protection of women</li> <li>• Protection of children</li> <li>• Detainees / prisoners of war</li> <li>• Prohibition of particular weapons</li> <li>• Civil-military relations</li> <li>• Logistics</li> <li>• Health</li> <li>• IHL dissemination and advocacy</li> </ul> </li> </ul>

## PART B: SUMMARISED VERSION OF THE KNOWLEDGE FRAMEWORK

Roles/responsibility	Recommended level of knowledge	Rationale for IHL knowledge	Examples of successful application of IHL knowledge
<b>SENIOR LEADERSHIP ROLES</b> Leadership; Strategy; Policy	Advanced / Specialist	To ensure the organisation is fulfilling its humanitarian mandate, which includes understanding of and compliance with the key principles of IHL.  To raise awareness about IHL and the need for the protection of civilians and humanitarian access.  To assess the application of humanitarian principles and IHL in different settings as part of the monitoring of external trends and issues which affect the mandate and operations of the organisation	<ul style="list-style-type: none"> <li>▶ References to IHL in relevant public statements, interviews, media</li> <li>▶ Organisation's mission/value statement/strategy reflects/acknowledges IHL and the principles that are derived from it.</li> <li>▶ Keeps up to date with IHL developments on key topics of interest of the organisation</li> <li>▶ Engages with other partners to access information and collaborate on the development of positions regarding IHL.</li> </ul>
<b>PUBLIC-FACING ROLES</b> Communications; Fundraising; Advocacy; External Relations (incl. Government Relations)	Foundational / Specialist	To ensure that communications about humanitarian situations in conflict settings are not undermining IHL principles and, where possible, are furthering public knowledge and understanding of relevant aspects of IHL.  To take opportunities to further strengthen the knowledge and application of IHL by key government stakeholders.	<ul style="list-style-type: none"> <li>▶ Links identified between IHL and key advocacy, communications and fundraising priorities and themes.</li> <li>▶ References to IHL included where relevant in press releases, media briefings, social media, campaigns</li> </ul>
<b>PROGRAM/OPERATIONAL ROLES</b> Operations; Programs (Australia-based and international)	Foundational / Specialist (Australia-based)  Advanced / Specialist (international)	To integrate IHL knowledge into relevant programming to improve the overall quality of support to different stakeholder groups.  To ensure that program personnel have relevant knowledge of IHL to perform their functions effectively.  To contribute specialist knowledge / support on IHL for specific program areas.	<ul style="list-style-type: none"> <li>▶ Program/project documents identify links with IHL where relevant.</li> <li>▶ IHL knowledge included in training of relevant program personnel.</li> </ul>
<b>SUPPORT SERVICES ROLES</b> HR, Finance, Monitoring, Evaluation, and Learning (MEL), Security, Risk Management	Foundational	To ensure organisationally-appropriate procedures are in place for preventing/reporting/responding to breaches of IHL by personnel or partners.  To track ongoing knowledge levels about IHL across the organisation.  To identify opportunities for formal organisational learning about IHL.  To include, where relevant, IHL considerations in the development of strategic, program and project evaluations.	Procedures in place for addressing IHL abuses encountered or carried out by organisation personnel, donors, partners, and evidence of use.  Training and awareness about IHL for relevant personnel, donors and partners.  Terms of reference for MEL frameworks include references to IHL where relevant.

The full framework will be used by Australian Red Cross to analyse the data collected from the baseline survey, with a view to measuring current levels of IHL knowledge, identifying key trends and gaps for the consideration of the Australian humanitarian sector, and to inform any future training or other initiatives of Australian Red Cross or other organisations.

## How can the sector get involved?

Australian Red Cross and the research team presented the research and introduced the draft Framework during an IHL Symposium in Melbourne on 19 August 2022. This was envisaged as a 'working session' – an opportunity to discuss and revise the Framework and gauge its potential utility with the sector. Following this session, the

baseline survey will be shared with participants to complete and share within their organisations, encouraging colleagues to do the same. Australian Red Cross will collate and analyse the survey results as part of the next phase of this work.

*Photo: © Rob Arcidiacono*



# Annex 2: IHL Knowledge Mapping: Baseline Survey

## About this survey

- ▶ This is a baseline survey to take a snapshot of the current level of IHL knowledge among Australian humanitarian organisations, and across different roles within those organisations.
- ▶ The survey should be completed by multiple personnel from each organisation, spanning a mix of levels and roles, to reflect a wider perspective.
- ▶ No prior IHL knowledge is required, beyond that provided in the background to this survey.
- ▶ If you do not feel IHL is relevant to your organisation or your role, please consider completing this survey anyway, as that information is still useful for the baseline.
- ▶ **The survey includes a maximum of 25 multiple choice questions, and should take around 10 minutes, depending on whether you are able to contribute additional information/examples to support your answers.**
- ▶ Australian Red Cross will analyse the information collected against an IHL Knowledge Mapping Rubric, and this will inform the next phase of this research.
- ▶ This survey may be repeated in future, to help measure the level and impact of IHL knowledge across the sector over time.

## 1. Your details

This survey seeks to capture the baseline of IHL knowledge from **personnel in their current roles** across the Australian humanitarian sector.

**Your organisation:**

**Your current role:**

**Years/months in current role:**

**Brief description of current role:**

**If you would like to receive a copy of the survey results:**

**Name:**

**Email:**

## 2. About the work of your organisation

These questions help to determine the extent to which your organisation operates in environments which may be relevant to IHL.

No.	Question	Yes	No	Don't know
1.	My organisation works in areas and/or or engages in issues concerning armed conflict, in Australia or internationally.			
2.	My organisation works or engages with people in Australia who have been affected by armed conflict (eg. migrants/refugees)			
3.	My organisation engages with the Australian Government (please specify which departments and/or agencies further below)			
4.	My organisation is committed to the Sphere Humanitarian Charter and/or other internationally recognised humanitarian principles.			
<p><b>If yes</b> to any of the above, please give some examples.</p>				

## 3. Level of organisational knowledge about IHL

These questions help us to understand the extent to which your organisation directly engages with IHL.

No.	Question	Yes	No	Don't know
5.	My organisation acknowledges the importance/relevance of IHL and other applicable legal frameworks in key strategic plans and relevant publications.			
6.	My organisation includes IHL topics in staff/volunteer training.			
7.	My organisation includes IHL topics in its public-facing communications messaging, when relevant.			
8.	My organisation discusses IHL topics as part of its internal communications and/or engagement with partners (eg. governments, private sectors, other humanitarian organisations).			
<p><b>If yes</b> to any of the above, please give some examples.</p>				
<p>Could you comment on any <b>barriers</b> to IHL knowledge within your organisation? What might be preventing your organisation from offering or accessing additional IHL training?</p>				

## 4. Level of personal knowledge about IHL

Descriptions of knowledge levels:

<b>Nil/Limited</b>	<b>Foundational</b>	<b>Advanced</b>	<b>Specialist</b>
No or very limited knowledge of IHL.	Aware of the Geneva Conventions and their main principles. Aware of the linkages between IHL and other areas of law (human rights, refugee). Aware of the key responsibilities of different actors/organisations in ensuring respect for IHL.	Have a good knowledge of the Geneva Conventions and other instruments that make up the body of IHL. Able to identify categories of persons/objects that should be protected in situations of armed conflict. Knowledge about limits on the methods and means of warfare.	Have IHL knowledge about one or more specific areas. Eg: Protection of women / children, detainees / prisoners of war, prohibition of particular weapons, civil-military relations, IHL dissemination and advocacy.

These questions provide a general understanding of the extent to which you consider IHL is relevant to your work and your level of knowledge.

<b>No.</b>	<b>Question</b>	<b>Highly relevant</b>	<b>Somewhat relevant</b>	<b>Marginally relevant</b>	<b>Not at all relevant</b>
9.	Overall, the relevance of IHL to my current role is...				
10.	How would you describe your level of knowledge about IHL (see descriptions above)	<b>Nil/limited</b>	<b>Foundational</b>	<b>Advanced</b>	<b>Specialist</b>

## 5. Application of IHL knowledge

<b>No.</b>	<b>Question</b>	<b>Yes</b>	<b>No but could be relevant</b>	<b>Not relevant</b>
11.	IHL knowledge is included in my job description.			
12.	I am aware of linkages between IHL and the mandate, priorities and operations of my organisation.			
12.	I am familiar with my organisation's general position on IHL and relevant IHL topics.			
14.	I have an adequate level of knowledge about IHL to perform my role effectively.			

15.	I ensure that personnel under my management have and/or maintain an adequate level of IHL knowledge to perform their roles effectively.			
16.	I know where to seek further guidance on IHL issues as needed.			
If <b>yes</b> to any of the above, please give some examples.				

## 6. Application of IHL knowledge across different roles

These questions are specific to different types of roles in your organisation:

- a. Senior leadership, governance, policy and planning
- b. Public-facing communications, stakeholder engagement, advocacy, donor relations, research
- c. Program operations and management, HR, MEL, finance and risk/security (domestic or international)

Please complete the questions in the category which is most relevant to your current role. If your role involves a combination of several different categories, please complete questions in all categories that apply.

### a. Roles involving senior leadership, governance, policy and planning

No.	Question	Yes	No but could be relevant	Not relevant
	<b>Within the past 12 months...</b>			
17.	I have discussed IHL topics with colleagues <u>within</u> my organisation in my professional capacity.			
18.	I have discussed IHL topics with stakeholders <u>outside</u> of my organisation in my professional capacity.			
19.	I have made one or more strategic decisions concerning my organisation's engagement with IHL (eg. strategy, operations, communications/advocacy, training, HR etc)			
20.	I have contributed to an organisational culture which encourages awareness and continued learning about relevant IHL topics.			
If <b>yes</b> to any of the above, please give some examples.				

**b. Roles involving public-facing communications, stakeholder engagement, advocacy, donor relations and research**

No.	Question <b>Within the past 12 months...</b>	Yes	No but could be relevant	Not relevant
21.	I have discussed IHL topics with external stakeholders in my professional capacity.			
22.	I (or my team) have included IHL topics in publications, reports, social media and other public platforms produced on behalf of my organisation.			
23.	When relevant opportunities have arisen, I have ensured that public-facing communications furthers public awareness about IHL or knowledge on specific IHL topics.			
<b>If yes</b> to any of the above, please give some examples.				

**c. Roles involving program operations and management, HR management, training, MEL, finance and risk/security (domestic or international)**

No.	Question <b>Within the past 12 months...</b>	Yes	No but could be relevant	Not relevant
24.	I have discussed IHL topics with colleagues and other stakeholders in my professional capacity.			
25.	I have contributed to the development of (or am familiar with) my organisation's procedures, if any of our personnel witness or are party to a breach of IHL.			
26.	I have included IHL considerations, where relevant, in the development of monitoring, evaluation and accountability frameworks in my area of responsibility.			
27.	I have included relevant IHL considerations in the development of security / risk management frameworks in my area of responsibility.			
<b>If yes</b> to any of the above, please give some examples.				

**Thank you very much for taking the time to complete this survey.**

A final question before you go: **Do you have any comments/suggestions/reflections about this baseline mapping, or anything else you would like to note?**