

***Recommendations based on the General Report to the
18th Congress of ISMLLW
(as approved by the General Assembly on the 8th of may 2009)***

The International Society for Military Law and the Law of War at its 18th Congress, held in Tunis 5-8 May 2009, considering the responses received to its Questionnaire, having taken into consideration the current discourse on the applicability of international humanitarian law and international human rights law to contemporary military operations, including peace operations, has adopted the following recommendations:

- 1.** Encourage States to enter into a dialogue with the ICRC on the results of the ICRC Study on International Customary Humanitarian Law.
- 2.** Encourage States to identify and implement guidelines and best practices with regard to the use of principles of international humanitarian law and international human rights law in peace operations, without prejudice to full compliance with the rules of either or both of these bodies of law when they apply as a matter of law.
- 3.** Encourage States to identify and implement guidelines and best practices for the use of weapons in peace operations. Guidelines should include specifications including restrictions and prohibitions, on means such as Riot Control Agents (RCA), rubber and plastic bullets, expanding bullets and incendiary weapons.
- 4.** Encourage States to identify and implement general guidelines and best practices for the use of non-lethal weapons, including situations for their use and for the training of personnel in their use.
- 5.** Encourage States to take into consideration that Rules of Engagement (RoE) are an operational tool. They reflect political and military considerations of the respective operation, while they must be in accordance with the law.