



INTERNATIONAL COMMITTEE
OF THE RED CROSS



INTERNATIONAL INSTITUTE
OF HUMANITARIAN LAW



INTERNATIONAL HUMANITARIAN LAW, HUMAN RIGHTS AND PEACE OPERATIONS

4-6 September 2008

Sanremo, Italy

- 09.30-12.30 **OPENING SESSION - Opera Theatre of the Casino**
- Opening address** **Ambassador Maurizio MORENO**, President, International Institute of Humanitarian Law
- Welcome addresses** **Honorable Vincenzo SCOTTI**, Former Minister for Foreign Affairs, Secretary of State for Human Rights, Italy
Dr. Claudio BOREA, Mayor of Sanremo
- Keynote address** **Dr. Jakob KELLENBERGER**, President, International Committee of the Red Cross
- Addresses** **Honorable Pier Virgilio DASTOLI**, Director of the Representation in Italy of the European Commission
Ambassador Claudio BISOGNIERO, Deputy Secretary-General, NATO
General Vincenzo CAMPORINI, Chief of the Defence General Staff, Italy
Lieutenant General Roland NEF, Chief of the Swiss Armed Forces
Honorable John BELLINGER III, Legal Adviser to the Secretary of State, U.S. Department of State (to be confirmed)
Dr. Massimo BARRA, President, Italian Red Cross
- 12.30-14.00 Lunch
- 14.00-18.00 **PLENARY SESSION - International Conference Centre, Grand Hotel Londra**
- Theme I** **The applicability of international humanitarian law to peace operations**
- Moderator** **Prof. Michel VEUTHEY**, Vice-President, IIHL; Associate Professor, Institut du Droit de la Paix et du Développement, University of Nice – Sophia Antipolis
- Session 1** ***Peace operations, an operational and a legal concept***
Speakers a. The evolution of peace operations, from interposition to integrated missions
 Ms Jane HOLL LUTE, Assistant Secretary-General for Peacekeeping Operations, United Nations (to be confirmed)
 b. The legal framework of peace operations, from Chapter VI to Chapter VIII of the United Nations Charter
 Prof. Louis BALMOND, University of Nice – Sophia Antipolis
 c. Discussions
- Session 2** ***The applicability of international humanitarian Law to peace operations: a settled issue?***
Speakers a. The applicability of international humanitarian law to peace operations, from negation to acceptance
 Dr. Daphna SHRAGA, Senior Legal Advisor, Office of Legal Affairs, General Secretariat of the United Nations
 b. International humanitarian law and peace operations, scope of application *ratione materiae*
 Prof. Marco SASSOLI, University of Geneva
 c. International Humanitarian Law and operations conducted by the European Union
 Mr. Gert-Jan Van HEGELSOM, Legal Advisor, Council of the European Union
 d. Discussions
- 19.30 **CONCERT FOR PEACE** by the Symphonic Orchestra of Sanremo – Villa Ormond
- 20.30 Official Dinner – Villa Ormond

09.00-12.30

PLENARY SESSION

Theme II

The applicability of international humanitarian law to peace operations: specific issues

Moderator

Prof. Nicolas MICHEL, former Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

Introductory Session

Interaction of the legal regimes in peace operations

Speakers

a. Peace operations and the complementarity of human rights law and international humanitarian law

Prof. John P. CERONE, Associate Professor, Director, Centre for International Law and Policy, New England School of Law

b. The legal status of United Nations and associated personnel in peace operations and the legal regime protecting them

Dr. Ola ENGD AHL, National Defence College, Sweden

Session 1

The law of occupation: a corpus juris relevant for peace operations?

Speakers

a. The applicability of the law of occupation to peace forces

Dr. Tristan FERRARO, Legal Advisor, International Committee of the Red Cross

b. Substantial relevance of the law of occupation for peace operations

Dr. Marten ZWANENBURG, Legal Advisor, Ministry of Defence, The Netherlands

c. Discussions

Session 2

IHL and the administration of territories by the United Nations

Speakers

a. Administration of territories by the United Nations: is there room for IHL?

Prof. Steven Ratner, Law Faculty, University of Michigan

b. International territorial administration as ‘trusteeship’ – why accountability is needed, and why it has not been forthcoming

Dr. Ralph WILDE, Faculty of Law, University College London

c. Discussions

12.00-14.00

Lunch break

14.00-19.00

SEPARATE SESSIONS

Theme III

Implementation of international humanitarian law in peace operations

Working Group 1

Peace operations and the protection of civilians

Moderator

Prof. Mario BETTATI, Special Representative of the Minister of Foreign Affairs, France; Member of the Council, IIHL

Speakers

a. The responsibility to protect: an introduction

Prof. Edoardo GREPPI, Professor of International Law, University of Torino

b. Protection of civilians in peace operations, or the ‘operationalisation’ of the responsibility to protect

Mr. Gareth EVANS, President, International Crisis Group (to be confirmed)

c. The responsibility to protect and international humanitarian law

Prof. Michael BOTHE, Emeritus Professor, Law Faculty, University of Frankfurt am Main (to be confirmed)

Working Group 2

Peace operations and detention

Moderator

Dr. Baldwin DE VIDTS, Legal Advisor to the Secretary-General, NATO; Vice-President, IHL

Speakers

a. Right to detain during peace operations: some legal and operational issues

Mr. Bruce OSWALD, Senior Lecturer in Law, Melbourne Law School

b. The legal framework of administrative detention

Ms Jelena PEJIC, Legal Advisor, ICRC

c. Detention in peace operations: a practical approach

Lieutenant Colonel Jérôme CARIO, Ministry of Defence, France

d. Discussions

Working Group 3

Peace operations and the repression of IHL violations

Moderator

Prof. Fausto POCAR, President, ICTY; Vice-President, IHL

Speakers

a. The role of peace forces in searching persons charged with war crimes

Prof. Theodor MERON, Professor of International Law; former President, ICTY; Judge, Appeal Chamber, ICTY; (to be confirmed)

b. The cooperation between peace forces and the International Criminal Court (ICC)

Ms Olivia SWAAK-GOLDMAN, International Cooperation Adviser, Jurisdiction, Complementarity and Cooperation Division, Office of the Prosecutor, ICC

c. Preventing and reporting violations of IHL

Prof. William H. TAFT, Former U.S. Permanent Representative to NATO; University of Stanford; Member of the Council, IHL

Working Group 4

Responsibility and compensations for damages caused during peace operations

Moderator

Ms Elinor HAMMARSKJOLD, Director, Department of International Law and Human Rights, Ministry of Foreign Affairs, Sweden

Speakers

a. Operational command versus organic command: who is in charge?

Admiral Ferdinando SANFELICE DI MONTEFORTE, Italian Military Representative to the EU and NATO

b. Violations of IHL committed during peace operations: where does international responsibility lie?

Prof. Pierre KLEIN, Professor of International Law, *Université Libre de Bruxelles*

c. Violations of IHL committed during peace operations and individual criminal responsibility

Ms Maria TELALIAN, Legal Advisor, Ministry of Foreign Affairs, Greece

17.00 – 19.00

PLENARY SESSION

Relations between humanitarian organisations and peace forces

Moderator

Ms Ndioro NDIAYE, Deputy Director General, International Organization for Migration (IOM); Member of the Council, IHL

Speakers

a. The operational dimension

Dr. Denis CAILLAUX, former Secretary-General, CARE International

b. The legal framework of the civil-military relationship and the contribution of international humanitarian law

Prof. Dr. Wolff HEINTSCHEL von HEINEGG, University of Viadrina, Frankfurt/Oder

c. Does the “mediatisation” of peace operations contribute to the implementation of IHL?

Ambassador Benoît D’ABOVILLE, former Permanent Representative of France to NATO; Counsellor, Court of Auditors

d. Discussions

19.30

Cocktail – Hotel Londra

- 09.00-10.15 **Reports of the Working Groups on the applicability of international humanitarian law to peace operations**
- Group 1
 - Group 2
 - Group 3
 - Group 4
- 10.30-12.00 **PLENARY SESSION**
- Theme IV** **Implementation of international humanitarian law in peace operations**
- Session** *The teaching, dissemination and implementation of international humanitarian law in peace operations*
- Moderator** **Judge Hisashi OWADA**, International Court of Justice
- Speakers
- a. General introduction
Brigadier General Erwin DAHINDEN, Head of International Relations, Ministry of Defence, Switzerland; Member of the Council, IIHL
 - b. The ICRC perspective
Prof. Jacques FORSTER, Member of the International Committee of the Red Cross; Member of the Council, IIHL
 - c. The United Nations perspective
Expert of the United Nation (to be confirmed)
Colonel Ben Klappe, former Special Assistant to the United Nations Military Adviser
 - d. The NATO perspective
Dr. Baldwin DE VIDTS, Legal Advisor to the Secretary-General, NATO, Vice-President, IIHL
 - e. The African Union Perspective
Ambassador Ramtane LAMAMRA, Peace and Security Commissioner, African Union Commission (to be confirmed)
 - f. The European Union perspective
Mr. Frederik NAERT, Legal Service, European Union
 - f. Discussions
- 12.00-13.00 **CONCLUSIONS OF THE ROUND TABLE**
- Concluding remarks** **Dr. Philip SPOERRI**, International Committee of the Red Cross, Director of International Law and Relations with the Movement
- Closing address** **Ambassador Maurizio MORENO**, President, IIHL

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This is a provisional programme.

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