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INTERNATIONAL
INSTITUTE
OF HUMANITARIAN LAW
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NEWSLETTER



The International Institute of Humanitarian Law wants to remember His Holiness John Paul II, passed away on 2nd April, who received a delegation of the Institute more than 20 years ago. Below the speech of His Holiness on the occasion of the special audience for the representatives of the International Institute of Humanitarian Law on 18th May 1982.

Dear Friends,

The International Institute of Humanitarian Law, which you represent, is of relatively recent foundation, but the aims that it pursues correspond to age-old aspirations of the human race. Indeed, it exists to further the protection by international law of rights that are part of man's very nature. I am therefore very happy to meet you and to express to you my appreciation of your work.

The growing body of international humanitarian law safeguarding man's primary requirements – such as life and physical integrity, freedom and moral dignity – finds solid foundation and true value only in connection with human rights that exist prior to the drawing of agreements between States on the matter.

The State authorities have the obligation to respect these rights both in international relations and in dealing with their own citizens.

The Charter of the United Nations and many other documents provide a solid basis today for this view. Man can no longer be considered merely as an object to be dealt with by international law, as some would have had it: he is the original subject of basic rights not conferred on him extrinsically, rights that have direct relevance for international order and that are binding on all authorities.

International humanitarian law has experienced a considerable development in recent times. Christianity offers this development a basis in its affirmation of man's autonomous value and pre-eminent dignity a person with his own individuality, complete in his essential constitution, and endowed with rational consciousness and freedom of will.

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His holiness John Paul II among the delegation of the Institute. On his right the President of the Institute, Prof. Jovan Patrnogic and the former Secretary General, Judge Ugo Genesio



Thirty-five Years Ago

On 19th December 1969 six people from different countries met in the town hall of San Remo, Italy, as a promotional committee for the establishment in this city of an international organisation aiming at the study, development and dissemination of humanitarian law.

A number of worthy non governmental organizations dedicated to the protection of human rights had emerged during the sixties throughout the world, not so in the field of humanitarian law, namely the complex body of norms deeply rooted by a long tradition in the international community intended to ensure protection of the human being in emergency situations, where life or physical integrity and moral dignity are seriously threatened, mainly but not solely in cases of armed conflict. Consequently, the intense efforts in this field made by international institutions and the Red Cross movement were receiving limited support

from non governmental organisations.

The promotional committee, as its first initiative, organised a congress entitled "Human rights as the basis of international humanitarian law", which was held in San Remo from 25 to 27 September 1970 under the high patronage of the President of the Italian Republic. More than one hundred scholars and experts from different parts of the world, representatives of governments, international bodies and non governmental organisations attended. The proceedings underlined the interdependency and common foundation of the principles of humanitarian law and human rights law and concluded with the adoption of a "Declaration of San Remo" which not only reaffirmed fundamental legal principles on the protection of the human being, but also encouraged efforts aimed at the improvement

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In past centuries too, the Christian view of man inspired the tendency to mitigate the traditional ferocity of war, so as to ensure more humane treatment for those involved in the hostilities. It made a decisive contribution to the affirmation, both morally and in practice, of the rules of humanness and justice that are now, in duly modernised and specified form, the nuclear of our present-day international conventions.

It is because international humanitarian law has as its basis the rights of which the human person is the original and autonomous subject that that law is universal in its applications. It applies everywhere and in every circumstance, in peace and in war, in normal times and in emergencies due to internal political disturbances and tensions or caused by natural disasters.



Pope John Paul II and Professor Patrnoxic, President of the IHL

In spite of the efforts made in modern times on the juridical level to rule out the use of war as a legitimate means of dealing with international disputes, armed conflicts of various kinds continue to be stirred up in one area or another. International humanitarian law must be imposed in the conflicts. There are recognised rules that have now been universally accepted by the common conscience of the peoples of the world, and these rules must also be observed.

But international humanitarian law must also give attention to the fate of the growing number of refugees seeking asylum: those people, young and old, who require every kind of material and moral assistance after seeing their family broken up. It must give attention to the peoples of the Third World condemned to underdevelopment and hunger, while a ruinous competition goes on for the possession of ever more plentiful and murderous weaponry. It must give attention to those who are persecuted for political reasons, many of them arrested and detained without any safeguards against the abominable practice of torture, and in some cases made to disappear while their relatives grieve and the authorities keep silence. It must give attention to the victims of natural disasters and those provoked by man, in order that international solidarity may come to their aid in the fullest way and with the most effective means available.

In short, international humanitarian law is for the whole of suffering mankind: for the injured, prisoners, the weak, the helpless, the poor, the oppressed.

Its observance or non-observance is a real test for the ethical foundation and for the very reason for existence of the international community.

I pray God to assist your esteemed institute in spreading knowledge of humanitarian law, in fostering its development and in ensuring its concrete application at all levels.

May God bless your efforts, both as individuals and as a group, in pursuit of these noble aims. An may he also inspire many other others to work generously and wholeheartedly for this all-important cause.

33rd Refugee Law Course



The 33rd Refugee Law Course was held at Villa Ormond, the official seat of the IHL, from the 12 to 16 of March and it was run in French. It gathered together 28 participants coming from 21 different countries, most of them from the Africa continent.

Delegation of Norwegian students visited the IHL liaison office in Geneva

A delegation of about 30 Norwegian students from the Norwegian Human Rights Institute, visited the liaison office of the IHL on the 21st January 2005. The President of the Institute, Prof. Dr. J. PATRNOGIC welcomed all students and informed them about the various activities of the Institute. The President also drew attention to the current problems of International Humanitarian Law and emphasised on the non respect of fundamental humanitarian principals in armed conflict situations.

The Vice president of the Institute, Dr. Michel Veuthey, gave a lecture on the promotion and implementation of International Humanitarian Law. Students participated actively in the discussion and examined some humanitarian problems, in particular concerning the respect of Humanitarian Law in situations of violence. They were grateful that the International Institute of Humanitarian Law had accepted to organize the visit.



Meeting with the Italian Ambassador

On the 2nd March 2005, the President of the IHL had a lunch hosted by the Ambassador Bruni, Head of the Permanent Mission of Italy in Geneva where more than twenty Ambassadors participated as well as representatives of different International Organizations such as UNHCR, ICRC and UNHCHR. This lunch was organized by Ambassador Bruni on the occasion of IHL's 35th anniversary. On this occasion, the President of the Institute Prof. J. PATRNOGIC presented a historical document to the assembly signed in 1975 in Geneva by 40 Ambassadors supporting IHL's initiative to organize the second Round Table on the Current Problem of International Humanitarian Law, from 3 to 6 September 1975 in Sanremo. He also reported on the Institute's current activities and its achievements over last 35 years. The President briefly informed the guests about the International Conference on the "Application of International Humanitarian Law, Human Rights and Refugee Law: UN Security Council, Peacekeeping Forces, Protec-



tion of Human Beings in Disaster Situations" which will take place from 8 to 10 September 2005 in Sanremo. The President invited all present guests to participate in the conference.

The role of the Institute and its contribution within the International Humanitarian Community for the promotion, dissemination and teaching of Human Rights, Humanitarian Law and Refugee Law was mentioned and the President answered to all questions asked by Ambassadors. Ambassador Bruni thanked very much all distinguished guests and representatives of the Institute for their work and efforts.

NEWS

FROM THE MILITARY DEPARTMENT

From January to April the Institute ran several different Military Courses:

- **110th International Military Course on the Law of Armed Conflict**, from 7th to 18th March with 17 participants coming from 12 different countries;
- **4th Competition on the International Humanitarian Law for Military Academies**, from 4th to 8th April, with the participation of the following Military Academies from the following Countries: Australia, Belgium, Canada, Finland, France, India, Ireland, Greece, Netherlands, Russian Federation, Serbia-Montenegro, Sweden and USA. There were 112 participants, including cadets, members of teaching staff and observers.
- **111th International Military Course on the Law of Armed Conflict** (in English with a Russian-speaking class), from 18th to 29th April, with 31 participants from 17 countries.



Group picture of the 110th Course



Participants of the 111th Course during a working session

4th Competition on IHL for Military Academies

Indian National Defence Academy team bags third place

Khadakwasla (Pune), May 31 (PTI): A team from the National Defence Academy (NDA) has bagged the third place at an international competition beating participants from various developed countries.



The team from the Indian NDA, winner of the third prize

At a competition on 'International Humanitarian Law' held last month at San Remo, Italy in which 21 military academies from countries such as the US (West Point), Russia, France, Australia, Canada, Greece and Sweden participated, a team from NDA won acclaim by bagging the third place, an NDA release said here today.

Kevin Baff, Head of the International Committee of the Red Cross, New Delhi, which sponsored the NDA delegation's participation, was at the academy to witness the Passing-Out Parade and compliment the team members on their performance at the competition.

The NDA team comprised Captain Suraj Chambial, cadets T. Hariteja, Ameya A. Sawant and P. S. Sidhu.

"It is a path-breaking step for the NDA as this is the first time that any military academy from Asia or the third world has taken part in this event," the release said.

From «The Hindu», Tuesday, May 31, 2005. Original text available at: <http://www.hindu.com/thehindu/holnus/001200505311613.htm>



Professor Patrnoic, President of the IIHL, with the delegation of the Serbia-Montenegro Military Academy



Cadets studying before an exercise

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and harmonisation of existing international instruments and the study of measures to ensure their effective application.

The International Institute of Humanitarian Law was subsequently established on 26 September 1970 with its purpose "to disseminate, reaffirm and develop humanitarian law at the national and international level". The constitution of this non-profit organisation was signed by thirty-three people, mainly lawyers, coming from thirteen countries. The headquarters of the Institute were set up in San Remo, in the historic Villa Nobel, where Alfred Nobel lived and conceived his famous will establishing the prizes bearing his name. Paolo Rossi, a distinguished lawyer and later chairman of the Italian constitutional court, served as first president of the Institute.

The International Institute of Humanitarian Law had no financial support at its beginning, but it did have a strong and vivid ideal. Its work developed due to the voluntary dedication of leading members and collaborators. In fact, the Institute has been working without interruption for thirty-five years now. Throughout these years, its activity has always been characterised by constant efforts to link both the study of and the search for solutions to current problems with a wider outlook on the role of the international community and its inspiring principles.

The Institute has been concerned with all different aspects of humanitarian law, taken in its broadest sense as applying to various situations and various categories of victims. Such perspective is helpful not only to provide a valid basis for an organic interpretation of the system of international law, but it also affords a better perception of the relationships between the different branches of that law and the basic principles applicable in different situations, so as to render protection for the individual more effective.

On the whole, throughout its thirty-five year history, the Institute has made a remarkable contribution to the areas of humanitarian law and human rights. All members of the international community are beneficiaries of this accomplishment.

Ugo Genesio
*Secretary General of the IIHL
since 1970 through 1999*



IFRC



ICRC



UNHCHR



UNHCR



IIHL

International Conference

8 – 10 September 2005

Sanremo, Italy

"Application of International Humanitarian Law, Human Rights and Refugee Law: UN Security Council, Peacekeeping Forces, Protection of Human Beings in Disaster Situations"



Under the High Patronage of
the President of the Italian Republic
Carlo Azeglio Ciampi

The Council and the General Assembly of the Institute officially meets on 23 and 24 April 2005 in Sanremo.



The Institute participated at the Alternative World Water Forum (FAME/ Forum Alternatif Mondial de l'Eau) which was held in Geneva from 17 to 20 March 2005.



Class V B from the Istituto Tecnico Commerciale "C. Colombo" of Arma di Taggia (a small village close to Sanremo), visited the Institute on 21st April where they attended a lecture on the general principles of Humanitarian Law, Human Rights Law and Refugee Law.

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