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INTERNATIONAL
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NEWSLETTER



'35 Years of permanent humanitarian dialogue' Another important milestone has been reached and what a success story!

In its 35 years of existence the Institute has organized more than 300 events including military courses, refugee law courses, human rights courses, special expert meetings and conferences, as well as round tables on current issues of international law. As a consequence, the Institute has established a dialogue with over 15,000 participants which is surely proof of its success and in-depth experience in the humanitarian field. However, having said this, success also presents a challenge to its future. Indeed, what does the future hold for the Institute? Certainly, its members should work on ways to assure the full recognition of its role, promote its activities further, and maximize its potential. Sanremo is no longer famous just for its

contribution to solving the key humanitarian issues of today.

The Institute must address these issues from a broad perspective, taking into account the specific interests of the different stakeholders, including those of international institutes and governments. These parties must be able to rely on the Institute as a practice-oriented and professionally organized forum offering useful and timely debate and analysis of certain important humanitarian topics at all times. The Institute should maintain and reinforce close co-operation with leading



international humanitarian organisations, institutes and research institutions in developing and implementing its work so it can continue to count on their expertise and input.

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flowers and its annual 'Festival della canzone Italiana', it has also become a city of peace and humanitarian dialogue. Indeed, Alfred Nobel, forerunner of the Nobel Prize for Peace, contributed to this new spirit. He lived part of his life in Villa Nobel, here in Sanremo, where he wrote his famous will establishing the prizes bearing his name. The Institute's philosophy and consequent mission to promote, teach and disseminate international humanitarian law highlight this spirit, but its independence, neutrality, informality and flexibility must be maintained.

In the face of a rapidly changing humanitarian arena, and confronted with a growing number of institutional competitors, the Institute must undertake increased and sustained efforts to plan, implement and publicize its work as a real and needed

SPIRIT OF SANREMO

"A prisoner of war is a man who tries to kill you and fails, and then asks you not to kill him.", Winston Churchill, the Observer, 1952.

My path to IIHL

A small city along the coast of Northern Italy, San Remo is home to a very unique organisation. I was fortunate enough to complete an internship at the International Institute for Humanitarian Law (IIHL) from April to June 2005. My internship coincided with the 35th year of operation for IIHL, which made my experience all the more exciting.

I am a final year student in Bachelor of Commerce (Finance) and Bachelor of Law (Honours) at the University of Wollongong, Australia. To gain a law degree in Australia, it is necessary to undertake a number of legal placements. Generally this requirement is satisfied by undertaking clerkships with a few of the major corporate law firms in Sydney or Melbourne. However, my passion for international law and cooperation brought me to IIHL.

Upon my arrival, I attended Mr Juhani Loikannen's welcoming address for the 111th International Military Course on the Law of Armed Conflict. As the Director of IIHL's Military Department, Mr Loikannen highlighted that what made the IIHL experience distinctive was the 'Spirit of San Remo'. Throughout my time, I too came to be influenced and guided by this spirit that Mr Loikannen spoke of. I believe that the 'Spirit of San Remo' is a little different for everyone who comes to IIHL, however I shall attempt to explain what it meant for me.

My work at IIHL

Most of my work involved the compilation and organisation of data on the number of participants at the events held by IIHL. My Finance background was very useful for this, as accuracy and a love for achieving

it made the work very enjoyable. Identifying the 4,000th participant to attend the International Military Course on the Law of Armed Conflict was an immensely rewarding experience.

Completing this analysis, I was also struck by the extraordinary mix of people who come to attend the IIHL events. The statistics really came to life for me when I attended the 34th Refugee Law Course. Individuals come to San Remo with entirely different and diverse backgrounds. They work in different fields; for government, UN agencies, or NGOs; have different qualifications as lawyers, military personnel or as academics.

But I found that all these people were united by a common underlying objective. While difficult to describe in a few words, I perceived this as a common desire to find greater and effective cooperation and harmony amongst people. IIHL helps individuals and States meet their international obligations. It also addresses and supports this underlying, common objective of those who attend. This is equally applicable to combat situations, the promotion of human rights and assisting refugees.

A journey in the IIHL Library

The resources of the library and expertise of Mrs Shirley Moren greatly enhanced my experiences at IIHL. A major component of my internship was research for my Honours thesis for Law. Essentially this is the application of international humanitarian law upon private military companies. Being able to access the resources of the IIHL library, and the knowledge and experiences of attendees and staff of the Institute has been immensely beneficial. My thesis will be completed by June 2006 and I look forward to sharing this work with all those who contributed.

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- International Conference 8-10 September 2005
- Spirit of Sanremo
- 34th Refugee Law Course

Meeting on International Humanitarian Law and Human Rights June 09-11 2005 Porec, Croatia

The Institute was invited to participate in an international meeting organized by the Croatian Red Cross regarding the implementation of International Humanitarian Law and Human Rights in the South-East European countries.

*Conclusions of the Meeting on IHL
and Human Rights
June 09 - 11 2005
Porec, Croatia*

Discussion on incorporation and implementation of basic provisions of IHL in legal systems of the Southeastern European countries included exchange of opinions and further elaboration of earlier Croatian Red Cross initiative for more effective measures in protection of prisoners in modern warfare and detainees in detention centres. Emphasizing permanent values of the Principles of the Red Cross Movement, participants of the Meeting adopted the following conclusions:

A) International Humanitarian Law

Intensify education on IHL and Human Rights in the society as a whole and specifically for some categories (army, police and medical personnel, administration of justice)

Intensify IHL and Human Rights implementation through the existing institutions and support the establishment of institutional network in countries where these have not been established

Encourage states to incorporate international customary law and agreements into national legislation.

Intensify coordination among members of the Red Cross and Red Crescent Movement as well as with other institutions involved with these issues.

Further develop and strengthen IHL implementation, specifically follow up and proposals of effective methods of protection of prisoners and custodians in detainees' camps established in future international and non-international conflicts.

B) Asylum

Request the Government of the Republic of Croatia for support to the Croatian Red Cross to detect, soonest possible, in cooperation with the Ministry of Foreign Affairs, adequate location for the asylum seekers' Centre. Experience of the Croatian Red Cross in running temporary asylum center in Sašna greda should be used as a model in the permanent asylum centre.



Intensify information activities of the CRC, in cooperation with the Ministry of the Interior, among local population and administration in permanent asylum centres as well as in places of integration of persons with approved asylum. These activities should be coordinated with the centres for social welfare, other authorized institutions and NGOs involved in this issue.

Organise permanent information for the general public about obligations related to solution of asylum seekers and integration of persons with approved asylum in compliance with adopted and signed international agreements.

Involve the Croatian Red Cross and the Croatian Law centre into the working group of the Ministry of Interior in proposals for changes and additional amendments to the law on asylum seekers.

C) Victims of trafficking in human beings

Significant results have been achieved in national coordination, education, victim's identification and public awareness additional to the so far achieved results of the Government of Republic of Croatia, NGOs and international organisations in combating trafficking in human being. The following has been recommended consequently:

Enhance legal mechanism for better protection of victims of trafficking in human beings.

Better inform representatives of judiciary system, thus assuring more appropriate punishment of perpetrators indicted for trafficking in human beings.

Further strengthen cooperation among NGOs and civil society in implementation of the National program until 2008

Distinguish NGOs proficient in combating certain aspects of trafficking in human beings.

Continue data processing and establishing database criteria

Involve in this process all parties involved in combating trafficking

Continue cooperation with international organisations, specifically IOM, in program implementation

Continue regional and global cooperation with all institutions involved in combating trafficking

from the first page

The leadership and management of the Institute must be able to count on the presence of a dynamic mix of volunteers and appropriately remunerated personnel. While the Institute relies on the service of paid experts, where funded projects are concerned, it also selects and engages highly qualified experts in humanitarian issues who are prepared to contribute to its substantial work as volunteers. It is very important that the Council members of the Institute show increased responsibility in assisting with policy development, liaising, fund raising and programme planning, and generally contribute to publicising the Institute and promoting its international role.

Members of our Institute and our volunteer force have shown their spirit of service, dedication to the humanitarian cause and readiness to respond to appeals for co-operation by contributing their professional knowledge, reputation, position and experience unconditionally, and always on a voluntary basis. This very characteristic is one of the fundamental reasons that has led to the success of the Institute's 35-year commitment.

Prof. Jovan PATRNOGIC
President of the Institute

5th Summer Course on International Humanitarian Law

The 5th Summer Course on International Humanitarian Law was successfully held from 4 to 16 July in Sanremo and Geneva. It gathered together around 65 participants coming from different regions of the world, including developing countries.

Among the lecturers there were several famous and important scholars such as Prof. Yoram DINSTEIN, from Tel Aviv University and Prof. George Abi-Saab from the Graduate Institutes of International Studies of Geneva.



On 30th May the Institute participated in an exposition held in Sanremo at "Villa Nobel", its first official seat at the beginning of its activities, where several documents and pictures of all Nobel Peace laureates were exposed.



NEWS

FROM THE MILITARY DEPARTMENT

The Military Department organises 7 different training events this year amounting to 14 courses altogether. Since April the following courses have been arranged:

- **112th International Military Course on the Law of Armed Conflict**, from 9 to 20 April. There were 29 participants from 14 countries attending this course which was in French. The **4000th participant** attending the International Military Courses on the Law of Armed Conflict was also among the participants. He was **Ma-**

ior General José RASAMOELINA from Madagascar.

- **113th International Military Course on the Law of Armed Conflict**, from 30 May to 10 June had 34 participants from 17 countries.

- **The 2nd Course on International Human Rights and Humanitarian Law in Peace Operations** was from 13 to 17 June. 29 participants from 17

countries attended. Considering all the military courses organised by the Institute the **5000th participant** attended this course. He was **Lt. Colonel SPIERIN from Ireland.**

The **Escola de Aperfeiçoamento de Oficiais da Aeronáutica (EAOAR)**, in Rio de Janeiro, Brazil, organised a Law of Armed Conflict seminar, Fórum Sobre Direito Internacional dos Conflitos Armados, from 12 to 13 July 2005. The EAOAR invited Lt. Col.(ret.) Juhani Loikkanen, Director of Military Department to attend the seminar and make presentations on the International Institute of Humanitarian Law and its Course for Planners and Controllers of Air Operations on the Law of Armed Conflict.



Group picture of the 112th Course on the Law of Armed Conflict



Major General José RASAMOELINA from Madagascar, 4000th participant of the International Military Courses on the Law of Armed Conflict



Lt. Colonel SPIERIN from Ireland who was the 5000th participant of all the Military Courses organized by the Institute since 1976

Mr. Loikkanen, Director of the Military Department giving a presentation about the Institute at the EAOAR seminar



113th International Military Course on the Law of Armed Conflict



Lt. Colonel Leveillé receiving a leaving gift from the Secretary-General

A reason for arranging this seminar and inviting a person from the Institute may be found in the invitation letter sent to the Institute. The following was mentioned in this letter:

"As you know, we eventually have been assigning Brazilian Air Force officers to attend the International Courses on the Law of Armed Conflicts sponsored by this Institute. The results have been the best ones. Students have acquired a high level of performance in the knowledge of LOAC. By that means, EAOAR became center for disseminating principles of Humanitarian Law in the Air Force."

There were about 70 participants, most of them senior officers from all the services in Brazil. The next seminar may take place next year.

Lieutenant Colonel Mario Leveillé from Canada who was deployed to the Institute in October 2002 has completed his three year assignment here and was deployed to Germany starting in the beginning of July 2005. Lieutenant-Colonel Leveillé's skills and expertise were important elements in achieving good results in all activities the Military Department carried out. We wish him the best in his next assignment in Germany.

2nd Course on International Human Rights and Humanitarian Law in Peace Operations



CROSSING THE AFRICAN SKIES

Impressions on the 34th REFUGEE LAW COURSE

The mountains, plateaux, deserts and hills of Africa had a great salute when I hailed to Sanremo in Italy searching for the fountain of knowledge in refugee law. When the eagle of Africa landed in Italy from the southern tip of Africa (South Africa) blazed with joy. The African eagle folded its wings when it got to Villa Silva hotel when it was welcomed and had time to walk down the beach stretching its legs and assess the atmosphere as if to grab its prey with its claws and people of Sanremo.



I must first thank Dr Baldini and Ms Robert for affording me this opportunity to reflect on the 34th Refugee Course Law course and also the entire staff of the International Institute of Humanitarian Law for the tireless job they are doing at the Institute. The course was well organised and thanks to Patricia Panizzi for all logistics regarding the course. I had an opportunity to attend the refugee law course which I found very interesting and useful for the purpose of understanding the concepts and implementation of international law. The course was well structured where the participants were provided with valuable material to understand and give meaning to the concepts. The theoretical aspects were followed by the practical aspects which made it easy to understand the concepts pertaining to the refugees. The practical part consisted of analyzing the real case study and group discussions. This enabled participants to show their technical skills, problems solving and decision making skills. It is an open secret that when dealing with refugees one has to attain such skills because of the technicalities involved in terms of who is eligible to become a refugee or be granted asylum to the host country. This means that officials who are working with refugees need to be open minded and continue to acquire knowledge from the experts to supplement their understanding of international law.

The facilitators were very good and had practical experience and different backgrounds. The course covered important issues such as persecution, determination of refugee status, internally displaced persons, protection of refugees and asylum seekers. The course touched some challenges facing the international community such as fatigue of the host country and the problems of influx control. Many developing countries are facing problems of lack of monetary re-

sources and capacity to handle the refugees in their countries. These challenges need to be minimized as much as possible as they cause difficulties for humanitarian assistance.

I have realised that the problem the world is facing is a uniform problem that can be found in each continent of the world. The problem in Africa is not unique to the one in Europe, Asia or America. It is high time that the international community unite and fight the refugee problem. These problems tend to spill over into other countries which is evidence that we are living in the global village. These problems are facing each one of us everyday.

I would like to conclude by highlighting the fact that my expectations have been met by this course. I would recommend that the Institute perhaps look at having a branch in Africa which could assist in creating an awareness of these courses throughout the continent. I believe that governments are not aware of these courses that could be valuable to them in capacitating their officials. The problems they have (governments) could be eliminated. Another problem could be the fact that some governments are willing to invest in people. The good work done by the International Institute of Humanitarian Law should be taken to another level where it is needed most, that is Africa. As my interest is in labour law I have identified some gaps which need to be researched as those more especially related to refugees and labour. I would like to keep in touch with the Institute so that I can be informed of its activities. It is important to send people into training but followed up by intensive research programme I find out the effectiveness of the training to the participants in their home country. I know this is a daunting task which should not be ignored.



I know that the Institute has been there for quite sometime and knows its vision and mission. I would like to make a contribution to the Institute as it gave me a wonderful experience to interact with people all over the world to share information and I came across different cultures. Keep up the good work and I hope to see you again.

Mr. Lawrence MOTEBELE
Nelson Mandela Metropolitan University

from the first page

The people of IIHL

The mix of Italian staff with international staff, military and civilian, provides an environment conducive to the dissemination of international humanitarian law. I feel very fortunate to have met and worked under Professor Jovan Patnagic, the President of IIHL. To meet someone with such extraordinary knowledge and understanding of international affairs, combined with an immense passion for a better world, is an experience that I certainly treasure. I believe that the success of IIHL reflects this dedication and vision of Professor Patnagic. It appears rare to really believe in the message of where you work and with whom you work. Yet it is exactly this that makes IIHL so unique.

Spirit of San Remo

At IIHL, I continually was struck by the abundance and mix of nationalities of both staff and participants. At the military courses it is extraordinary to view a sea of different military uniforms. It is certainly possible to learn about international humanitarian law, human rights and refugee law in a national or regional environment. However, the diversity of participants represented at IIHL creates a truly international environment. People come to San Remo ready to share their culture and perceptions. I believe that this unique atmosphere furthers understanding and dissemination.

I was deeply moved by the speech of a participant in the 111th International Military Course on the Law of Armed Conflict. He gave a kind speech, speaking of the things he had learnt with IIHL, and then thanked the organisation, concluding with striking conviction that this teaching would save lives. The importance of such knowledge and understanding is recognised in the Preliminary Remarks of the Geneva Conventions of August 12, 1949: "experience has shown that the daily lives of prisoners may depend on the interpretation given to a general rule."

In UNHCR's Agenda for Protection the UN High Commissioner for Refugees states, "Protection in exile is not enough. Refugees need both protection and solutions." IIHL offers a forum for where solutions may be found. Personally, I was most impressed by a participant from Uganda who spoke of the refugee situation in his country. This participant stated that despite having more than 2 million refugees, the Ugandan government has managed to establish an effective system of self-sufficiency for refugees. Information on such success is normally beyond the teaching of international law, yet at IIHL it is available.

Memories of San Remo

Now as I write my thesis I have much to remind me of San Remo and IIHL. I particularly value my wealth of memories of people and events. IIHL offers a forum for dissemination that deals with the realities of international law. It faces real problems that have potential to cause despair in today's world. Yet the message of IIHL is a positive and determined one. For me, this is the 'Spirit of San Remo'.

Keely Aleathea CONSTANCE BOOM
Intern at the IIHL
from 18/04/2005 to 10/06/2005



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