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INTERNATIONAL
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NEWSLETTER



XXXI Round Table on "International Humanitarian Law, Human Rights and Peace Operations"

The international community is increasingly engaged in international peace operations in various regions of the world. The scenarios in which these operations are carried out result from internal conflicts where non-state actors make the dynamics of conflict and post-conflict extremely complicated. In such situations, peace operations (peacekeeping, peace enforcement, peacebuilding) transform themselves in stabilization and reconstruction missions in which other players, such as NGOs, also play a role.

The context in which peace operations initiate and develop is essentially characterized by the permanence of a conflict of low, medium or high intensity, sometimes latent, where the application of international humanitarian law is a priority.



Questions concerning the applicability of humanitarian law to international peace operations have been widely debated without reaching a unanimous agreement on key issues such as the protection of civilians, the responsibility for damage caused, the use of armed force, the employment and the administration of the territories in which the operation is deployed.

The Round Table on "International Humanitarian Law and Human Rights in International Peace Operations" follows the international seminar on "International Peace Operations and International Humanitarian Law" organized by the Institute, in co-operation with the *Centro Alti Studi per la Difesa* and the *Società Italiana per l'Organizzazione Internazionale*, held in Rome on March 27.

The Round Table represents an important moment for the international community to get together. It offers an opportunity to discuss the most current and vital issues regarding international humanitarian law and its applicability freely and constructively to professionals of multilateral diplomacy, representatives of the United Nations and other international organizations, members of the Red Cross and Red Crescent Societies, experts and researchers.

The Round Table, involving several hundred experts and international officials, aims at making the international community aware of

these crucial issues, encouraging a comprehensive overview of the practice which contributes to the affirmation of values regarding the respect of international law, conflict prevention and peace.

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AWARD TO THE INSTITUTE

During a solemn ceremony held on the "Amerigo Vespucci" - the prestigious school tall ship of the Italian Navy - the International Institute of Humanitarian Law was awarded a prize for its publication "Manual on International Law applicable to armed conflicts at sea", a work of great international legal value and currently used by many Armed Forces worldwide, in special recognition of its firm commitment to the promotion of International Humanitarian Law and Human Rights. The prize was handed to the President of the Institute, Ambassador Maurizio Moreno, by the Minister of Economic Development Claudio Scajola and the Chief of Staff of the Italian Navy, Admiral Paolo La Rosa.



Ambassador Moreno, President of the IIHL and Dr. Claudio Scajola, Minister of Economic Development

Reform of the IIHL Military Department and its initiatives

"The one who stops to get better is not good any longer"

The courses of the IIHL Military Department have long been praised by the participants attending and have regularly received high marks in the course evaluations. Does this mean that IIHL teaching can continue to use the same modules for ever?

The world in general and the world our IIHL course participants,

mainly military commanders and Staff officers, are living in has changed a lot in the last decade. Today, most armed forces are involved in peace operations. These operations have become much more complex since 2001, because in the theatres of operation we notice the emergence of a growing number of armed non-state actors using violence to achieve political, ideological or economical objectives.

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How much force may peace-keepers use to fulfil their mandates and to protect their own forces? What law applies, and how should peace-keepers operate under their rules of engagement? While there is still a need to know classical international law of armed conflict, soldiers must also be familiar with human rights and other topics of international law related to military operations in complex emergency operations.



Group picture of the Advisory Board

That is why, on 19 November 2007, the IIHL Council decided to task a small international expert group, chaired by Brigadier Erwin Dahinden, Switzerland, to review the activities and organization of the IIHL Military Department and its courses, submitting proposals for improvement to the Council. The Advisory Board was also tasked to revise the International Military Course on International Humanitarian Law, sometimes referred to as the "Basic Course".

So far, the Advisory Board has convened four times, twice in Winterthur, once in Berne on invitation of the Swiss Government, and once in Sanremo. A first interim report was submitted to the Council for its March 31st meeting. The Advisory Board looked into the following issues and made concrete suggestions to the Council:

- analysis of the strengths and weaknesses of the IIHL Military Department and its activities;
- mission statement and strategy for the military department;
- pending issues related to infrastructure and premises and suggestions to find a durable solution for the Institute;
- better positioning of the Sanremo Military Courses in the international environment of IHL teaching/training;
- staffing and services;
- training / teaching strategy and branding of the Institute;
- courses contents and methodology.

On 31st March the Council made a number of important decisions, based on the Advisory Board's suggestions concerning the future orientation of the military courses. The Council issued the new mission statement of the Military Department as follows:

"To establish IIHL as a leading organization at the present international level offering benchmark training for military and civilian personnel in the fields of International Humanitarian Law, Human Rights Law and related Operational Law".

The Council also took decisions on

the following issues:

- Training methodology
- Positioning of the military courses of the Institute in the overall landscape of IHL training

The way ahead.

The Advisory Board will now focus on the preparation of the new "IHL Foundation Course", implementing the new guidelines concerning training methodology. The first course under the new formula should be conducted in November 2008. Compared to the present courses, it will consist of more practice-oriented staff exercises based on a fictitious scenario which will accompany the course.

The Advisory Board will also elaborate and propose guidelines for partnerships into which the Institute might wish to enter. It shall further look at issues such as the military courses alumni network. The Institute's attractiveness could be increased by opening up to new audiences such as senior legal advisors, senior military trainers, etc.

The Advisory Board consists of Brigadier Erwin Dahinden, Switzerland (Chairman); Lt. Col. Nicole Girard, Canada; Lt. Col. Jérôme Cario, France; Prof. Wolff Heintschel von Heinegg, Germany; Mr. François Sénéchaud, ICRC; Col. Bill Nott, Ireland; Lt. Col. Francesco Elia, Italy; Lt. Col. Deep Singh, Singa-

pore; Col. Johan Crouse, South Africa; Col. James Stythe, United Kingdom and Prof. Michael N. Schmitt, United States. The Board is re-enforced by a secretariat composed of Lt. Col. Fabiano Zinzone, Italy; Col. Peter Hostettler, Switzerland and Ms Melanie Khanna, United States. The current director of the IIHL Military Department, Mr. Juhani Loikkanen, Finland takes part in the workshops and shares his longstanding IIHL experience with the Board.

CONTRIBUTIONS OF THE ITALIAN GOVERNMENT TO THE INTERNATIONAL INSTITUTE OF HUMANITARIAN LAW

With a decree on July 28 the Italian Foreign Minister, Hon. Franco Frattini, at the request of the President of the International Institute of Humanitarian Law, Ambassador Maurizio Moreno, decided to include the Sanremo Institute in a list of organizations and institutions of international relevance which would benefit from contributions made by the Italian Government for the implementation of initiatives in the humanitarian field and the protection of human rights.

In this list the International Institute of Humanitarian Law appears alongside prestigious international organizations such as UN, OSCE, ICRC, IOM, the AU.

The decision of the Italian Foreign Minister is an authoritative confirmation of Italy's appreciation for the institution and its new found dynamism.

THE INSTITUTE FORMALISES ITS CO-OPERATION WITH THE NATO SCHOOL in OBERAMMERGAU

A Memorandum of Understanding formalising co-operation and reciprocal support was signed on July 23 by Ambassador Maurizio Moreno, President of the International Institute of Humanitarian Law and Colonel James Tabak, Commander of the NATO School of Oberammergau.

The Institute is intensifying its efforts to establish partnerships with highly qualified international educational centres interested in the promotion and dissemination of International Humanitarian Law.

The signing of the Memorandum of Understanding took place in Oberammergau. All senior national representatives, command group members and department directors attended the ceremony.



Ambassador Maurizio Moreno and Col. James Tabak

The NATO School in Oberammergau is the leading NATO facility for individual education and training for military and civilian personnel from Alliance, Partnership for Peace (PfP), Mediterranean Dialogue and Contact Countries.

In the framework of the cooperation envisaged in the Memorandum, representatives of the Institute will participate, as guest speakers, in the courses and activities organized by the Oberammergau NATO school.

From the first page

Since post World War I, the city of Sanremo, seat of the International Institute of Humanitarian Law, has provided the venue for several important international meetings. Thanks to the Institute, the city annually hosts a variety of initiatives (courses, seminars, round tables, meetings of experts) aimed at promoting the respect of international humanitarian law and human rights.

The Round Table will be opened on Thursday 4 September by the President of the Institute, Ambassador Maurizio Moreno, in the presence of Hon. Stefania Craxi, Italian Under Secretary of State for Foreign Affairs; Dr. Jakob Kellenberger, President of the International Committee of the Red Cross; Gen. Vincenzo Camporini, Chief of the Italian Defence General Staff; Ambassador Claudio Bisogniero, Deputy Secretary General of NATO; H.E. Mgr Gianpaolo Crepaldi, Secretary of the Pontifical Council of Justice and Peace; Dr. Massimo Barra, President of the Italian Red Cross; Hon. Pier Virgilio Dastoli, Director of the Representation Office of the European Commission in Italy; H.E. Ambassador Raimund Kunz, Director of the Directorate for Security Policy of the Swiss Federal Department of De-

fense, and Dr. Claudio Borea, Mayor of Sanremo. The proceedings of the Round Table will be published as usual.

Col. James Stythe (UK), will replace Col. (Ret.) Juhani Loikkanen as Director of the Military Department from 1st October 2008. The Institute warmly thanks Col. Loikkanen for his invaluable commitment as Director of the Military Department of the Institute over the years.



Col. James Stythe, UK Army

Course on the Law of Internal Displacement

The International Institute of Humanitarian Law (IIHL) in cooperation with the Representative of the UN Secretary-General on the Human Rights of Internally Displaced Persons (RSG) and the Office of the UN High Commissioner for Human Rights (OHCHR), together with the support of the Brookings-Bern Project on Internal Displacement, organized the **4th Course on the Law of Internal Displacement**, from 2-7 June 2008 in Sanremo, Italy.



Group picture

The five-day course is designed for government officials from countries affected by internal displacement, who work directly on these issues. For the first time, the course was convened in French, with the intention of providing the training for government

officials from Francophone countries, in particular in sub-Saharan Africa, where there is a very significant number of internally displaced persons (IDPs). In total 21 government representatives attended the course from Algeria, Central African Republic, Chad, Congo, Democratic Republic of Congo, Guinea Conakry, Haiti, Ivory Coast, Lebanon, Mali, Rwanda, Senegal, and Togo.



Participants during working session

The main aims of the course were to: increase understanding of the international norms underpinning the protection of internally displaced persons (IDPs); promote the use and implementation of the Guiding Principles on Internal Displacement; encourage governments to establish or improve legislation and policies on the protection of IDPs; and facilitate the exchange of experiences between participants regarding implementation and monitoring mechanisms.

Summer Course on IHL

The International Institute of Humanitarian Law organized its **"8th Summer Course on International Humanitarian Law"** from 30 June to 12 July, the . Sixty participants, representing five different continents, attended the Course. The final stages were held in Geneva where they were welcomed by the representatives of the most important international organisations: International Committee of the Red Cross (ICRC), United Nations High Commissioner for Refugees (UNHCR), United Nations Office in Geneva (UNOG), United Nations High Commissioner for Human Rights (UNHCHR) and International Organization for Migration (IOM).



The Course, which was co-ordinated by Prof. Michel Veuthey, Vice-President of the Institute, aimed at developing the culture of humanitarian law and the protection of civilians and the vulnerable in times of armed conflict.

Thanks to the fellowships offered by the Italian Government and the ILA (Istituto Italo-Latino Americano) a good number of experts and young diplomats accredited in Geneva from Latin American countries and Asia were able to participate.

Lecturers included Prof. Fausto Pocar, President of the International Criminal Tribunal for the Former Yugoslavia; Judge Abdul Koroma from the International Court of Justice; Dr. Mohammed Al-Hadid, President of the Standing Commission of the Red Cross and the Red Crescent, and Prof. Yoram Dinstein from the University of Tel-Aviv.

The Institute, in collaboration with the Institut de Droit de la Paix et du Développement of the University of Nice Sophia Antipolis, has presented the "HUMANMED II" Project, as a sequel to the University "HUMANMED" diploma in International Humanitarian Law. This Project encourages transborder co-operation which will enjoy European funding in the framework of the 2007-2013 ALCOTRA Programme. The Project was officially approved on 5 July, 2008.

PROVISIONAL PROGRAMME OF ACTIVITIES for 2009

The Italian Ministry of Foreign Affairs - following the visit at the Institute of Ambassador Armando Sanguini, General Director for Africa - has decided to assign the Institute a contribution of 120,000 euros to promote the participation of civil servants, military personnel and experts from Sub-Saharan Africa, in the courses and activities of the Institute.

On 10 and 11 June a delegation of the Institute, composed of the President, Ambassador Maurizio Moreno, and the Assistant to the Secretary-General, Dr. Gian Luca Beruto, carried out a mission in Turin, where they visited the UN agencies: UNICRI (United Nations Interregional Crime Research Institute) and UNSSC (United Nations System Staff College). The delegation also visited the "Scuola di Applicazione" and Army Institute for Military Studies and the Post-Conflict Operations Study Centre and the CRT Foundation.

The Institute will once again host a **Multinational Rules of Engagement (ROE) Workshop**. The event will take place from 8 to 10 September 2008, in conjunction with the Institute's annual Round Table, which will be held on 4-6 September. The Workshop will take place at Villa Ormond, Institute's headquarters in Sanremo, Italy. The purpose of the workshop is to share ROE lessons learned from multinational operations and to support development of a Multinational Rules of Engagement (ROE) Manual. The Workshop will include briefings on lessons learned by military officers and legal advisors who have been involved in the drafting and implementation of ROE for multinational operations.

On September 3, in the presence of Chief of Staff of Defence, Gen. Vincenzo Camporini, President of the Institute, Ambassador Maurizio Moreno, together with the Admiral Marcantonio Trevisani, will sign an agreement with the CASD (Centro Alti Studi Difesa). Under this agreement, the Institute will work with the CASD in organizing activities to promote the dissemination of international humanitarian law.

The 129th Course on the Law of Armed Conflict (Spanish) will be held from 15 to 25 September.

TRAINING PROGRAMME

Courses on International Humanitarian Law for Military Personnel

131st Course (English) 9 – 20 March, Sanremo
 132nd Course (French) 20 April – 1 May, Sanremo
 133rd Course (English with Arabic class) 11 – 22 May, Sanremo
 134th Course (Spanish) 14 – 25 September, Sanremo
 135th Course (English) 9 – 20 November, Sanremo

Competition on IHL for Military Academies – Eighth edition (English)
 30 March – 3 April, Sanremo

6th Course on International Human Rights and Humanitarian Law in Peace Operations (English) 26 – 30 May, Sanremo

12th Specialized Course on the Law of Armed Conflict (English)
 5 – 16 October, Sanremo

13th Specialized Course on the Law of Armed Conflict (French)
 5 – 16 October, Sanremo

9th Course for Planners, Executors and Controllers of Air Operations (English)
 30 November – 4 December, Sanremo

9th Course for Planners and Executors of Naval Operations (English)
 30 November – 4 December, Sanremo

20th Course for Directors of Training Programmes in LOAC (English)
 7 – 11 December, Sanremo

21st Course for Directors of Training Programmes in LOAC (French)
 7 – 11 December, Sanremo

Other Courses (International Humanitarian Law, Refugee Law, Migration Law)

50th Course on Refugee Law (French) 24 – 28 March, Sanremo
 51st Course on Refugee Law (English) 5 – 9 May, Sanremo
 52nd Course on Refugee Law (Spanish) 3 – 7 November, Sanremo
 53rd Course on Refugee Law (English) 24 – 28 November, Sanremo
 5th Thematic Course on Refugee Law and Human Rights (English)

Course on IHL for international personnel of the Italian Red Cross (Italian)

9th Summer Course on International Humanitarian Law (English)
 29 June – 10 July, Sanremo/Geneva

5th Course on the Law of Internal Displacement (English) 8-12 June, Sanremo

5th International Migration Law Course (English) 19 - 23 September, Sanremo

XXXIInd ROUND TABLE ON CURRENT PROBLEMS OF INTERNATIONAL HUMANITARIAN LAW 3 – 5 September, Sanremo

OTHER ACTIVITIES

Internships and research



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