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# International Institute of Humanitarian Law

NEWSLETTER 32



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## Joint IIHL-ISPI Seminar on "Current Armed Conflicts, International Humanitarian Law and Humanitarian Assistance"

Palazzo Clerici, Milan,  
5 February 2009

The Institute, in collaboration with ISPI (Istituto degli Studi di Politica Internazionale), organized a seminar on "Current Armed Conflicts, International Humanitarian Law and Humanitarian Assistance" on 5 February at Palazzo Clerici (ISPI headquarters), in Milan. This round table proposed an open and constructive debate on the most current and crucial challenges affecting International Humanitarian Law and its implementation.

The seminar was opened by Ambassador Moreno, IIHL President, and Ambassador Boris Biancheri, ISPI President. Dr. Paolo Magri, ISPI Director, took part at the opening session. The panel of lecturers was composed by Prof. Fausto Pocar, Vice-President of the IIHL; Prof. Michel Veuthey, Vice-President of the IIHL; Prof. Yoram Dinstein, Member of the IIHL Council, and Prof. Wolff Heintschel von Heinegg, Member of the IIHL Council. The Moderator of the meeting was Prof. Greppi, Member of the IIHL and Associate Senior Research Fellow on Human Rights of ISPI.

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## Conclusions of the Round Table on "International Migration Law and Migration Policies in the Mediterranean Context"

Sanremo, 15-16 December 2008

The Round Table, organized in co-operation with the International Organization for Migration (IOM) and with the financial support of the Italian Government, proved to be a very successful meeting with the participation of around 80 personalities and experts, representing 25 countries and more directly concerned International Organisations. Part of the conclusions presented by Dr. Perruchoud, Director of the Department of International Migration Law and Legal Affairs of the IOM and Member of the Institute, has been written below. The full version is available on the IIHL website: [www.iihl.org](http://www.iihl.org)

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Round Table on International Migration Law and Migration Policies in the Mediterranean context

## Master of Law in International Crime and Justice, International Organizations, International Criminal Law and Crime Prevention

University of Turin,  
4 February 2009

Ambassador Moreno, President of the IIHL, was invited to represent the Institute at the opening ceremony of the Master of Law in International Crime and Justice, International Organizations, International Criminal Law and Crime Prevention, held at the University of Turin on 4 February. He gave a lecture on the implementation of International Humanitarian Law. On that occasion, Prof. von Heinegg, Member of the IIHL Council, lectured on the crucial issue of maritime piracy.

The Master's is jointly organized by the Faculty of Law of the University of Turin and the United Nations Interregional Crime and Justice Research Institute (UNICRI). It aims to provide an in-depth knowledge of the theoretical and practical international instruments and tools for the prevention and punishment of international and transnational crimes such as terrorism or human trafficking. Co-ordinator of the Master's is Professor Edoardo Greppi from the University of Turin, Member of the Institute.

## IIHL activities in figures

Participation in 2007 and 2008	2007	2008
<b>N. Courses</b>	21	24
Participants Military Courses	482	570
Participants Refugee Law Courses	180	205
Participants IDP Course	25	22
Participants Migration Courses	45	128
Participants Summer Course	66	53
Participants Italian Red Cross Course	36	39
Total of Participants at the courses	834	1017
<b>N. Round Tables &amp; Seminars</b>	2	7
Participants Round Tables & Seminars	301	985
<b>Total of Participants</b>	<b>1135</b>	<b>2002</b>
<b>Increase percentage</b>		<b>93.83%</b>

The Seminar provided an occasion to present the partnership established between the two Institutes and, in particular, to launch the creation of the Advanced Diploma in "International Humanitarian Law and Peace Operations", jointly organized by the International Institute of Humanitarian Law and ISPI, which will be starting in the academic year 2009-2010.

ISPI is an Italian private law association, which was granted the status of a non-profit-making body in 1972, and which operates under the supervision of the Ministry for Foreign Affairs. ISPI is committed to four major areas of activities: research, publications, career training and organization of events in the field of economics, politics, law, history and strategic studies (for both academic and non-academic circles).

ISPI kindly hosted the Council meeting of the Institute, held at Palazzo Clerici on 6 February.

**IIHL-IAI Seminar on "Addressing the Resurgence of Sea Piracy: Legal, Political and Security Aspects"**

*Rome, May 2009*

The Institute, in collaboration with IAI (Istituto Affari Internazionali) and with the support of the Italian Ministry of Foreign Affairs, NATO and the European Union, will organize an international meeting on the crucial issue of maritime piracy. The event will take place next May in Rome.

The seminar, which aims mainly to increase knowledge, exchange information and enhance international interest and co-operation among international institutions, military and civilian experts and private actors engaged in the fight against sea piracy, will focus on three main aspects affecting the resurgence of maritime piracy: legal, political and security.

It will gather eminent experts from International Organisations, military institutions, NGOs and private sectors.

"Discussions on the Mediterranean area as the crossroads of civilisations, cultures and societies, highlighted the strategic importance of the region and the example it could set particularly with regards to the integration of migrants. We were thankfully unanimous in reaffirming the importance of the rights of migrants, their uniqueness, their universality, while insisting on the need for reciprocal co-operation, shared and dynamic responsibility for the protection of the rights of migrants.

Even if the multitude of international norms protecting the rights of migrants has been recognised, it is shamefully evident that the number of ratifications is insufficient, particularly concerning the 1990 Convention on the protection of migrant workers and their families; worse still, there is concern for the widening gap between theory and its application: the shortcomings of the application of international migration law is without a doubt an open and deep wound which needs to be treated with great urgency.

The 1990 Convention was discussed on several occasions and efforts were made to present an objective and complete analysis. This Convention can be interpreted in contradicting ways depending whether the migrant is in the northern or southern part of the Mediterranean area. These misunderstandings are most likely to continue. However, the Convention will inspire national legislation, it will encourage good practice, and will make the obligation of States to co-operate in the supervision of migration more embedded in their conscience.

States are faced with permanent challenges: on the one hand, they have the obligation to enforce respect for their sovereignty as well as for the security of their borders and territory, to fight against terrorism, although care should be taken not to mix terrorism and irregular migration; and on the other, they have the obligation to respect the rights of the migrant, considering that, as an irregular migrant the individual is more exposed to violations of his rights and to all kinds of exploitation.

However, the question which must definitely be answered is the following: what are we going to do after this Round Table? What will be the follow up to these enriching discussions some of which were interrupted and deserve a round table of their own?

The first concrete action on the part of the Institute and the IOM would be to publish the proceedings of the Round Table, the contributions of all the experts: a work of reference, proof of our meeting will be available shortly. Each expert is kindly asked to send the Institute the finalized text of his/her presentation.

Other concrete activities were suggested during the course of the debates, for example, co-operation with other centres existing in Europe; co-operation with centres in Africa should also be added. Analysing the relationship between international humanitarian law and migration was also suggested. Another issue which was not treated but is of current interest in this period of economic instability is the fight against racism, xenophobia and discrimination towards migrants, or the general impact of the economic crisis on migration in the Mediterranean area. The problem of return in all its facets also deserves more in-depth discussion. On the subject of the fight against human trafficking, it was suggested that the Institute and the IOM develop good practices, elements that can lead to improved international co-operation.

The IOM gives particular importance to training in international migration law in general or in certain aspects: the need to train national officials was emphasized in the context of handling the borders on a European and international level; it is a field that deserves our attention.

All these suggestions will be analysed by the Institute and IOM to determine an appropriate follow-up.

The Sanremo Institute provides an informal venue, suitable for this type of meeting, and the topics covered during these two days deserve such a follow-up. Whatever the follow-up, a modification must be made: a future round table must be a proper round table, perhaps with less experts, shorter presentations, to give more room for dialogue among participants; certain topics were not followed by a discussion of ideas or an exchange of experiences. If we want to make a modest contribution to what the Mediterranean area becomes or will become once more, our future meetings must be characterized by cohesion and union rather than division. Perhaps a meeting could be organized on the southern shores of the Mediterranean."

**Villa Ormond**

The Municipality of Sanremo has decided to grant the Institute the full and exclusive use of the building of Villa Ormond for a period of ten years as from 1 January 2009.

This decision has accelerated the work of renovating Villa Ormond which includes total re-wiring, affecting the entire computer system as well as wi-fi access to internet throughout the Villa - this has already been completed - together with the re-arrangement of all the offices to improve work efficiency.

Such works also include the complete renovation of the library and the plenary conference room on the ground floor.

**Course for Directors and Instructors of Training Programmes on International Humanitarian Law**

The Course for Directors and Instructors of Training Programmes on International Humanitarian Law was held concurrently in English and French from 1 to 5 December.

The aim of the Course is to help officers and military lawyers responsible either for the planning of courses or for teaching International Humanitarian Law within their armed forces.

The English course was attended by about 20 officers from about 12 different countries together with officers from certain conflict-torn countries, including Sri Lanka, Indonesia and Uganda. There were about 10 participants on the French course, from African French-speaking countries, France, Belgium and Canada.



*Ambassador Moreno, IIHL President, and Lt. Col Hennaux,*

**Memorandum of  
Co-operation with the  
Post Conflict Opera-  
tions Study Centre of  
the Italian Army**

*Turin, 4 February 2009*

In view of the enhancement and dissemination of International Humanitarian Law and its application in contemporary armed conflicts, the President of the Institute, Ambassador Maurizio Moreno, and General Giuseppe MAGGI, Director of the Post Conflict Operations Study Centre, signed a Memorandum of Co-operation.

This Memorandum, formalizing co-operation between the two Institutions, includes: the exchange of lecturers; exchange of studies and researches; exchange of publications, and collaboration in institutional activities.

The Post Conflict Operations Study Centre is part of the "Scuola di Applicazione" and Army Institute for Military Studies of the Italian Army. It is located at "Palazzo Simoni" in the city of Turin.

The Centre, is one of the components of the Excellency Institute for Post Conflict Operations engaged both in the field of training, through high profile school activities, oriented towards research, study and development of post conflict operations issues, and in the field of specialized training of military and civilian personnel operating in post conflict environments.

**Executive Board  
Meeting**

*Sanremo, 15 December 2008*

On the occasion of the Round Table on "International Migration Law and Migration Policies in the Mediterranean Context", the Executive Board held a brief meeting on 15 December in Sanremo.

**IIHL and NATO School  
Joint Workshop**

*Oberammergau, 3-5 December 2008*

The NATO School of Oberammergau hosted a workshop on "Law of Armed Conflict and Human Rights in International Peace Operations" in co-operation with the International Institute of Humanitarian Law from 3 to 5 December 2008. Both institutions signed a Memorandum of Understanding on 23 July 2008 and have been strengthening their relationship ever since. Dr. Katharina Ziolkowski, LL.M., Legal Adviser to NATO School Oberammergau and LTC (ret.) Juhani Loikkanen, former Director of the IIHL Military Department, led the international participants through the two-and-a-half day session. The workshop was the very first joint project and it turned out to be an extraordinarily successful and well-received event which will certainly have set the precedence for similar projects in the future.



The first NATO School workshop in co-operation with the Institute can be, and will no doubt be, the starting point of what will promptly gain more attention within the NATO community. It can, in fact, be developed into an in-house education of a standard hardly to be found elsewhere, educating Legal Advisers working either on the national floor or in the NATO environment. It can especially present a forum to exchange different national views on current problems of LOAC placed upon the international community by the nature of modern armed conflicts. Lecturers included, Professor Dr. Wolff Heintschel von Heinegg, Member of the IIHL Council, who lectured on the legal framework of international human rights and LOAC in international peace operations, and particularly on the contentious relationship between LOAC and human rights, leaving enough room for questions and lively discussions; Dr. Marco Odello, IIHL Member, from the Department of Law and Criminology, Aberystwyth University, Wales, United Kingdom, who lectured on the UN Charter and Peacekeepers as being subject to its laws and principles and how this relationship has to be evaluated.

**Round Table now on video**



Copies of the video recording of the Round Table on International Migration Law and Policies in the Mediterranean Context are now available in several languages on the IIHL website: [www.iihl.org](http://www.iihl.org)

**UNICRI Seminar on  
Maritime Piracy on the  
Somali Coast**

*Turin, 28 January 2009*

Ambassador Moreno, President of the Institute, participated at the "Stakeholders Meeting on Maritime Piracy on the Somali Coast. A Global Approach".

Participants at the meeting, organized in Turin by UNICRI, included representatives of NATO, EU, UNODC, UNOSAT, US Department of Defence, Malaysia Intelligence Services and the Swedish Ministry of Foreign Affairs and was chaired by the Italian Navy. The objective of the meeting was to improve knowledge management, exchange good practices and enhance international co-operation between the public sector (Governments and International Organisations) and private actors in the fight against maritime piracy.

The United Nations Interregional Crime and Justice Research Institute (UNICRI) is a UN entity, created in 1968, to assist intergovernmental, governmental and non-governmental organisations in formulating and implementing improved policies in the field of crime prevention and criminal justice.

**Peace and Sport  
Annual Forum**

*Monaco 3-5 December 2008*

The President of the Institute, Ambassador Moreno attended the "International Forum Peace and Sport 2008" which took place in the Principality of Monaco from 3 to 5 December 2008.

Run under the High Patronage of HSH Prince Albert II of Monaco and delegates, the "Peace and Sport" Annual Forum is designed to contribute to concrete efforts made in the development of peace through sport around the world.

The Organisation for Peace and Sport is an international organisation which brings together heads of States and governments, representatives of world sport governance (the International Olympic Committee, International Federations, National Olympic Committees), the World Olympians Association, strategic and financial partners, sport experts, and NGOs.

# INTERNATIONAL INSTITUTE OF HUMANITARIAN LAW

## 2009 PROGRAMME OF ACTIVITIES

### TRAINING PROGRAMME

#### Courses on International Humanitarian Law for Military Personnel

131 <sup>st</sup> Course (English)	9 – 20 March, Sanremo
Basic Course on IHL	16 – 27 March, Belgrade
132 <sup>nd</sup> Course (English with Arabic class)	11 – 22 May, Sanremo
133 <sup>rd</sup> Course (French)	25 May – 5 June, Sanremo
134 <sup>th</sup> Course (Spanish)	14 – 25 September, Sanremo
135 <sup>th</sup> Course (English)	9 – 20 November, Sanremo

Competition on IHL for Military Academies – eighth edition (English)	30 March – 3 April, Sanremo
6 <sup>th</sup> Course on International Human Rights and Humanitarian Law in Peace Operations (English)	15 – 19 June, Sanremo
14 <sup>th</sup> Specialized Course on the Law of Armed Conflict (English)	5 – 16 October, Sanremo
15 <sup>th</sup> Specialized Course on the Law of Armed Conflict (French)	5 – 16 October, Sanremo
9 <sup>th</sup> Course for Planners, Executors and Controllers of Air Operations (English)	30 November – 4 December, Sanremo
9 <sup>th</sup> Course for Planners and Executors of Naval Operations (English)	30 November – 4 December, Sanremo
20 <sup>th</sup> Course for Directors of Training Programmes in LOAC (English)	7 – 11 December Sanremo
21 <sup>st</sup> Course for Directors of Training Programmes in LOAC (French)	7 – 11 December, Sanremo
2 <sup>nd</sup> Course on Law of Armed Conflict and Human Rights in International Peace Operations	September, NATO School of Oberammergau

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

50 <sup>th</sup> Course on Refugee Law (English)	24 – 28 March, Sanremo
51 <sup>st</sup> Course on Refugee Law (French)	5 – 9 May, Sanremo
52 <sup>nd</sup> Course on Refugee Law (Spanish)	3 – 7 November, Sanremo
53 <sup>rd</sup> Course on Refugee Law (English)	24 – 28 November, Sanremo
5 <sup>th</sup> Thematic Course on Refugee Law and Human Rights (English)	20 – 23 October, Sanremo
Course on IHL for International personnel of the Italian Red Cross (Italian)	4 – 9 May, Sanremo
9 <sup>th</sup> Summer Course on International Humanitarian Law (English)	29 June – 11 July, Sanremo/Geneva
5 <sup>th</sup> Course on the Law of Internal Displacement (English) (ON INVITATION ONLY)	8 – 12 June, Sanremo
Study Session on IHL for Military Advisors, CASD,	1 July, Rome
Course on International Humanitarian Law and Human Rights (in cooperation with the UN System Staff College, Turin)	28 September – 2 October, Sanremo
5 <sup>th</sup> International Migration Law Course (English)	28 September – 2 October, Sanremo
HUMANMED II (Diploma on IHL), in co-operation with University of Nice, Academic Year 2008/2009, Nice, Sanremo	
Advanced Diploma on International Humanitarian Law in Peace Operations, Academic Year 2009/2010, in cooperation with ISPI, Milan, Sanremo	

XXXII ROUND TABLE ON PEACEKEEPING OPERATIONS AND INTERNATIONAL HUMANITARIAN LAW 3 – 5 September, Sanremo

#### OTHER ACTIVITIES

- 1- Meeting of Experts on “Media and International Humanitarian Law”
- 2- Meeting of Experts on a specific topic of International Refugee Law
- 3- Meeting of Experts on “The Regime of International Protection of Cultural Property in the Event of Armed Conflict”, in cooperation with UNESCO, June, Sanremo
- 4- Meeting of Experts on “Understanding Law and Justice in Crisis Management and Peace-Building –
- 5- New Challenges for NATO and its Member States”, in co-operation with NATO Defense College, Rome
- 6- Meeting of Experts on “Private Contractors and IHL”, in co-operation with IAI, Institute for International Affairs
- 7- Meeting of Experts on “Piracy and IHL”, in co-operation with IAI, Institute for International Affairs, May, CASD Rome
- 8- Celebration of the Anniversary of the Battle of Solferino: Seminar for youngsters organized in collaboration with the Italian Red Cross, Solferino, June
- 9- Seminar on “The Implementation of International Humanitarian Law and Human Rights in Peace Operations” (in cooperation with the UN System Staff College, Turin), 10 – 11 December, Sanremo

Internships for researchers and students

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#### IIHL NEWSLETTER

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