



International Institute of Humanitarian Law  
Institut International de Droit Humanitaire  
Istituto Internazionale di Diritto Umanitario

## **REPORT OF ACTIVITIES FOR THE YEAR 2012**



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# REPORT OF ACTIVITY FOR THE YEAR 2012

## INTRODUCTION

The International Institute of Humanitarian Law (Institute) put into action an intense and varied programme of activities in the year 2012. Despite the persistent financial global uncertainty, the Institute registered a greater number of participants at its activities compared to the previous year.

Thanks to the support of numerous donors and partners who renewed their trust in the Institute, and to the careful management of available resources, the financial statement broke even at the end of the year.

The increase in the number of participants was due to the greater demand for courses on refugee law, which led to an extra course being added to the original programme together with the first edition of a course on internally displaced persons and climatic change.

In addition to the training activity run in Sanremo, the Institute continued to export its activities abroad organising various courses which proved to be a gratifying success. Such *ad hoc* initiatives included, in particular, courses on international humanitarian law (IHL) run in Baghdad and Cairo, the seminar held at the University of Zagreb on justice and reconciliation, the course held in Sarajevo on peacekeeping operations and the course run in Arabic on international refugee law in Tunis.

In accordance with the guidelines laid down by the Council, the Institute planned to continue collaborating with bodies and institutions based and working in various parts of the world so as to render its programme more widely known and appreciated, also by adapting them to the specific needs of its partners.

The Institute's Liaison Office in Geneva, which is hosted by the Centre for Security Policy (GCSP), once again, offered its precious collaboration by holding several meetings on its premises with the aim of maintaining constructive relations with International Organisations present in Geneva, and of promoting the Institute in such an important international context.

In 2012, raising sufficient funds for its activities was again the hardest challenge the Institute faced. This challenge was made even more difficult also due to the reduction of contributions on the part of some traditional donors. As a result the

Institute decided to put particular impulse into the promotion of its own activities and especially in increasing the number of paying participants so registration fees would have a positive impact on income. With this in mind, a Marketing Commission was created involving members of the already existing staff of the Institute with simple but precise guidelines to improve the visibility and offer of courses and seminars.

On 28<sup>th</sup> January, the Council elected a new President, namely, Professor Fausto Pocar, following the resignation for health reasons of Ambassador Maurizio Moreno who was made Honorary President.

The news of the passing away on December 7<sup>th</sup> of Brig. Gen. Erwin Dahinden, an authoritative and active Council member, was received with great sadness.

## **TRAINING AND TEACHING ACTIVITIES**

### **COURSES ON INTERNATIONAL HUMANITARIAN LAW**

The Institute's training programme is structured in three tiers aimed at developing a sound knowledge of the law of armed conflict (LOAC) based on the different levels of experience of participants: foundation and advanced courses, and specialised courses aimed at in depth study of specific issues. Our courses deal with current challenges in the field of LOAC using an approach that encourages the learning of theory coupled with group work and the analysis of realistic cases and so consolidating and enriching the professional preparation of the participants.

Instructors and participants come from all over the world and this multi-cultural environment enhances learning and provides an extensive and winning international perspective. Such courses are intended for both civilian and military operators with or without specific legal training.

#### ***a) Residential courses held at Villa Ormond, Sanremo***

145<sup>th</sup> International Military Course on LOAC (French)

146<sup>th</sup> International Military Course on LOAC (English with Arabic class)

147<sup>th</sup> International Military Course on LOAC (Spanish with Portuguese class)

11<sup>th</sup> Competition on IHL for military academies (English)

8<sup>th</sup> Course on human rights and humanitarian law in peace operations (English)

20<sup>th</sup> Advanced Course on IHL (English)  
21<sup>st</sup> Advanced Course on IHL (French)  
148<sup>th</sup> International Military Course on LOAC (English with Chinese and Russian classes)  
14<sup>th</sup> Course on IHL for planners, executors and controllers of air operations (English)  
15<sup>th</sup> Course on IHL for planners and executors of naval operations (English)  
26<sup>th</sup> Course for directors of courses and trainers in IHL (English)  
27<sup>th</sup> Course for directors of courses and trainers in IHL (French)

***b) Workshop on the Deprivation of Liberty and Detention under IHL***

This workshop took place from 13<sup>th</sup> to 15<sup>th</sup> March in Sanremo. The programme covered the practical aspects of capture and detention of individuals during operations conducted by members of the armed forces, and other different operational situations. The issue was treated both from an IHL and human rights point of view. William Lietzau, US Deputy Assistant Secretary of Defense (DASD) for Rule of Law and Detainee Policy, was the main lecturer.

***c) Course held at Cairo Regional Center on Conflict Resolution and Peacekeeping in Africa***

Within the framework of the Agreement signed with Cairo Regional Center on Conflict Resolution and Peacekeeping in Africa, and following the successful outcome of the first initiative, the Institute co-organised a training course on international humanitarian law and refugee law for military and civilian personnel from African countries involved in peace missions. The course was held from 18<sup>th</sup> to 22<sup>nd</sup> March in Cairo.

***d) Workshop on Non-International Armed Conflicts***

This workshop considered the complex and often ambiguous legal regime applicable to non-international armed conflicts focusing on the impact such uncertainty had on various military operations examining in particular the different positions taken by governments on delicate issues concerning detention, refugees and internally displaced persons. The workshop was conducted by military and academic experts in Sanremo, from 21<sup>st</sup> to 23<sup>rd</sup> May.

***e) Seminar on Justice and Reconciliation in Zagreb***

The Institute, with the support of the Italian Embassy in Croatia and in collaboration with the Faculty of Law of the University of Zagreb, organised a

seminar on the theme of “Justice and Reconciliation” in Zagreb on 11<sup>th</sup> May. This seminar continued the series of events organised by the Institute in different capital cities in the Balkans thanks to the financial support of the Italian Ministry of Foreign Affairs. It aimed once more to promote as much awareness as possible of transitory justice, in all its various aspects, as a fundamental vehicle towards national reconciliation and regional co-operation. Numerous students and teachers from the Faculty actively participated in the workshop.

***f) Course on International Humanitarian Law and Human Rights in Baghdad***

On the request and with the financial contribution of the Italian Ministry of Foreign Affairs, the Institute organised its fourth Course on International Humanitarian Law and Human Rights in Iraq which was held from 27<sup>th</sup> May to 7<sup>th</sup> June. The course was co-ordinated by General Giorgio Blais at the Military Ethic and Values Center at Iraqi Military University, in collaboration with the Ministry for Human Rights and the Italian Embassy. Participants included staff members of Ministries of Human Rights, Defence, Justice and the anti-terrorism organisation.

***g) Summer Course on IHL Sanremo/Geneva***

The 12<sup>th</sup> edition of the Institute’s Summer Course on International Humanitarian Law, co-ordinated by Michel Veuthey, took place from 25<sup>th</sup> June to 7<sup>th</sup> July, commencing in Sanremo and terminating in Geneva. This course brought together 59 university students and young officials from international organisations from all over the world, giving them the possibility to discuss with prominent personalities from legal and diplomatic circles committed to the dissemination of IHL and human rights. Once in Geneva participants visited the main international humanitarian Organisations. The Permanent Representative to the United Nations of Qatar, Ambassador Alya Ahmed Al-Thani, hosted a cocktail for the Course participants at the Institute’s Liaison Office in Geneva.

***h) Workshop on the Rules of Engagement (RoE)***

This workshop, run in Sanremo from 10<sup>th</sup> to 14<sup>th</sup> September, addressed various national and multinational RoE systems involving a wide range of operations, including peace operations, humanitarian assistance, disaster relief, counter-piracy, counter-terrorism and armed conflict. The main didactic tool used was



the “Sanremo Manual on the Rules of Engagement” published by the Institute. Participants attending came from various parts of the world.

***i) Sarajevo Workshop on Peace Operations***

The Institute organised a workshop in Sarajevo from 1<sup>st</sup> to 5<sup>th</sup> October addressing the issue of international humanitarian law in peace operations. The workshop was made possible thanks to the contribution of the Italian Ministry of Foreign Affairs and the local support of the *Peace Support Operations Training Centre* (PSOTC), a Bosnian training centre, with which the Institute had signed an agreement of co-operation. Participants, who were members of the armed forces and the police force came from various parts of Bosnia, followed this challenging programme with the participation of experts from Sarajevo and abroad.

***j) Workshop on International Humanitarian Law and Human Rights for Members of the Afghan Armed Forces and Governmental Officials***

Thanks to the support of the Italian Ministry of Foreign Affairs and NATO, the Institute was able to organise a second training course for 30 governmental employees and members of the Afghan armed forces and police force. The workshop took place in Sanremo from 23<sup>rd</sup> November to 6<sup>th</sup> December. The programme, which was tailor made to meet the needs of the participants, included issues of IHL, human rights and refugee law.

**COURSES ON INTERNATIONAL REFUGEE LAW**

In the year 2012 the Institute organised the following courses:

- 64<sup>th</sup> Course (English)
- 65<sup>th</sup> Course (French)
- 66<sup>th</sup> Course (Spanish)
- 67<sup>th</sup> Course (English)
- 68<sup>th</sup> Course (Arabic in Tunis)
- 69<sup>th</sup> Course (English)

As in past years these courses were organised in close collaboration with the United Nations High Commissioner for Refugees and with the support of the Swiss Federal Office for Migration, the US State Department and the Norwegian Ministry of Foreign Affairs. This year, the Institute celebrated the 30<sup>th</sup> anniversary of its Refugee Law Courses inaugurated in 1982 in Sanremo.

## **COURSES ON INTERNATIONAL MIGRATION LAW**

In 2012, the Institute, in close collaboration with the International Organization for Migration and thanks to the support of the Swiss Federal Office for Migration, organised a course on international migration law in English. This course was held in Sanremo from 24<sup>th</sup> to 28<sup>th</sup> September. Participants included officials, experts and operators dealing with the problems of migration and asylum in different parts of the world.

## **COURSES ON THE INTERNATIONAL LAW OF INTERNALLY DISPLACED PERSONS (IDPs)**

### **8<sup>th</sup> Course on International Law of Internally Displaced Persons Sanremo, 18<sup>th</sup> –23<sup>rd</sup> June**

The Institute organised its 8<sup>th</sup> course in English on problems concerning IDPs, with the traditional collaboration of the Office of the UN Special Representative for the Rights of IDPs, Dr. Chaloka Beyani, who participated at the course as a lecturer. Participants included officials from different countries interested in the issue of protecting those who had to abandon their own homes to survive the effects of conflicts, internal unrest and natural disasters. The course, held from 18<sup>th</sup> to 23<sup>rd</sup> June, was made possible thanks to the support of Brookings Institution, Washington and the United Nations High Commissioner for Refugees

### **1<sup>st</sup> Course on Internally Displaced Persons and Climatic Changes Sanremo, 3<sup>rd</sup> – 8<sup>th</sup> December**

This course was organised for the first time and benefitted from the collaboration of different authoritative partners including the United Nations High Commissioner for Refugees, the Brookings Institution, the International Federation of Red Cross and Red Crescent Societies, and the Office of the United Nations High Commissioner for Human Rights. The course aimed to provide answers to the many questions asked concerning legal aspects of the, unfortunately, ever frequent phenomenon of the protection of those who are forced to leave their homes as a consequence of natural disasters and climatic change. The last day of the course was dedicated to the geographic area of the Caribbean and the Pacific, in the presence of governmental officials from areas such as Trinidad and Tobago, Barbados, Cuba, Cook Islands and Samoa.

## **JOINT PROGRAMME WITH THE UNIVERSITY OF NICE**

The Institute, in collaboration with the *Institut de droit de la paix et du développement*, Nice University, organised a diploma course in international humanitarian law for the academic year of 2011–2012. The course is made up of a series of training modules in English and French to be completed either by attending lessons at both Institutes or on–line. Sixty–two young graduates and officials from organisations working in the humanitarian field from France, Italy and different French–speaking countries (Canada, Ivory Coast and Senegal) attended the course, forty–eight distance learning students and twelve residential students. The course, originally organised in the framework of HUMANMED which concluded in 2011, met with an encouraging success.

## **ROUND TABLES AND EXPERT WORKSHOPS AND SEMINARS**

### **Workshop of the Training Advisory Group**

**Geneva, 25<sup>th</sup> – 27<sup>th</sup> January**

The group of experts of the Institute in the field of training organised a workshop which took place at the Geneva Centre for Security Policy (GCSP) from 25<sup>th</sup> to 27<sup>th</sup> January. The Workshop which was attended by representatives of different academic and military institutions from all over the world, provided the opportunity to update existing teaching methodology and tackle new problems in the field of IHL training with the aim of guaranteeing an appropriate standard able to satisfy the demands of civilian and military experts participating at the courses and workshops organised by the Institute.

### **Seminar on Migration, Refugees, Climatic Change and Law**

**Geneva, 13<sup>th</sup> –14<sup>th</sup> February**

The Institute organised, in collaboration with the GCSP and the International Organization for Migration, a thematic seminar on “Migration, Refugees, Climatic Change and Law”. This initiative gathered together 35 experts mainly from countries where the phenomenon of migration due to climatic change is particularly evident, namely the Philippines, Indonesia, Kenya and Bangladesh. The workshop fostered the analysis of various aspects of the problem including the relative shortcomings in existing international norms.

## **Round Table on the Temporary Protection of Refugees Sanremo, 19<sup>th</sup> – 20<sup>th</sup> July**

The Institute hosted an important meeting at Villa Ormond organised by the United Nations High Commissioner for Refugees, which addressed the issue of temporary protection. Experts gathered together from different countries under the leadership of Ms Erika Feller, Assistant High Commissioner for Refugees and Mr. Volker Türk, Director for International Protection. Professor Fausto Pocar, President of the Institute, represented the Institute at this meeting and took part in the exhaustive debates on the main issues regarding juridical status of temporary protection, also discussing the conditions for the drafting of specific soft law which could later lead to the constitution of a real legal instrument.

## **XXXV Round Table on Current Issues of International Humanitarian Law “Private Military and Security Companies” Sanremo, 6<sup>th</sup> – 8<sup>th</sup> September**

The XXXV Round Table, jointly organised by the Institute and the International Committee of the Red Cross, addressed the issue of “Private Military and Security Companies”, attracting about 200 experts from all over the world. Particular attention was given to the problems arising from the ever-increasing presence of such companies in various situations including direct participation in hostilities. The conclusions highlighted not only the need for PMSCs to respect IHL but also the necessity for the same to endorse normative instruments to auto-discipline themselves. The issue of training personnel working for such companies was among the issues discussed at the Round Table, particularly with reference with humanitarian law and human rights.

### **ADDITIONAL EVENTS**

The Institute hosted the Third Meeting of the NATO Partnership Training Education Centres (PTEC) at Villa Ormond from 4<sup>th</sup> to 7<sup>th</sup> June. The event was attended by NATO officials and representatives from PTEC Centres from Europe and other NATO partner countries. Topics discussed during the meeting included the proposal regarding the joint organisation of courses and the sharing of respective teaching staff.

The Institute hosted an Italo-Croat meeting of parliamentary delegations from OSCE to discuss the theme: “Italy and Croatia for Stability in the Mediterranean”. The meeting was opened by Professor Pocar, President of the Institute, who took

the occasion to sign an agreement of collaboration with the University of Zagreb.

On several occasions the Institute hosted groups of students from the secondary schools in Sanremo as well as from other institutions. The main objective of such initiative was to provide students with sufficient knowledge to understand and make a critical analysis of current emergency situations and international security operations.

The Institute was a regular participant, as observer, at various meetings of International Organisations based in Geneva.

The Council of the Institute decided to award its 2012 Prize for the Promotion, Dissemination and Teaching of International Humanitarian Law to Mrs Navanethem Pillay, UN High Commissioner for Human Rights. The Prize awarding ceremony will take place in March 2013.

## **PUBLICATIONS**

The Institute published the proceedings of its XXXIV Round Table on “International Humanitarian Law and New Weapon Technologies”. The book, published by Franco Angeli, was launched in Geneva on 2<sup>nd</sup> July.

## **PARTNERSHIPS**

The Institute signed three new Memoranda of Understanding in 2012, namely with:

- The Faculty of Jurisprudence of the University of Zagreb
- The National School of Police in Colombia
- The Peace Support Operations Training Centre in Sarajevo

## **NEW MEMBERS OF THE INSTITUTE**

In the year 2012, the following persons were accepted as new Members of the Institute: Mr. Adel Khudhair Abbas AL MASSODI, Iraq; Dr. Roberta ARNOLD, Switzerland; Dr. Chaloka BEYANI, Zambia; Dr. Michael Andrew David BISI, UK; Lt. Colonel Mark DAKERS, UK; Prof. Andrea DE GUTTRY, Italy; Dr. Oussedik FAWZI, Qatar; Dr. Pasquale FERRARA, Italy; Colonel James JOHNSTON, UK; Dr. Romana SCHWEIGER, Austria; Prof. Daniel THÜRER, Switzerland; Dr. Roel A.C. VAN ROSSUM, Holland; Prof. Dr. Rüdiger WOLFRUM, Germany.

The following persons were made Associate Members of the Institute: Ms Jasmina DIMITRIEVA–NAJDANOVA, FYROM; Ms Federica FAVUZZA, Italy; Ms Lucy HALL, Australia; Mr. Dan KUWALI, Malawi; Mr. Youssef SFEIR, Lebanon; Mr. Andrea SPAGNOLO, Italy; Dr. Michel VAN WALT VAN PRAAG, The Netherlands; Mr. Khinkar WAFA, Saudi Arabia.

By the end of 2012 the total number of members increased from 285 to 303.

### **INTERNSHIPS**

The following persons completed an internship either at the Institute, or at its Liaison Office in Geneva in 2012: Mr. Martin BEAUX, Italy; Ms Mirella SEGUIN, Canada/Italy; Ms Katia BERSET, USA; Ms Roberta VADINI, Italy; Mr. Alexandre AUGUSTIN, France; Ms Luisella RAMOINO, Italy; Ms Laila VERHOEFF, The Netherlands; Ms Viola LEONE, Italy; Ms Lisa MARTINEZ, France; Ms Paola ROBOTTI, France.

### **MEETINGS OF STATUTORY BODIES**

The General Assembly of the Institute met in Sanremo in ordinary session on 19<sup>th</sup> May to adopt the Report of Activity for the year 2011 and the accompanying financial report, certified by the external auditors.

The Council of the Institute met in Sanremo on 28<sup>th</sup> January and 8<sup>th</sup> September, and in Geneva on 2<sup>nd</sup> April.

### **CONTRIBUTIONS AND SPONSORS**

The activities of the Institute in 2012 were made possible thanks to the generous financial contributions of numerous sponsors including: the Italian Government (Ministry of Foreign Affairs, Prefecture of Imperia), the Swiss Government (Ministry for Foreign Affairs, Ministry of Defence, Civilian Protection and Sport, Federal Office for Migration), the Swedish Government (Ministry of Foreign Affairs), the Government of the United States of America (Office for Population, Refugees and Migration), the Government of Israel (Ministry for Foreign Affairs), and the *Regione Liguria*.

An important three-year agreement of understanding, which was reached with the Norwegian Ministry of Foreign Affairs and included the provision of scholarships covering various courses of the Institute and support for its annual Round Table on IHL, continued to be applied with positive results.

Contributions on the part of the Italian Red Cross were also appreciated particularly where general management costs of the Institute were concerned.

Furthermore, important contributions for *ad hoc* projects were made by NATO, the Commonwealth Office, the International Committee of the Red Cross, the United Nations High Commissioner for Refugees, the International Organization for Migration, the British Red Cross, the Red Cross of Monaco, the Red Crescent of Qatar, the Brookings Foundation–London School of Economics Project, the International Federation of Red Cross and Red Crescent Societies, and the Municipality of Sanremo.

The Institute would like to express special thanks to the British Army for the secondment of Colonel James Johnston as Director of the Military Department of the Institute. Moreover, the Institute is grateful to the Italian Ministry of Defence for the secondment of Lt. Colonel (CC) Angelo Simeone and Lt. Colonel (Army) Andrea De Vita.

The Institute is also grateful to the Geneva Centre for Security Policy for granting premises to its Liaison Office in Geneva.

And last but not least, the Institute would like to thank the Municipality of Sanremo for granting it the full use of the prestigious Villa Ormond.