

EMERGENT ISSUES WORKSHOP

The Emergent Issues Workshop (EIW) is a new IIHL initiative for 2016, designed to update International Humanitarian Law (IHL) practitioners in recent and forthcoming IHL developments, and to serve as a forum to examine key current operational legal issues.

As a leading provider of IHL training to armed forces, IIHL also understands the cyclical posting/assignment system employed by many armed forces necessitates the requirement to update legal officers & LEGADS posted into IHL appointments.

The first part of the EIW serves as both an IHL update and to also improve legal situational awareness of possible future developments in various aspects of IHL where there may be operational impact.

The “update” aspect of the EIW covers:

- Key court decisions & jurisprudence trends.
- State Practice update.
- Manuals & significant stakeholder projects status update.

The second part of the EIW provides a deeper examination of emerging IHL issues either currently facing deployed armed forces or of potential near future operational impact. The issues discussed have been identified by a wide variety of armed forces from around the world, academics and other leading sources as being of current operational interest.

The discussion of the subjects are conducted at an informal, working level, examining both the apparent and implied issues from a practical operational practitioner perspective. Discussion will elaborate both present thinking and also serve to illuminate actual or potential interoperability issues. Sessions will be facilitated by leading military and civilian practitioners assisted by academic subject matter experts (SMEs).

In addition to the formal aspects of the course, the EIW provides an opportunity for IHL practitioners to meet and discuss matters of common interest amongst peers and SMEs alike.

The EIW is suitable for Military and Civilian IHL practitioners, trainers and legal policy staff who have a good base understanding of IHL, and who require updating with key IHL developments in order to remain current. For potential participants who require either core teaching or specialist training, IIHL offers a comprehensive range of courses to meet these particular needs.

The Emergent Issues Workshop is conducted in English at an UNCLAS level but under the Chatham House Rule:

“Participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed.”

ADMINISTRATION

The registration fee is €800 Euro. This should be remitted before the start of the course, or on arrival in cash or Euro currency cheque or credit card.

- The registration fee covers:
- Transport from/to Nice Airport
- Lunches and coffee breaks on working days
- Reception Cocktails & Canapés and Course dinner
- Course materials
- Course excursion
- Course Photograph, Diploma and Institute Plaque

Transfers to/from Nice airport to Sanremo will be arranged. Details of timings for this service will be provided as part of the registration process.

The registration fee does not cover all other expenses incurred by the participant such as hotel accommodation, laundry or telephone calls. Participants must ensure that they bring with them sufficient funds to pay for such expenses.

Queries on the course including registration and administrative questions should be directed to:

maria.jonsson@iihl.org

For further information please consult our website www.iihl.org

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

1st Emergent Issues Workshop on International Humanitarian Law



Sanremo, 6th-9th June 2016

PROGRAMME

Course Director
Colonel John Hardy
British Army (IIHL)

Key speakers include

Professor Fausto POCAR, President IIHL

Professor Michael N SCHMITT
Charles H. Stockton Professor & Director, Stockton
Center for the Study of International Law, U.S. Naval
War College.

Professor Wolff HEINTSCHELL VON HEINEGG
Europa-Universität Viadrina Frankfurt (Oder)

Prof Françoise HAMPSON OBE
Emeritus, University of Essex, U.K.

Ms. Jelena PEJIC
Senior Legal Adviser, ICRC Legal Division

Noëlle QUÉNIVET
Associate Professor in International Law
at the Faculty of Business and Law of the University of
the West of England

Jes Rynkeby KNUDSEN, Chief Legal Branch
Defence Command Denmark

Mr. Rod RASTAN, ICC

Mr Alan TIEGER, Prosecutor, ICTY

Simon BRENCHLEY
Service Prosecuting Authority, UK

Brig Gen NLD (Retd) SPIJK, President
International Society for Law and the Law of War

LTJG (IT-N) Matteo TONDINI
Italian Navy General Staff

Monday, 6 June 2016

- 08.30–09.00 **Registration**
- 09.00–09.15 **Opening Ceremony**
Professor Fausto Pocar
 President IIHL
Colonel John Hardy
 Course Director & Director, Military
 Department, IIHL
- 09.20–10.00 **Global Trends**
 DCDC
- 10.00–10.30 **Morning Coffee**
- 10.30–12.00 **ICRC: update on current institutional and legal events**
 Ms Jelena Pejic, ICRC
- 12.00–12.45 **Developments in IHL Case Law.**
 Professor Françoise Hampson (Pt 1)
- 12.45–13.30 **Lunch**
- 13.30–14.15 **Developments in IHL Case Law.**
 Professor Françoise Hampson (Pt 2)
- 14.15–15.00 **Status of manuals as instruments of State Practice**
 Professor Wolff Heintschell von Heinegg
- 15.00–15.20 **Afternoon Tea**
- 15.20–16.00 **DOD Law of War Manual**
 US Speaker (TBC)
- 16.00 –16.30 **Danish Military Manual**
 Jes Rynkeby Knudsen
- 16.30–17.00 **Tallin II Update**
 Professor Mike Schmitt
- 17.00 – 1730 **PSO Manual Update**
 Brig Gen NLD (Retd) Spijk
- 17.00–19.00 **Cocktails and Canapés at Villa Ormond**

Tuesday, 7 June 2016

- 08.30–08.40 **Administrative Notes**
 Col Hardy
- 08.45–10.00 **ICC Update**
 Mr Rod Rastan ICC
- 10.00–10.30 **Morning Coffee**

- 10.30–11.30 **Duty to Investigate violations of LOAC**
 Professor Michael Schmitt
- 11.30–12.45 **Command Responsibility Update. The Prosecutor v. Jean-Pierre Bemba Gombo**
 Mr Rod Rastan ICC
- 12.45–13.30 **Lunch**
- 13.30–15.30 **The Prosecutor v. Radovan Karadžić**
 Mr Alan Tieger , ICTY Prosecutor.
- 15.00–15.30 **Afternoon Tea**
- 15.30–16.30 **Investigating & Prosecuting Historic Allegations**
 Mr Simon Brenchley, SPA, UK. Prosecuting Authority
- 16.30– 17.00 **Q&A Panel:** Professor Schmitt, Mr Rastan, Mr Tieger, Mr Simon Brenchley.

Wednesday, 8 June 2016

- 08.30–08.40 **Administrative Notes**
 Col Hardy
- 08.45–10.00 **Geography of the Battlefield – JOA Classification & Jurisdiction**
 TBC
- 10.00–10.30 **Morning Coffee**
- 10.30–11.30 **Claim of statehood of non-State actors under IHL (inc Q &A)**
 LTJG (IT-N) Matteo Tondini (TBC)
- 11.30–12.45 **Extraterritorial application of IHRL– ECHR in Military Operations**
 Professor Noëlle Quénivet
- 12.45–13.30 **Lunch**
- 13.30–14.30 **ECHR in Military Operations**
 Professor Noëlle Quénivet
- 14.30–15.00 **Q &A**
- 15.00–15.30 **Afternoon Tea**
- 15.30–16.30 **Military Objectives – Targeting Money**
 Professor Wolff Heintschell von Heinegg
- 16.30–17.00 **Q&A**
- 20.00 **Workshop Dinner**

Thursday, 9 June 2016

- 09.00–09.05 **Administrative Notes**
 Col Hardy
- 09.05–10.30 **Autonomous Weapons (inc Q&A)**
 Professor Mike Schmitt
- 10.30–11.00 **Morning Coffee**
- 10.30–11.30 **Lawful State Responses to Hostile Cyber Operations**
 Professor Michael Schmitt
- 12.45–13.30 **Lunch**
- 13.30–15.00 **GBV and IHL (inc Q&A)**
 Professor Noëlle Quénivet
- 15.00–15.30 **Afternoon Tea**
- 15.30–16.15 **Key Note:**
 Professor Fausto Pocar
 President IIHL
- 16.15–16.45 **Closing Ceremony**
Professor Fausto Pocar
 President IIHL
Colonel John Hardy, Director, Military
 Department, IIHL