

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

#### NEWSLETTER N. 78 JANUARY - MARCH 2019

## 18th Competition on IHL for Military Academies Sanremo, 25th-29th March 2019



The 18th edition of the Institute's traditional and prestigious IHL Competition Academies Military was co-ordinated by Brig. General Karl Edlinger from Austria and by Lt. Colonel Shawn McKelvy from the USA. This event exposes young military cadets. coming from over the world with different cultural linguistic backgrounds, to a unique international

forum. The event gathered more than one hundred Officer Cadets from twenty-three top military academies from France, Germany, Indonesia, Italy, Japan, Malawi, Netherlands, Nigeria, Norway, Sweden, Switzerland, Thailand, United Kingdom and USA. Military academies from Georgia and Poland sent their teams for the first time

Participants were encouraged to acquire an early appreciation of the critical importance of IHL in a multinational military operation and its application within the context of a contemporary armed conflict. An initial phase of interactive lectures on various aspects of IHL was followed by practical sessions



where the participants were split up into multi-national mixed teams to work on practical cases of relevance to the application of IHL in different operational scenarios. The twenty-eight mixed teams, each representing a fictional country involved in an international military operation, provided legal advice to the Joint Operations Commanders (JOCs) namely: Lt. Col. Bruce Gray (United Kingdom); Major Patricia Verkroost (Netherlands); Major Phil Maxwell (USA) from the Institute; and Captain Olivia Nikou (France). The simulation activities were conducted in the presence of a team of "judges" which included: Major General Salvatore Lato (Italy); Major General (rtd) Jan Peter Spijk (Netherlands); Lt. General (rtd) Giorgio Battisti (Italy); Brigadier Dan Kuwali (Malawi); Colonel John Spierin (Ireland); Colonel Carl Marchand (Switzerland); and Colonel André Retief (South Africa). The judges evaluated the ability of the teams and the individual team members to deal effectively with the reality of complex situations while conducting military operations in accordance with IHL standards. The closing and award ceremony was led by the President of the Institute, Professor Fausto Pocar, and was also attended by Major General Salvatore Cuoci, Commander of the Training Command and Application School of the Italian Army (Turin, Italy). This year the 1st place for the Best Mixed Team was awarded to the team composed of Aaron Dunn (US Navy), Alessia Rotondo (Application School of the Army, Italy), Charlie Mmbankhani (Malawi), and Matias Antonio Valenzuela (Air Force Academy, Norway). The 2nd place was awarded to Jordan Farmer (Virginia Military Institute, US), Caroline Engel (Naval Academy, Germany), and Daniel Havneskold (Sweden). The 3rd place was awarded to Hunter Maxwell (US Air Force), Carl Von Uslar (Switzerland), and Onyeche Ogonna



Uche (Nigeria). The 4<sup>th</sup> place was awarded to the team composed of Trey Duvall (US Air Force), Camille Inalie (St. Cyr, France), and Markus Øvstevold (Naval Academy, Norway). The 5th place was awarded to Noah Gavenus (US Air Force), Eric Löbel (Army Officers School Germany), and Prince Arinzechukwu Udeh (Nigeria). The 1st place for the Best Individual Cadet was awarded to Gressette Holt (US West Point); the 2nd place went to Noah Gavenus (US Air Force); the 3rd place went to Vanessa Chen (US West Point); the 4th place went to Jordan Farmer (Virginia Military Institute, US;) and the 5th place went to Ebezener Tope Orimolade (Nigeria).

### Peace Support Operations Jinja, Uganda 11th-15th February 2019

For the second consecutive year the Institute organized its Peace Support Operations course at the Legal Training Centre of the Uganda Peoples' Defence Force in Jinja, Uganda from 11th to 15th February 2019. The course was made possible thanks to the support of the Ministry of Defence of the Kingdom of the Netherlands and the Ministry of Defence of the United Kingdom, as well as the active support and collaboration of the Uganda Peoples' Defence Force. Twenty-three military officers and three civilians from the eastern region of the African continent (Burundi, Ethiopia, Kenya, Malawi, Tanzania and Uganda) explored the wide-ranging legal issues concerning the mandates of current peace operations and mission designs which shape and govern the conduct of operations of the deployed multinational forces.



### 98<sup>th</sup> Courše on International Refugee Law Sanremo, 19<sup>th</sup> -23<sup>rd</sup> March 2019

The Course was organized in English with the support of UNHCR, the Swiss State Secretariat for Migration, and the Bureau of Population, Refugees and Migration of the US Department of State. Thirty participants from 24 States attended the course, comprising government officials (e.g. Minister Plenipotentiary of the Ministry of Foreign Affairs), diplomats including Representatives of the Permanent Missions to the United Nations Office in Geneva, practitioners including field and immigration officers, members of non-governmental organizations including AIDROM, of international representatives organizations including International Committee of the Red Cross, judges, lawyers, and academics. The Course dealt with different topics on the international protection of refugees, such as, the international legal framework; mixed movements; security concerns; refugee status determination; communicating with and interviewing



refugees; statelessness and the protection stateless persons; protection of internally displaced persons; protection within the displacement cycle and groups with specific needs; protection at sea; seeking solutions; and humanitarian negotiation. Training also allowed participants to exchange best practices and experiences and to implement the gained knowledge through different learning methodologies, such as, case studies, simulations and role play. The Course was honored by the presence of Ms Shoko Shimozawa, Head of the Global Service Centre and Global Learning and Development Centre, UNHCR HQ, Budapest, who provided the final speech for the closing ceremony of the workshop, and by Mr. Paolo Artini, Representative of the High Commissioner for Refugees in France, UNHCR, who delivered the Keynote of the first day of training. The Course Director and lead facilitator was Mr. Claudio I. Delfabro D.. Director of the Institute's International Refugee Law and Migration Law Department. Training also benefitted from the presence of: Ms Silvia Colombo, Senior Staff Development Officer, Protection, Global Learning and Development Centre, UNHCR; Mr. Peter Swiniarski, Associate Human Rights Officer, Human Rights Liaison Unit/Protection and Legal Advice Section, Division of International Protection, UNHCR; Ms Elizabeth J. Rushing, Senior Strategic Adviser, Policy & Research Department, Internal Displacement Monitoring Centre, Norwegian Refugee Council; Mr. Gábor Gyulai, Director of Refugee Programme, Hungarian Helsinki Committee, and President of the European Network on Statelessness; and Ms Melissa Amisano, Assistant Coordinator at the Institute's International Refugee Law and Migration Law Department.

#### Module on International Refugee Law within the framework of the Diploma on IHL with the University of Nice

Sanremo, 20th-23rd March 2019

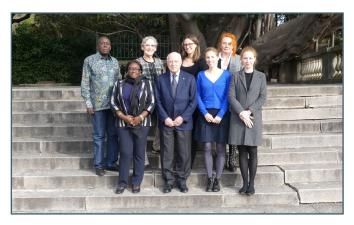
The training module was offered in English within the framework of the University Diploma jointly organized with the *Institut de Droit de la Paix et du Développement* (IDPD) of the University of Nice. The module, attended by 17 students, pursued the main goal of building up the knowledge and skills of the audience on refugee and human rights law. The workshop aimed at exploring issues including the evolution of international protection; the legal definition of refugee; the issue of protection at sea; the protection of stateless and internally displaced persons (IDPs); the protection of groups with specific needs within the displacement cycle; and the durable



solutions for refugees. The students were also able to put into practice acquired knowledge, definitions and concepts through concrete group activities, discussions, simulations and debriefs. The Course was directed and facilitated by Ms Melissa Amisano, Assistant Coordinator of the Institute's International Refugee Law and Migration Law Department. The teaching staff also comprised: Mr. Claudio Delfabro, Director of the Institute's International Refugee Law and Migration Law Department; Ms Silvia Colombo, Senior Staff Development Officer, Protection, Global Learning and Development Centre, UNHCR; Ms Reem Alsalem, Independent Consultant on Humanitarian and Refugee Issues; Ms Elizabeth J. Rushing, Senior Strategic Adviser, Policy & Research Department, Internal Displacement Monitoring Centre, Norwegian Refugee Council; and Mr. Gábor Gyulai, Director of the Refugee Programme, Hungarian Helsinki Committee and President of the European Network on Statelessness.

### Enhancing Training on Women, Peace and Security (WPS)

Sanremo, 6th - 8th March 2019



A group of experts met in Sanremo in order to finalize the Training Handbook on Integrating Gender Perspectives in International Operations, as part of the project: "Enhancing training on Women, Peace and Security: integrating gender perspective into international operations", funded by the Italian Ministry of Foreign Affairs. The meeting, successfully organized by Professor Gabriella Venturini, Member of the Institute and Coordinator of the WPS project, was attended by the President of the Institute, Professor Fausto Pocar; Capt. Marie Barron, Legal Adviser, NATO HQ, Air Command, Ramstein, (Germany); Ms Breda Bunič, Advisor, International Staff, NATO; Col. Godard Busingye, Deputy Chief of Legal Services, Ministry of Defence (Uganda); Col. Gilles Castel, Deputy Director

of the Military Department, IIHL; Ms Aïssatou Fall, Consultant/Expert on Conflict, Gender, Peace and Security; Dr. Federica Favuzza, Postdoctoral Fellow in International Law, University of Milan, (Italy); and Ms Vanessa Murphy, Legal Advisor, International Committee of the Red Cross.

### 173<sup>rd</sup> International Military Course on IHL (Arabic)

Sanremo, 25th February - 8th March 2019



For the first time, the Institute organized its International Military Course on LOAC in Arabic. The course, directed by Senior Colonel Faouzi Aloui from Tunisia, was attended by six participants: five military officers, from the Kingdom of Saudi Arabia and one researcher from Lebanon. The course aimed to provide the participants with a deep knowledge of the principles and rules of LOAC, with a view to enabling them to apply such rules in different scenarios. The participants attended presentations and were engaged in class work where successful dialogues and discussions gave them the possibility of analysing, from a world-wide range of perspectives, matters related to IHL and other relevant legal issues concerning military operations at various levels of intensity.

# The Institute beyond Sanremo: the "Second International Congress on Human Rights, Justice and Migration" Guadalajara, 11th - 16th February 2019

The Institute was invited to participate in the second international congress on human rights, justice and migration. Prof. Pocar, President of the Institute, and Prof. Roberto A. Moreno, Director of the Insitute's hispano-luse training programme for military personnel, took part in several academic meetings and presented on different occasions on subjects of IHL. Within the framework of the congress the establishment of the "International Network of Human Rights and International Humanitarian Law" (REDDIH) was formalized with the participation of the Institute.



On Tuesday 12th, Prof. Pocar was officially instated as Vice-President of REDDIH, and Prof. Moreno as the Deputy Director of the Committee on International Relations and Cooperation of REDDIH. On the same occasion an agreement for academic cooperation between the University of Guadalajara and the IIHL was also signed.

### High School's National Evening

Sanremo, 11th January 2019

The Institute was invited to take part in "La Notte Nazionale del Liceo Classico" at Cassini High School in Sanremo. Mr. Gian Luca Beruto, Assistant to the Secretary-General of the Institute, presented the Institute and its history as well as its different current activities. Recalling the 70th anniversary of the Universal Declaration of Human Rights of a month earlier, on 10 December 2018, he also read out its most important principles and explained the difference between "migrants" and "refugees". Finally, a video was also shown to demonstrate the fundamental importance of teaching and respecting International Humanitarian Law and Human Rights during armed conflicts. The participation of the IIHL at this event was much appreciated by the Cassini High School as well as the local authorities who attended the event.

#### Child Up Project

*Modena*, 17<sup>th</sup> – 18<sup>th</sup> January 2019

In January 2019, the Institute took part in the kick-off meeting of the project "Children Hybrid Integration: Learning Dialogue as a Way of Upgrading Policies of Participation - CHILD-UP" which was held in Modena (Italy). The project will research the social conditions of migrant children's integration through social participation, taking in primary account gender differences, legal status and age groups, aiming to propose an innovative approach to understanding and transforming their social condition. The initiative is funded within the Horizon 2020 framework, the European Union Research and Innovation Programme and developed by a partnership coordinated by the University of Modena and Reggio Emilia (UNIMORE), Italy which includes: the Center for Research, Training and Consultancy at the Protestant University of Dresden (ZFWB GmbH), Germany; the Jagiellonian University of Krakow (UJ), Poland; the University of Liège (ULIEGE), Belgium; the University of Northampton Higher Education Corporation (UON), UK; the Malmoe University (MAU), Sweden; the Seinäjoki University of Applied Sciences (SeAMK), Finland; the International Institute of Humanitarian Law (IIHL), Italy; the European School Heads Association (ESHA), the Netherlands; and the Fondation des Régions Européennes pour la Recherche, l'Éducation et la Formation (FREREF), France CHILD-UP's first specific objective is providing a European overview, concerning children's conditions of living, protection

and education through the collection of data and evaluation. Its second objective is providing support for migrant children's exercise of agency in changing their own conditions of integration and constructing hybrid identities. Its third objective is informing policies at the local, national and European level through dissemination and exploitation of research outcomes and tools.

#### International Master in Cultural Property Protection in Crisis Response

Turin, 6th February 2019

The opening ceremony of the International Master in "Cultural Property Protection in Crisis Response", organized by the University of Turin with other institutions, including the Sanremo Institute, took place on Thursday 6th February in Turin at the Application School of the Italian Army, with the participation of Major General Salvatore Cuoci, Application School of the Italian Army; Prof. Gianmaria Ajani, Rector of the University of Turin; Prof. Edoardo Greppi Director of the Master course; Brigadier-General Fabrizio Parrulli, Carabinieri Command for the Protection of Cultural Property; Mr. Giovanni Quaglia, President of Fondazione CRT; and Mr. Stefano Trucco, President of the Centre for Conservative Restoration "La Venaria Reale". The Master course involved sixteen scholars from different countries including Colombia, Italy, Sudan and Syria who would spend the following months attending specific classes on several topics related to the protection of cultural property in crisis situations, such as, armed conflicts and natural disasters. The institutional remarks were followed by the lecture addressed by Prof. Francesco Francioni from the European University Institute on the issue: "Is there a general obligation of international law to prevent and avoid destruction of cultural property?"

#### "School to Work" initiative

Sanremo, 21st January - 1st February 2019

The International Institute of Humanitarian Law was part of a two-week "School to work" project (Alternanza Scuola-Lavoro in Italian), hosting a group of students from the local Istituto Amoretti. The 16-year-old girls and boys were introduced for the first time to an international working environment and the world of International Law in its different sectors. During the fifty-hour programme, they talked about the Law of Armed Conflict with the director of the Military Department, Colonel Mark Dakers; they faced the problems related to the African continent and Peace Support Operations active in the region with Mr. Gian Luca Beruto; and they discussed migration and maritime issues with Professor Roberto Moreno. In the various activities and workshops, the students showed a critical approach and good ability to work in a team. It was a positive experience for all involved and hopefully one to be repeated in the future.