



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

in co-operation with



ICRC

***46th ROUND TABLE ON CURRENT ISSUES
OF INTERNATIONAL HUMANITARIAN LAW***

***“Strengthening IHL compliance: the conduct of hostilities,
the protection of essential services and humanitarian assistance in
contemporary armed conflict”***

***Sanremo (Italy), with live broadcasting online
14-15 SEPTEMBER 2023***

AGENDA

(as of 13/09/2023)

Opening session - *Institutional opening and keynote speech*

14th September 2023, 9 am (Italian time). The session will last 45 minutes.

- Caterina Pireri, *Deputy Mayor, City of Sanremo*
- Edoardo Greppi, *President, International Institute of Humanitarian Law (IIHL)*
- Mirjana Spoljaric, *President, International Committee of the Red Cross (ICRC)*
- *Representative of the Italian Ministry of Foreign Affairs and International Cooperation, Italy*
- *Representative of the Italian Ministry of Defence*

Keynote speech

Michael Bothe, *Professor Emeritus of Public Law, J.W. Goethe University, Frankfurt/Main; Member, IIHL*

Scene setter - *Panel discussion on the most urgent challenges posed to the application of IHL provisions to protect essential services and humanitarian assistance in contemporary conflicts*

14th September 2023, 9.45 am (Italian time). The session will last 90 minutes.

Besides explaining what essential services are from the technical and legal perspective, this panel will identify the most pressing issues related to the protection of people affected by armed conflicts regarding the extensive destruction and damage to critical infrastructure required for the delivery of essential services, as well as the risks and barriers civilians may face in accessing humanitarian assistance. Particularly, it will focus on the areas where incidents have highlighted the dangers to the civilian population and infrastructure, including as result of non-compliance.

Chair: Gabriella Venturini, *Professor Emerita, University of Milan; Council Member, IIHL*

- Emanuela-Chiara Gillard, *Senior Research Fellow, Oxford Institute for Ethics, Law and Armed Conflict; Associate Fellow, International Law Programme, Chatham House*
- Ludovica Glorioso, *Major, Italian Army; Legal Advisor, NATO Security Force Assistance Center of Excellence*
- Mark Zeitoun, *Director General, Geneva Water Hub*

Session 2 – *Compliance with IHL in the conduct of military operations*

14th September 2023, 11.45 am (Italian time). The session will last 90 minutes.

This panel will consider how the conduct of military operations including the definition and the identification of military objectives can impact on essential services and humanitarian assistance directly and indirectly. It will also examine the challenges regarding the application of the principles of distinction and proportionality, including the identification of military advantage and incidental harm when targeting dual-use infrastructure, as well as the precautionary measures required in the choice of means and methods of warfare and in target selection.

Chair: Richard Allen, *Brigadier General, Assistant Head Operational Law, UK Army*

- Abby Zeith, *Legal Adviser, Arms and Conduct of Hostilities Unit, ICRC*
- Chris Jenks, *Special IHL Advisor to the Judge Advocate General of the Army, US Department of Defense; Council Member, IIHL*

- Erika Weinthal, *Ph.D., Professor of Environmental Policy and Public Policy, Nicholas School of the Environment, Duke University*
- *Presentation of the winning essay of the 2023 Sanremo New Voices in International Humanitarian Law Essay Competition*

Session 3 - IHL and operational military planning and risk-assessment in modern warfare
 14th September 2023, 2.30 pm (Italian time). The session will last 90 minutes.

The panel will focus on the key technical, legal and military considerations affecting the development and selection of the course of action, as well as on the assessment and mitigation of risks posed by multi-domain operations to essential services and humanitarian assistance. It will consider how to integrate humanitarian concerns into the planning process and who should be responsible for the integration of such elements.

Chair: Bakhtiyar Tuzmukhamedov, *Professor of International Law; Vice-President, Russian Association of International Law; Council Member, IHL*

- Dan Kuwali, *Brigadier General, Chief of Legal Services and Judge Advocate General, Malawi Defence Force; Member, IHL*
- David Kaelin, *Urban Services and Policy advisor, Water and Habitat unit, ICRC*
- Joris Cuzin, *Head of the Law of Armed Conflict Bureau, Department of Legal Affairs, Ministry of Defence, France*
- Sahr Muhammedally, *Senior Faculty Associate on Civilian Harm Mitigation, US Defense Security Cooperation University*

Session 4 – Preventing the misuse of civilian populations and ensuring protection from illegal and other forms of instrumentalization

14th September 2023, 4.30 pm (Italian time). The session will last 90 minutes.

This panel will consider several practices that aim at or risk instrumentalizing civilians, and their interplay with the protection of essential services and humanitarian assistance. In particular, it will focus on the issues of human shielding; “indirect targeting” of civilians; so-called “human casualty exploitation”; forced displacement as a means to disrupt adversary’s actions; information and cyber operations aimed at or resulting in the interruption of essential services and the delivery of humanitarian assistance; as well as acts of terror involving the targeting of essential service components.

Chair: Nils Melzer, *Director of International Law, Policy and Humanitarian Diplomacy, ICRC; Council Member, IHL*

- Christie J. Edwards, *Head of Policy, Programmes and Legal, Geneva Call*
- Geoffrey S. Corn, *Chair of Criminal Law and Director of the Center for Military Law and Policy, Texas Tech University, School of Law; Member, IHL*
- Yoav Friedman, *Major, Legal Advisor to the IDF’s Northern Command, Israeli Defense Forces (IDF)*

Session 5 - Legal and operational challenges to the delivery of humanitarian assistance and protection of essential services in contemporary armed conflict

15th September 2023, 9 am (Italian time). The session will last 90 minutes.

This panel will examine the interface between the delivery of assistance, protection of essential services and the conduct of military operations in accordance with IHL. More precisely, it will examine the extent to which co-operation and co-ordination can take place while maintaining the ‘humanitarian space’ to safeguard the survival of the civilian population. How can actors on both sides uphold their legal obligations? How can the rules protecting humanitarian assistance be enforced in practice? In an attempt to answer these questions, the session will also pay specific attention to the issue of food insecurity, famine and starvation, both as an indirect result of conflicts and as a method of warfare.

Chair: Claudio Delfabro, *Director, Department of International Refugee Law and Migration Law, IIHL*

- Giorgio Battisti, *Lt. General (retd), former Commanding General of the Italian Army Training and Doctrine Command; Vice-President, IIHL*
- Martha Bradley, *Associate Professor, University of Johannesburg*
- Nathalie Schneider Rittener, *Head of section, Section of International Humanitarian Law and International Criminal Justice, Direction of International Public Law, Federal Department of Foreign Affairs, Switzerland*
- Roberto Mignone, *Senior Operations Coordinator, UNHCR Myanmar*

Session 6 - Key humanitarian tools for the protection and delivery of essential services: humanitarian access, humanitarian corridors and protected zones

15th September 2023, 11 am (Italian time). The session will last 90 minutes.

The panel will examine tools to facilitate humanitarian access and the implementation of legal obligations regarding the protection of essential services and the delivery of humanitarian assistance. In particular, it will focus on measures and procedures to enable the establishment of humanitarian corridors through the analysis of its effectiveness and legal challenges. It will also provide insights on the feature of protected zones, by highlighting strengths and weaknesses of a key instrument for ensuring the protection of civilians and humanitarian assistance in contemporary conflict situations. The panel aims to contribute to the development of a more institutionalised framework to improve effectiveness and ensure actual protection.

Chair: Marja Lehto, *Ambassador, Senior Expert of International Law, Ministry for Foreign Affairs, Finland; Council Member, IIHL*

- Christian De Cock, *Colonel (rtd), Belgian Air Force; Visiting Professor of Law, Vrije Universiteit Brussel*
- Maëlle L’Homme, *Research Unit, Humanitarian Stakes and Practices, MSF Switzerland*
- Nathalie Weizmann, *Senior Legal Officer, UN OCHA*
- Tristan Ferraro, *Senior Legal Adviser, ICRC*

Final session - Closing remarks

15th September 2023, 12.30 pm (Italian time). The session will last 30 minutes.

- Edoardo Greppi, *President, IHL*
- Nils Melzer, *Director of International Law, Policy and Humanitarian Diplomacy, ICRC; Council Member, IHL*

*Approximately 30 minutes of each session will be devoted to Q&A.
Questions will be collected both on-site and online.*