

Introduction to International Humanitarian Law

Natolin, 20 - 22 February 2013

This seminar is organized with the support of the
Swiss Federal Department of Foreign Affairs

Wednesday, 20 February 2013

8h30 - 9h00 Registration of participants (in front of the Auditorium A2 – “Retinger” Building)

9h00 - 9h15 Welcome

9h15 - 10h45 Mr. Toni Pfanner

I. Introduction to International Humanitarian Law of Armed Conflicts (IHL)

- A. Notion of IHL
- B. Sources and principles of IHL
- C. Evolution of the relationship between the legality of the use of force (*jus ad bellum*) and the rules to be respected in warfare (*jus in bello*)
- D. Material scope of application of IHL (international armed conflicts, non-international armed conflicts, internationalized non-international armed conflicts, difference between non-international armed conflicts and internal disturbances and tensions, etc.)

10h45 – 11h00 Coffee break

11h00 – 12h30 Mr. Toni Pfanner

II. Personal scope of application of IHL

- A. Notions of a protected person, of a combatant and of a civilian
- B. Status of a combatant
- C. Status of other persons directly participating in hostilities
 - a. spies
 - b. mercenaries
 - c. private military companies
 - d. civilians occasionally participating to hostilities
 - e. governmental and dissident armed forces in non-international armed conflicts

12h30 – 14h00 Lunch break

14h00 - 15.45 Ms. Elzbieta Mikos-Skuza

III. Protected persons

A. Prisoners of war (POW) and other detainees in armed conflicts

- a. definition of a POW
- b. capture, evacuations and registration
- c. rights in detention
- d. repatriation
- e. detention of persons having participated to hostilities without having the status of combatant
- f. detention of fighters captured in non international armed conflicts
- g. specific problem of persons captured in the so-called "war on terror"

B. Protection of wounded, sick and shipwrecked

- a. definitions
- b. respect, protection and human treatment
- c. medical personnel, units and transport
- d. protective emblems

15h45 – 16h00 Coffee break

16h00 – 17h30 Ms. Elzbieta Mikos-Skuza

IV. Protected persons (continued) - civilians in the enemy power

- A. Generalities
- B. Civilians on the territory of the enemy power
- C. Civilians on occupied territory
- D. Civilian internees
- E. Special protection of some persons
 - a. women
 - b. children
 - c. journalists
 - d. refugees and internally displaced persons
 - e. missing
- F. Relations between IHL and human rights law

17.30 End of the session

Thursday, 21 February 2013

9h00 – 10h45 Ms. Elzbieta Mikos-Skuza

- V. Conduct of hostilities – protection of civilians against the effects of hostilities**
 - A. Generalities
 - B. Definition of civilians
 - C. Definition of civilian objects vs. military objectives; problem of dual use objects
 - D. Prohibited attacks – principles of discrimination and proportionality
 - E. Precautionary measures
 - F. Special measures of protection

10h45 - 11h00 Coffee break

11h00 - 12h30 Ms. Elzbieta Mikos-Skuza

- VI. Conduct of hostilities – means and methods of warfare**
 - A. Means of warfare
 - a. basic principles
 - b. prohibition or restriction to use certain conventional weapons with special focus on mines and cluster munitions
 - c. weapons of mass destruction
 - d. new weapons
 - B. Methods of warfare
 - a. perfidy vs. permissible ruses of war
 - b. tactic of 'burned ground'
 - c. ordering no quarter

12h30 - 14h00 Lunch break

14h00 – 15h45 Mr. Toni Pfanner

VII. Implementation of International Humanitarian Law - introduction

- A. Preventive measures
- B. Means of control during an armed conflict
- C. Repression of violations and development of international justice

15h45 – 16h00 Coffee break

16h00 – 17h30 Mr. Toni Pfanner

VIII. Implementation of International Humanitarian Law by Human Rights Institutions

17.30 End of the session

Friday, 22 February 2013

9h00 - 10h00 Mr. Stéphane Kolanowski

IX. International Committee of the Red Cross operations and the challenges to humanitarian action

10h00 - 11h00 Mr. Paul Berman

X. The European Union and International Humanitarian Law

- A. EU and IHL - what's the connection?
- B. The EU framework - supranational & intergovernmental action
- C. The promotion and implementation of IHL: the EU as political, economic, developmental, legislative and military actor
- D. Looking ahead

11h00 - 11h15 Coffee break

11h15 - 12h15 Mr. Stéphane Kolanowski

XI. Relations between the International Committee of the Red Cross and the European Union

12h15 - 13h30 Lunch break

13h30 – 14h30 Mr. Paul Berman

XII. The European Union and crisis management

- A. The Common Security and Defence Policy
- B. The crisis management operations
- C. IHL in EU crisis management operations

14h30 – 14h45 Coffee break

14h45– 16h00 Wrap up session, Closure of the seminar, Distribution of certificates
