



40th Sanremo Round Table on Current Issues of IHL: “The Additional Protocols 40 Years Later: New Conflicts, New Actors, New Perspectives”
Sanremo, 7th - 9th September 2017



40th Sanremo Round Table

Organized by the Institute in co-operation with the ICRC, under the patronage of the Italian Ministries of Foreign Affairs and International Co-operation and Defence, this year's Round Table addressed several issues concerning the application of the Additional Protocols to the Geneva Conventions after 40 years of their adoption. While celebrating this 40th anniversary, about 200 participants coming from different regions of the world - including military experts, academics and representatives of governments, international organizations and NGOs - had the opportunity to discuss key themes of international humanitarian law, such as the definition and the time frame of armed conflicts, as well as the threshold of the application of the Protocols. Some of the core principles of IHL, which included the principles of distinction and precaution, were also addressed. The Round Table provided a forum to discuss other relevant topics including the treatment of persons deprived of their liberty, the protection of medical personnel and of medical activities, and the question of humanitarian access. Moreover, the Round Table was an occasion to explore whether and how the 40th anniversary of the Protocols could serve as an opportunity to shed some light on their enforcement. However, as the President of the Institute, Professor Fausto Pocar, underlined in his opening statement, a central theme of this year's Round Table were the issues of sexual and gender violence in armed

conflicts and of the integration of a gender perspective into IHL. The Round Table encouraged lively and very fruitful and constructive debates aiming at clarifying how sexual and gender-based violence should be addressed within IHL and how it would be possible and appropriate to integrate a gender perspective into IHL, also with respect to some specific areas such as peacekeeping operations. The opening session also included statements by the Mayor of Sanremo, Mr. Alberto Biancheri; the Secretary-General of the Italian Ministry of Foreign Affairs and International Co-operation, Ambassador Elisabetta Belloni, stressed the role of Italy in promoting efforts to guarantee full respect for international humanitarian law by both States and non-state actors, also by supporting the Institute's activities; and a video message from the ICRC's President, Ambassador Peter Maurer. Dr. Miguel Serpa Soares, Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations, closed the opening session with a keynote address on the topic of peacekeeping operations, particularly, the protection of UN peacekeeping personnel. The three days of intense and constructive debate of the Round Table were eventually closed with concluding remarks of the Vice-president of the ICRC, Ms Christine Beerli, who recalled the importance of working hard for a full respect of humanitarian law rules and underlined the great work of the Sanremo Institute in gathering together different groups of people (academics, legal experts, military officers and field practitioners) to discuss complex issues such as humanitarian access and the protection of medical personnel, which reflects the richness and the very strength of the Sanremo Round Table.



40th Sanremo Round Table

**Special Panel Discussion on
“The Additional Protocols and the Contribution
of the ICTY to IHL”
Sanremo, 8th September 2017**



Panel Discussion on “The Additional Protocols and the Contribution of the ICTY to IHL”

Alongside the sessions of this year’s Round Table, a special side-event involving current and former ICTY officials was organized with the objective of recognizing and celebrating the contribution of ICTY’s jurisprudence to IHL. The Tribunal will close its doors by the end of next November. The panel discussion included Judge Daqun LIU, current ICTY Vice-President; Judge Fausto POCAR, President of the ICTY from 2005 to 2008 and currently Appeals Judge; Mr. John HOCKING, ICTY Registrar; Professor Susannah LINTON, former staff member of the ICTY; and Professor Patricia SELLERS VISEUR, currently Special Advisor for Prosecution Strategies to the Prosecutor of the ICC. The discussion covered different interesting aspects of the ICTY’s work throughout its mandate, such as the role played by the Tribunal in contributing to extending the application of IHL rules to internal conflicts; its role in addressing gender crimes, particularly rape; and its contribution in promoting the establishment of other hybrid courts and domestic tribunals in its fight against impunity in some Asian countries. The ICTY’s supplementary role in relation to the early days of the ICC, before the Rome Statute entered into force, was also discussed.

In memory of Professor Kalshoven



Professor Frits Kalshoven

Professor Frits Kalshoven passed away on 6th September

2017 at the age of 93. He was a dear member and close friend of the Sanremo Institute and participated in many of its Round Tables. He devoted his life to humanitarian law and was a great example of the perfect balance between the practical approach, as he was a member of the Dutch Navy, and the academic approach towards IHL. He was one of the most respected and well-known IHL scholars at the international level and his writings remain fundamental in this field. He was the most recent recipient of the Institute’s Prize for the Promotion, Dissemination and Teaching of IHL (2015) and he was very proud to receive such a distinction. He will be deeply missed.

News from the Council

The Council of the Institute met on Saturday 9th September 2017 after the closing session of the Round Table. The agenda included, among other issues, the current financial situation of the Institute; the ongoing negotiations with the Municipality of Sanremo with regard to Villa Ormond, official seat of the Institute; the Institute’s Geneva Liaison Office; the 2017 Round Table on international humanitarian law to take place in Sanremo from 6th to 8th September 2018 and the Institute’s new website. During the meeting, Lieutenant General (ret.) Giorgio Battisti, former Commanding General of the Italian Army Training and Doctrine Command, was co-opted as Council Member after the resignation of Professor Stefano Donati.

**167th International Military Course on LOAC
(Spanish and Portuguese)**



167th International Military Course

Sanremo, 4th – 15th September 2017

The course, successfully directed and co-ordinated by Professor Roberto Augusto Moreno from Argentina, was held in Spanish and Portuguese. Lieutenant Colonel Mario Lanz Raggio from Spain was the Deputy Director of the course. The teaching staff included Lieutenant Miguel F. Lizarraga Fernandez from Mexico; Lieutenant Colonel Eduardo Bittencourt Cavalcanti from Brazil and Commander Juan Francisco Rivera Castro from Chile. The course focused on the application of the principles of international humanitarian law, the conduct of hostilities, non-international armed conflicts and the conduct of peace operations and detention. Twenty-

three participants from eight different countries attended.

17th Summer Course on IHL Sanremo/Geneva, 3rd – 14th July 2017



17th Summer Course in IHL

The traditional Institute's Summer Course on International Humanitarian Law brought together officials from UN, NGOs, representatives of governments as well as students and young military officers. The forty-eight participants coming from thirty-one countries engaged with faculty through lectures, workshops and interactive exercises. The course, coordinated by Prof. Michel Veuthey, Vice-President of the Institute, was run partly in Sanremo and partly in Geneva. The experienced teaching staff, from a wide variety of backgrounds, provided a comprehensive learning opportunity and included Professor Fausto Pocar, President of the Institute; Professor Michel Veuthey, Vice-President of the Institute; Professor Edoardo Greppi from the University of Turin, Vice-President of the Institute; Dr. Stefania Baldini, Secretary-General of the Institute; Brigadier General Karl Edlinger, Legal Advisor of the Austrian Armed Forces; Professor Marco Sassoli, from the University of Geneva; Colonel (ret.) William Nott from the Irish Centre for Human Rights; Dr. Matt Pollard, Senior Legal Adviser & UN Representative at the International Commission of Jurists; Ms Maria Teresa Dutli, Former Head of Advisory Services at the ICRC; Ms Annyssa Bellal, Strategic Advisor on IHL at the Geneva Academy on International Humanitarian Law and Human Rights; Professor Charles Garraway from the International Fact-Finding Commission; Christine Van Den Wyngaert, ICC Judge; Mr. Adama Dieng, Special Adviser of the UN Secretary-General on the Prevention of Genocide; Mr. Jean-François Durieux, Senior Research Associate at the University of London; Ms Kristina Touzenis, Head of the International Migration Law Unit (IOM); Mrs Georgette Gagnon, Director of the Field Operations and Technical Cooperation Division at the UN Office of the High Commissioner for Human Rights; Mr. Roberto Ricci, Chief of Emergency Response Section at OHCHR; Professor Yoram Dinstein, Emeritus Professor at Tel Aviv University; Mrs Shaharзад Tadjbakhsh, UNCHR International Protection's Deputy Director of Policy and Law Division; Mr. Claudio Delfabro Demarchi, Director of the IIHL Refugee Law and Migration Programme; Ms Rewa El-Oubari, Co-ordinator of the IIHL Refugee Law and Migration Courses; Ms Christine Beerli, Vice-

President of the ICRC; and Mr. Markus Schmidt, Senior Legal Adviser at the UN Office in Geneva. In Geneva, meetings and lectures were scheduled with top-ranking officials and experts. Conferences were held at the *Palais des Nations*, the World Meteorological Organization (WMO), the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC), and the United Nations Office in Geneva (UNOG). H.E. Ambassador Maurizio Serra, Permanent Representative of Italy to the UN in Geneva, kindly hosted a reception open to all the participants on the evening of Wednesday 12th July.

Course on the Legal Framework for Disaster Risk Reduction, Preparedness, Response and Recovery Sanremo, 18th – 22nd September 2017



Course on the Legal Framework for Disaster Risk Reduction

This course was organized in co-operation with the Disaster Law Programme of the International Federation of the Red Cross and Red Crescent Societies. Lecturers included: Lucia Cipullo and Isabelle Granger, Disaster Law Programme, International Federation of Red Cross and Red Crescent Societies (IFRC); Rajeev Issar, Policy Specialist, Disaster & Climate Risk Governance, Climate Change and Disaster Risk Reduction Team, Bureau for Policy and Programme Support (BPPS), United Nations Development Programme (UNDP); and Angelika Planitz, Advisor, Disasters & Governance, Disaster Risk Reduction Team, Bureau for Crisis Prevention and Recovery, UNDP New York. For this course, the Institute welcomed 25 participants coming from all over the world: South America (including Guatemala and the Dominican Republic), Asia (including Sri Lanka and Tajikistan) and Africa (including Cape Verde, Sudan and South Sudan). The main focus of the course was on the norms and legal issues in disaster risk reduction (DRR) and in climate change adaptation (CCA), as well as the role of laws and regulations in the wider context of DRR and CCA integration.

13th International Migration Law Course Sanremo, 25th – 29th September 2017

This course was organized with the support of the Swiss State Secretariat for Migration and the International Organization for Migration. The five-day course addressed topics such as International Migration Law terminology; trafficking of persons and

smuggling of migrants; human rights; detention and alternatives to detention; law of the sea and migration; and forced migration and principles surrounding exit. The course brought together 48 participants from 37 different countries and agencies, including officials from governments and organizations. Ms Kristina Touzenis, Head of the International Migration Law Unit at the International Organization for Migration, was the Course Director. Lecturers included: Mr. Federico Soda, Director, Coordination Office for the Mediterranean, Representative to the Holy See at the International Organization for Migration in Rome; Ms Alice Sironi, International Migration Law Unit at the International Organization for Migration HQ; Professor Ryszard Piotrowicz, Department of Law and Criminology at Aberystwyth University; Ms Simona Moscarelli, Migration Law expert at the International Organization for Migration; Dr. Mariagiulia Giuffrè, Department of Law and Criminology at Edge Hill University; Ms Pia Oberoi, Advisor on Migration and Human Rights at the Office of the United Nations High Commissioner for Human Rights, and Mr. Claudio J. Delfabro D., Director of the IIHL Refugee Law and Migration Law Programme.



13th International Migration Law Course

36th Advanced Course on IHL (Spanish) Sanremo, 18th - 26th September 2017

The Advanced Course in Spanish was directed and co-ordinated by Professor Roberto Augusto Moreno. Lieutenant Colonel Mario Lanz Raggio was the Deputy Director. The training focused on the use of force in armed conflicts and other situations of violence; organized crime; post-conflict transitions; gender issues; new technologies and IHL and Rules of Engagement (ROE). The lecturers included: Dr. Marcos Pablo Moloeznik, Professor and researcher at the University of Guadalajara; Col. Frederico Manuel Assoreira Almendra, Delegate for the Armed Forces and Security for Lake Chad, ICRC; Lt. Col. Eduardo Bittencourt Cavalcanti, Advisory Support for Legal Affairs at the Office of the Commander of the Army; Commander JT Juan Francisco Rivera Castro, Advisor of the General Audit of the Chilean Navy and Secretary of the Navy Court Martial; Commander and LIC. Miguel Fernando Lizarraga Fernández, Deputy Director of International Affairs of the Ministry of the Navy; Dr.

José Gabriel Paz, Legal Advisor to the Ministry of Defence; Dr. Eraldo Cassini, Security Consultant; Dr. Pedro Paez Pirazán, Professor at the University of Boyacá, Public Defender; Dr. Susana De Tomás Morales, Professor at the Comillas Pontifical University; General Jerónimo Domínguez Bascoy, Central Military Court; Dr. José María Rodríguez Estebez, Lawyer; Col. José Romero Muros, Central Military Court in Madrid; General Ángel Serrano Baberán, Chief of the Legal Counsel of the Army; and Dr. Elisabeth Vargas García from the University of Guadalajara. For the first time a commercial company sponsored 7 officers of one nation to attend the 36th Advanced Course on IHL.

42nd Course for Directors of Courses and Trainers in IHL (Spanish)

Sanremo, 27th - 29th September 2017

The objective of this course was to allow staff military officers, civilian professionals and representatives of international military institutions to engage with the relevant issues essential to organize and provide national training programmes within the armed forces. The different training modules addressed the general and legal obligations, as well as guidelines for the armed forces. Furthermore, the course addressed the way to identify learning needs, define learning objectives, and draft specific training modules. The course is designed for those who are responsible for planning IHL training programmes, determining training requirements, developing the curricula or designing course modules and training material. Lieutenant Colonel Mario Lanz Raggio was the Course Director and the Vice-Director was Colonel Eduardo Bittencourt Cavalcanti.

Peacekeeping Operational Aspects of Protecting Cultural Property in Armed Conflicts Harare, Zimbabwe - 26th-29th September

Professor Pocar was invited to participate at a four-day workshop organized by the UNESCO regional office for Southern Africa. The workshop aimed at providing the participants with a deeper knowledge of the set of international rules governing the protection of cultural property in armed conflict, underlining the importance of their implementation and encouraging awareness of the beneficial role cultural heritage had in global peace and stability. It was also an occasion to discuss the crucial importance of protecting cultural property from the point of view of the UNESCO Manual on the Protection of Cultural Property. The workshop involved participants from all over the African continent, as well as facilitators and observers such as Jan Hladik from UNESCO; Baba Keita Fallo from MINUSMA; Ambassador Fred Ngoga Gatereste from the African Union; Laurie W. Rush, Representative of the U.S. Committee of the Blue Shield; Sophie Ravier from the United Nations, and other experts from the Blue Shield and the ICRC.