

Introduction to International Humanitarian Law of Armed Conflicts

Natolin, 30th March – 1st April 2017

Seminar organized by the International Committee of the Red Cross and the
College of Europe Natolin Campus (Warsaw) with the support of the
Swiss Federal Department of Foreign Affairs

Thursday, 30th March 2017

8h30 - 9h00 *Registration of participants*

9h00 - 9h15 *Welcome*

9h15 - 10h45 *Mr. Toni Pfanner*

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

1. Notion of IHL
2. Sources and principles of IHL
3. 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*)
4. 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.) with special emphasis on the situation in Eastern Ukraine, Syria and other recent examples of the use of armed force

10h45 – 11h00 *Coffee break*

11h00 – 12h30 *Mr. Toni Pfanner*

II. Personal scope of application of IHL

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

12h30 – 14h00 *Lunch break*

14h00 – 15h45 Ms. Elzbieta Mikos-Skuza

III. Categories of protected persons

1. General remarks
2. Civilians on the territory of the enemy state
3. Civilians on occupied territory
4. Civilian internees
5. Special protection of some categories of civilians
 - a) women
 - b) children
 - c) journalists
 - d) refugees and internally displaced persons
 - e) missing
6. Prisoners of war
7. Wounded, sick and shipwrecked

15h45 – 16h00 Coffee break

16h00 – 17h30 Ms. Elzbieta Mikos-Skuza

IV. Detention of protected persons

1. Detention of persons having the combatant status
2. Detention of persons having participated in hostilities without the combatant status
3. Detention of fighters captured in non-international armed conflicts
4. Specific problem of persons captured in the so-called “war on terror”, including extraordinary renditions

17h30 End of the session

Friday, 31st March 2017

9h00 – 10h45 Ms. Elzbieta Mikos-Skuza

V. Conduct of hostilities – protection of civilians against the effects of hostilities

1. Generalities
2. Definition of civilians
3. Definition of civilian objects vs. military objectives; problem of dual use objects
4. Prohibited attacks – principles of distinction and proportionality
5. Precautionary measures
6. Special measures of protection

10h45 - 11h00 Coffee break

11h00 - 12h30 Mr. Toni Pfanner

VI. International Humanitarian Law and Human Rights Institutions

12h30 - 14h00 Lunch break

14h00 – 15h00 Mr. Paul Berman

VII. The European Union and International Humanitarian Law

1. EU and IHL - what's the connection ?
2. The EU framework - supranational & intergovernmental action
3. The promotion and implementation of IHL: the EU as political, economic, developmental, legislative and military actor
4. Looking ahead

15h00 – 16h00 Mr. Stéphane Kolanowski

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

16h00 – 16h15 Coffee break

16h15 – 17h30 Mr. Paul Berman

IX. The European Union and crisis management

1. The Common Security and Defence Policy
2. The crisis management operations
3. IHL in EU crisis management operations

17h30 End of the session

Saturday, 1st April 2017

9h00 - 10h15 Ms. Elzbieta Mikos-Skuza

X. Implementation of International Humanitarian Law

1. Preventive measures
2. Means of control during an armed conflict
3. Repression of violations and development of international justice

10h15 - 10h30 Coffee break

10h30 - 12h00 Mr. Stéphane Kolanowski

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

12h00– 12h30 Wrap up session, closure of the seminar, distribution of certificates
