



21th Congress (Lisbon, 15-19 May 2018)

Peace, War & the Law

Draft programme for participants

Ref: ISMLLW 897 N E 17

Tuesday 15 May 2018

Arrival of Participants

- 10.00 – 12.30 **Meeting of the Managing Board (Managing Board members only)**
14.00 – 17.00 **Meeting of the Board of Directors (Members of the Board of Directors only)**
14.00 – 18.00 *Registration*
18.30 – 20.30 **Welcome Reception (Open to accompanying persons)**

Wednesday 16 May 2018

Plenary session

- 08.30 – 09.15 *Registration*
09.30 – 10:00 **Opening Ceremony (Open to accompanying persons)**
Opening speeches by:

Brigadier General (ret.) Jan Peter SPIJK, President of the Society

Lieutenant - General António MARTINS PEREIRA
Representing the Armed Forces of the Portuguese Republic

- 10:00 – 10:30 Coffee/tea

- 10.30 – 12.00 **General Discussion**
The Use of Armed Forces in Domestic Situations
Chair: Brigadier-General Darren STEWART, Head Operational Law, Army Headquarters, U.K.
Presenters:
Prof. Dr. Vaios KOUTROULIS, Université Libre de Bruxelles
Magistrat Colonel Aurore CHAUVELOT, Chef de la division des affaires pénales militaires,
Ministère de la Défense, France

- 12.00 – 13.15 Lunch

- 13.15 – 14.45 **General Discussion**
Accountability and Responsibility in Peace Operations
Chair:
Mr. Steven HILL, Director of the Office of Legal Affairs at NATO Headquarters
Presenters:
Dr. Aurel SARI, University of Exeter
Dr. Marten ZWANENBURG, Senior Legal Advisor, Ministry of Foreign Affairs, the
Netherlands
Colonel (Ret.) Ben F. KLAPPE, Former Senior Military Expert, United Nations Secretariat,
New York

- 14.45 – 15.15 Coffee/tea
- 15.15 – 16.30 **General Discussion**
Protection of Civilians in Peace Operations
 Chair:
 Colonel Dr. Joop VOETELINK, National Defence College, the Netherlands
 Presenters:
 Mr. Remy JORRITSMA, Researcher, Max Planck Institute for Procedural Law – Luxembourg
 Brigadier General Professor Daniel KUWALI, Malawi Defense Forces
 Dr. Justinas ŽILINSKAS, International Humanitarian Fact-Finding Commission
- 16.30 – 17.00 **Presentation of the International Society for Military Law and the Law of War, and its Projects**
 Presenter: Mr. Alfons VANHEUSDEN, Director, Legal Advisory Division, Ministry of Defence, Belgium & Assistant Secretary General of the Society
- 17.00 – 18.00 **General Assembly (Members of the Society only)**
Free Evening

Thursday 17 May 2018

Parallel Specialised Sessions

- 08.30 – 10.00 **Committee for the Law of Maritime and Air Operations**
Aerial and Maritime Dimensions of Peace Operations
 Chair:
 Captain (N) Gianmatteo BREDA, Italian Navy General Staff, General Office for Legal Affairs
 Presenters:
 Prof. Dr. Wolff HEINTSCHEL von HEINEGG, Europa-Universität Viadrina Frankfurt (Oder) & Vice-President of the Society
- Committee for Military Justice**
International Criminal Responsibility and International Criminal Justice in Relation to Peace Operations
 Chair:
 Mr. Eugene R. FIDELL, Senior Research Scholar in Law and Florence Rogatz Visiting Lecturer in Law, Yale Law School
 Presenters:
 Mr. B. Richard BELL, Chief Justice of the Court Martial Appeal Court of Canada
 Christopher GRIGGS, Barrister, New Zealand & List of Counsel, International Criminal Court
 Dr. Roberta ARNOLD (by VTC/Skype)
 Lieutenant-Colonel (Ret.) Frank ROSENBLATT, Former Deputy Chief U.S. Army Trial Defense Service
- Committee for History of Military Law and the Law of War**
The History & Future of Peace Operations Explained to Lawyers
 Chair:
 Prof. Dr. Stefan OETER, University of Hamburg, Germany
 Presenters:
 Dr. Dieter FLECK, Former Director of International Agreements and Policy, Federal Ministry of Defence, Germany; Member of the Advisory Board, Amsterdam Centre for International Law & Honorary President of the Society

Mr. Tobias VESTNER, Cluster Leader Security and Law Programme, Geneva Centre for Security Policy

10.00 – 10.30 Coffee/tea

10.30 – 12.00 **Committee for the Law of Maritime and Air Operations**

The Duty to Rescue at Sea

Chair:

Captain (N) Gianmatteo BREDA, Italian Navy

Presenters:

Dr. Irini PAPANICOLOPULU, Università degli Studi di Milano-Bicocca

LT(N) Freek MARCHAL, Legal Adviser, Royal Netherlands Navy

Captain Susan McGARVEY, Force Judge Advocate for Naval Special Warfare Command

Committee for Military Justice

Monitoring Compliance in the Field of Conduct and Discipline, and Combating Sexual Exploitation and Abuse in Peace Operations

Chair:

Mr. Eugene R. FIDELL, Senior Research Scholar in Law and Florence Rogatz Visiting Lecturer in Law, Yale Law School

Presenters:

Mr. Lars STEVNSBORG, Military Prosecutor General, Denmark

Colonel (Ret.) Ben F. KLAPPE, Former Senior Military Expert, United Nations Secretariat, New York

Committee for History of Military Law and the Law of War

Third Party Claims in Peace Operations: History & Future

Chair:

Prof. Dr. Stefan OETER, University of Hamburg, Germany

Presenters:

Mrs. Cathérine BAELE, Legal Advisor at the Claims Office of the Belgian Ministry of Defence

Dr. Gerhard SCHERHAUFER, Defence Staff of the Austrian Federal Ministry of Defence

12.00 – 12.30 **Launch and Introduction of the Handbook of the Law of Visiting Forces, 2nd rev edn (Oxford University Press, 2018)**

Dr. Dieter FLECK, Former Director International Agreements & Policy, Federal Ministry of Defence, Germany; Member of the Advisory Board, Amsterdam Centre for International Law; Honorary President of the Society: *Status of Forces, Status of Mission, Immunity and Respect for the Law of the Host State*

Colonel (Ret.) Ben F. KLAPPE, Former Senior Military Expert, United Nations Secretariat, New York: *Status of Military and Civilian Members of Peace Operations*

Jarin NIJHOF, Director of the Expertise Centre on Military Criminal Law of the Netherlands Prosecution Service; former host nation attorney-advisor for the US Army 21st Theater Sustainment Command's Netherland Law Center: *NATO SOFA and its Role for State Practice and Academic Research*

12.30 – 13.30 Lunch

15 May 2018

13.30 – 15.00

Committee for General Affairs

The Soldier's Right to Life and the Soldier's Individual Right to Self-Defence

Chair:

Dr. Petra DITRICOVA-OCHMANNOVA, Czech Liaison Officer to NSPA/NATO

Presenters:

Lieutenant-Colonel Mark DAKERS, Legal Adviser, U.K. Army

Dr. Gloria GAGGIOLI, Assistant professor, University of Geneva

Committee for International Humanitarian Law

The Applicability of IHL in Peace Operations

Chair:

Dr. Agnieszka JACHEC NEALE, Lecturer in Law, Law School/Strategy and Security Institute/Medical School, University of Exeter

Presenters:

Dr. Marten ZWANENBURG, Senior Legal Advisor, Ministry of Foreign Affairs, the Netherlands

Dr. Tristan FERRARO, Senior Legal Advisor, International Committee of the Red Cross
Colonel MA HONGWEI, Deputy Director of the International Military Law Research Office of the Institute of Military Legal Research of the Academy of Military Sciences

15.00 – 15.30

Coffee/tea

15.30 – 17.00

Committee for General Affairs

The Applicability of International Human Rights Law in Peace Operations

Chair:

Dr. Petra DITRICOVA-OCHMANNOVA, Czech Liaison Officer to NSPA/NATO

Presenters:

Prof. Dr. Kjetil MUJEZINOVIC LARSEN, Law Faculty, University of Oslo

Dr. Daryl A. MUNDIS, Registrar at the Special Tribunal for Lebanon

Dr. Jan Arno HESSBRUEGGE, Human Rights Officer, Office of the United Nations Commissioner for Human Rights & Visiting Professor for International Law at the University of Peace, Costa Rica

Committee for International Humanitarian Law

The Future of Warfare and the Associated Legal Dimensions

Chair:

Dr. Agnieszka JACHEC NEALE, Lecturer in Law, Law School/Strategy and Security Institute/Medical School, University of Exeter

Presenters:

Dr. Eirini GIORGOU, Legal Adviser, Arms Unit of the International Committee of the Red Cross

Brigadier-General Prof. Dr. Paul DUCHEINE, Netherlands Defence Academy

Prof. Rachel VANLANDINGHAM, Associate Professor of Law, Southwestern Law School, Los Angeles, U.S.

19.00 – 22.00

Official Dinner (Open to accompanying persons)

Friday 18 May 2018

Plenary Session

- 08.00 – 09.00 **Extraordinary General Assembly (Spare - Members of the Society only)**
- 09.00 – 10.15 **General Discussion**
Detention in Peace Operations
Chair: Brigadier-General Darren STEWART, Head Operational Law, Army Headquarters, U.K.
Presenters:
Dr. Tristan FERRARO, Senior Legal Advisor, International Committee of the Red Cross
- 10.15 – 10.45 Coffee/tea
- 10.45 – 12.30 **General Discussion**
Implementing a Gender Perspective in Peace Operations
Chair:
Ambassador Dr. Marie JACOBSSON, Principal Legal Adviser on International Law, Ministry for Foreign Affairs, Sweden
Presenters:
Mrs. Antoaneta BOEVA, Legal Advisor at ITER, formerly at NATO Headquarters
Lieutenant-Colonel Keirsten KENNEDY, Regional Defense Counsel, U.S. Army Trial Defense Service, Fort Hood, U.S.
- 12.30 – 13.30 Lunch
- 13.30 – 15.00 **General Discussion**

Demining and Removal of Explosive Remnants of War in Peace Operations
Prof. Dr. Kjetil MUJEZINOVIC LARSEN, Law Faculty, University of Oslo

Recent Trends in International Security and Portuguese Law
Prof. Dr. Jorge BACELAR GOUVEIA, Professor Catedrático, Law Faculty, Universidade Nova de Lisboa

ICRC Commentaries to the Geneva Conventions I and II
Prof. Dr. Wolff HEINTSCHEL von HEINEGG, Europa-Universität Viadrina Frankfurt (Oder) & Vice-President of the Society
- 15.00 - 15.30 Coffee/tea
- 15.30 – 16.00 **Award of the Ciardi Prize 2018**
Jury members:
Dr. Giovanna CIARDI, President of the Fondazione Ciardi
Vice-Admiral Sabino IMPERSCRUTABILE, Italy
Rear-Admiral (upper half) (ret.) Fabio CAFFIO, Italy
Prof. Dr. Wolff HEINTSCHEL von HEINEGG, Europa-Universität Viadrina Frankfurt (Oder) & Vice-President of the Society
Dr. Sigrid Redse JOHANSEN, Acting Judge Advocate General, Norwegian Military Prosecution Authority

16.00 – 16.15 **Closing Session (Open to accompanying persons)**

16.15 – 17.00 **Joint meeting of the Managing Board and the Board of Directors**
(Members of the newly elected Boards only)

Free Evening

Saturday 19 May 2018

Departure of the Participants