



INTERNATIONAL
AND COMPARATIVE
LAW RESEARCH
CENTER



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

APPLICATION OF INTERNATIONAL HUMANITARIAN LAW AND INTERNATIONAL HUMAN RIGHTS LAW IN AN ARMED CONFLICT

**Sanremo (Italy)
October 4, 2019**

INTERNATIONAL AND COMPARATIVE LAW RESEARCH CENTER (MOSCOW, RUSSIAN FEDERATION)

The International and Comparative Law Research Center is a non-profit non-governmental organization that conducts research on various issues of international and comparative law of strategical importance for the Russian Federation and Russian business. It also provides expert support to the Russian delegation to the international organizations (ISA, UNIDROIT, etc.), takes part in the work of UNCITRAL as an observer. The Center implements educational projects aimed to promote the study of international law, organizes the annual award for the young international lawyers and the Summer School, holds workshops and conferences on relevant topics. The Center's constantly replenished Library provides access to printed publications and online resources on public and private international law, and comparative law.

INTERNATIONAL INSTITUTE OF HUMANITARIAN LAW (SANREMO, ITALY)

The International Institute of Humanitarian Law is an independent, "non-profit, humanitarian association having social values as its objectives", founded in 1970. The main purpose of the Institute is to promote international humanitarian law and related subjects. The Institute takes initiatives and carries out activities of a practical and multidisciplinary character, in particular, by organising courses of teaching, training and advanced studies in the fields of international humanitarian law, human rights, refugee law and related issues; by promoting dialogue with a view to fostering better respect and implementation of international law and by organising international conferences, meetings and seminars of scholars and practitioners. The Institute works in close collaboration with the most important international organisations dedicated to the humanitarian cause, including ICRC, UNHCR, and IOM. It has operational relations with the European Union, UNESCO, NATO, the Organisation Internationale de la Francophonie, the International Federation of Red Cross and Red Crescent Societies.

SCHEDULE

9:30 – 10:00	Registration and Welcome coffee
10:00 – 10:10	Welcome address: <ul style="list-style-type: none">• Bakhtiyar Tuzmukhamedov• Giorgio Battisti• Victoria Manko
10:10 – 11:20	Panel 1: Interplay between IHL and IHRL (part I) Moderator: <ul style="list-style-type: none">• Natalia Sokolova Panellists: <ul style="list-style-type: none">• Marco Sassòli• Jean-Paul Laborde• Ady Niv• Richard Bruce Jackson• Cordula Droege
11:20 – 11:35	Coffee break
11:35 – 12:40	Panel 1: Interplay between IHL and IHRL (part II)
12:40 – 14:10	Lunch break

14:10 – 15:40

Panel 2: Application of IHL and IHRL by International Courts and Tribunals

Moderator:

• **Victoria Manko**

Panellists:

- **Anatoly Kovler**
- **Dieter Fleck**
- **Peter Michael Kremer**
- **Wenqi Zhu**

15:40 – 16:00

Closing remarks

16:00 – 18:00

Reception

SALSADRENA, Corso Imperatrice, 45

PARTICIPANTS



Giorgio Battisti

Vice-President of the International Institute of Humanitarian Law. Giorgio Battisti is a retired Lieutenant General in the Italian Army. His last assignment was Commander Italian Army Training and Doctrine Command in Rome. General Battisti served in command and leadership positions from platoon through Corps and Army Command, including the Cadets' Regiment at the Military Academy, the "Taurinense" Alpini Brigade and the NATO Rapid Deployable Corps – Italy. Throughout his career has held multiple command and staff positions in Italy and abroad. He took part in the UN mission to Somalia in 1993, and the NATO one to Bosnia in 1997. Furthermore, he deployed to Afghanistan four times, in 2001/02, 2003, 2007 and 2013/14. During his last tour of duty in Kabul General Battisti served as ISAF HQs Chief of Staff.

Cordula Droege

Dr Cordula Droege is the chief legal officer and head of the legal division of the ICRC, where she leads the ICRC's efforts to uphold, implement and develop international humanitarian law. She joined the ICRC in 2005 and has held a number of positions in the field and at headquarter, including as head of the legal advisers to operations, and most recently as chief of staff to the President of the ICRC. She has some twenty years of experience in the field of international law, and in her earlier career worked for the International Commission of Jurists, the Inter-American Court of Human Rights and the Max Planck Institute for International Law. She holds a law degree and a PhD from the University of Heidelberg and an LL.M. from the London School of Economics.



Dieter Fleck

Honorary President of the International Society for Military Law and the Law of War, Member of the Advisory Board of the Amsterdam Center for International Law, and Rapporteur of the Committee on Nuclear Weapons, Non-Proliferation and Contemporary International Law of the International Law Association. He has served as legal advisor in various Bundeswehr commands, the German Chancellors Office, and the Federal Ministry of Defence, where he was last Director International Agreements & Policy. He is widely published on issues of international law and security.

Richard Bruce Jackson

30 years on active duty in the US Army, serving in the Infantry and the Judge Advocate General's Corps, as an Infantry Platoon Leader, then as a Legal Advisor at all levels of US and multinational commands, culminating with the Senior Legal Advisor at NATO Joint Forces Command - Naples. Served in conflict zones in Panama, Haiti, Bosnia, Kosovo, and Iraq. Spent 11 years as a senior civilian military attorney, the IHL Advisor to the US Army Judge Advocate General. Spoken at international law venues all over the world, authored numerous law review articles, and was a contributing author to three books, including the recent 2nd edition of an IHL textbook – *The Law of Armed Conflict: An Operational Approach*.



Anatoly Kovler

Professor Kovler is the holder of Ph.D. and Honored Lawyer of the Russian Federation. Professor Kovler is now serving as Head of the Foreign Law and Comparative Law Center at the Institute of Legislation and Comparative Law under the Government of the Russian Federation. He worked as Head of Comparative Law Center at the Institute of State and Law of the Russian Academy of Sciences in 1979-1999. He was elected judge of the European Court of Human Rights in 1999 and served until 2012. Professor Kovler also has a broad teaching experience. He is the author of 8 monographs and about 150 scientific publications on the theory of law, anthropology, human rights, comparative constitutional law.

Peter Michael Kremer

Mr. Kremer had a distinguished 32-year career with the Department of Justice of Canada as Federal Prosecutor (1972-1990), Director of the War Crimes and Crimes Against Humanity Section (1990-1996), and General Counsel Litigation (1996-2005). He was appointed as Queen's Counsel in 1990. Between 2005 and 2014 Mr. Kremer was the Director of the Appeals Division with the Prosecutor's Office of the International Criminal Tribunal for the former Yugoslavia, and from 2012 and 2014 also Acting Deputy Prosecutor. Mr. Kremer retired from public service in October 2014.



Jean-Paul Laborde

Roving Ambassador PAM, Director of the Center of Expertise on Counter Terrorism Measures (French Military Academy), Former Executive Director of UN CTED, Honorary Judge of the French Judicial Supreme Court.

Victoria Manko

Ms. Manko has become the General Director of the International and Comparative Law Research Center in 2018. Before that, she took the position of an Expert on Public International Law and Assistant General Director, being a regular member of the Russian delegation to UNCITRAL. Before joining the Center, she worked in Moscow-based international law firms advising clients on international law matters for several years. She holds a master's degree in international law from the Lomonosov Moscow State University.



Ady Niv

Judicial Cooperation Advisor at Eurojust (2018-2019), Legal Officer at the United Nations ad-hoc International Criminal Tribunals (2014-2017), Lawyer at Israel's Ministry of Justice Department of Special International Affairs (2010-2014), Legal Officer and Military Prosecutor at the Military Advocate General's corps (2003-2008), Co-founder of ALMA – the Association for the Promotion of International Law.

Marco Sassòli

Director of the Geneva Academy of International Humanitarian Law and Human Rights and professor of international law at the Faculty of Law of the University of Geneva. In 2001-2003, he has been professor of international law at the Université du Québec à Montréal, Canada, where he remains associate professor. He is commissioner of the International Commission of Jurists (ICJ) and *pro bono* special advisor on IHL of the prosecutor of the International Criminal Court. Marco Sassòli worked in 1985-1997 for the International Committee of the Red Cross (ICRC) at the headquarters, inter alia as deputy head of its legal division, and in the field, inter alia as head of the ICRC delegations in Jordan and Syria. Marco Sassòli has been published widely on international humanitarian law (most recently: *International Humanitarian Law: Rules, Controversies, and Solutions to Problems Arising in Warfare* (2019)), human rights law, international criminal law, the sources of international law, and the responsibility of states and non-state actors.



Natalia Sokolova

Doctor of Law, Associate Professor, Head of the Department of International Law, Academic Director of the Research Institute at Kutafin Moscow State Law University (MSAL).

Bakhtiyar Tuzmukhamedov

Professor of International Law, Merited Jurist of the Russian Federation, Vice-President of the Russian Association of International Law, Member of the Committee against Torture, Member of the Council of the International Institute of Humanitarian Law, senior staff member of the Secretariat of the Constitutional Court of the Russian Federation (1992-2016), Trial Judge of the UN International Criminal Tribunal for Rwanda (2009-2012), Appeals Judge of the UN International Criminal Tribunals for Rwanda and for the former Yugoslavia (2012-2015).



Wenqi Zhu

Professor of international law at Renmin University School of Law, Beijing, China, Council Member of the Board of the Chinese Society of International Law and EC Member of the Asian Society of International Law. Worked in the Appeals Section of the Office of the Prosecutor of the ICTY and the ICTR in 1995-2001, and in Chinese Foreign Ministry in 1988-1994. Author of the books on *China and International Criminal Court* (2008) by the Press of Renmin University of China, *War Crimes* (2010) by Legal Press, *Modern Introduction of International Law* (2013), *International Criminal Procedure Law* (2014) by Commerce Press, *International Criminal Law* (2015) and *International Humanitarian Law* (2018) also by Commerce Press in Beijing, China.

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