



**INTERNATIONAL SOCIETY
FOR MILITARY LAW AND THE LAW OF WAR**

Beijing, 9 to 13 November 2011

International Conference

on

The International Law of Peace Operations

Co-organized with the Chinese *Academy of Military Science*, PLA

Hosted by *China's Society for Military Law*

Programme

Ref.: ISMLLW 555 O E 16ws

Aim and scope of the Conference

This conference is intended to study and disseminate the international law applicable to Peace Operations.

For the purpose of this conference, Peace Operations are defined as those military operations which legally require the consent of the Host State in order to be able to deploy and operate on that State's territory and which are additionally subject to the principles of impartiality and restricted to the use of force in self-defense. In addition to the legal requirement of Host State consent, peace operations are also dependent upon the consent, or at least acquiescence, of all the parties to the conflict or dispute, in order to function and carry out their mandate, and are not intended or usually organized or equipped to engage in protracted hostilities or impose a solution militarily. Their primary purpose is to act in support of efforts aimed at promoting disengagement of the parties to a particular conflict and of achieving a diplomatic solution. Traditionally, the role and function of such operations was to act as a buffer between opposing forces after a ceasefire agreement had been reached and oversee and facilitate the carrying out of the terms of such agreements through monitoring, interposition, and persuasion. Since the end of the Cold War, these traditional tasks have been progressively expanded to include in many cases the promotion of a stable environment, the maintenance of public order, the provision of humanitarian assistance in cooperation with civilian governmental and non-governmental agencies, and the protection of civilians from violations of Humanitarian and Human Rights Law to the extent possible within the terms of their mandate and their operational capabilities. Peace operations are sometimes provided with mandates under Chapter VII of the UN Charter as an additional means of inducing compliance of the parties and signaling the resolve of the international community¹.

Peace operations in the strict sense as described above imply that the military forces involved operate below the threshold of armed conflict, in the sense that the Law of Armed Conflict, including the Geneva Conventions, does not apply to them.

The conference discussions will focus on legal rules, but equally on proposed good practices in the field of Peace Operations. Participants will profit from each other's knowledge, experience and perspective.

Furthermore, the conference will offer plenty of networking opportunities.

Subjects

Academic speakers and experienced professionals will address the following topics:

- *The Legal Framework of Peace Operations*
- *The Threshold of Armed Conflict*
- *The Development of and Contemporary Challenges to International Humanitarian Law, in particular with respect to its Applicability and Application in the Context of Peace Operations*

¹T. GILL in *The Handbook of the International Law of Military Operations*, eds. T. GILL and D. FLECK, Oxford University Press, 2010, p. 135-137.

- *Rules of Engagement, Self-Defense and Protection of Civilians in Peace Operations*
- *Restrictions on the Use of Weapons in Peace Operations*
- *Accountability of Peacekeepers.*

Participation and Concept

Participation to the Conference is open to practitioners and academics from countries around the world. The Conference consists of expert presentations and panel discussions. The individual contributions will represent the views of each speaker and the Chatham House Rule will apply to the conference.

Wednesday, November 9, 2011

- 15.00 – 17.00 Arrival of the participants
Registration in the Empark Grand Hotel
- 18.00 – 20.00 Welcome reception
Brief welcome addresses by:
- Lieutenant General Liu Jixian, Vice-President of the Academy of Military Science, PLA, and Chairman of China's Society for Military Law
- Mr Arne Willy Dahl, President of the International Society for Military Law and the Law of War

Thursday, November 10, 2011

- 09.15 **Group Photo**
- 09.30 – 09.50 **Official Opening**
- 09.50 – 10.00 **Opening Address** by Mr Arne Willy Dahl, President of the International Society for Military Law and the Law of War
- 10.00 – 10.30 **Academic Address - The practice of International Humanitarian Law in China** by Lieutenant-General Liu Jixian, Vice-President of the Academy of Military Science, PLA & Chairman of China's Society for Military Law
- 10.30 – 11.15 Coffee Break
- 11.15 – 12.00 **The Legal Framework of Peace Operations** by Professor Dr Terry Gill, Universities of Amsterdam and Utrecht, The Netherlands
- 12.00 – 13.30 Lunch
- 13.30 – 14.00 **The Threshold of Armed Conflict** by Captain (Navy) XING Guangmei, Research fellow, PLA Navy Military Research Institute
- 14.00 – 14.30 **The Development of and Contemporary Challenges to International Humanitarian Law, in particular with respect to its Applicability and Application in the Context of Peace Operations** by Senior Colonel (Army) WANG Haiping, director of Department of Military Law, PLA Xi'an Academy of Politics

- 14.30 – 15.00 **Panel discussion** under the Chair of Brigadier-General Jan Peter Spijk, Vice-President of the International Society for Military Law and the Law of War
- 15.00 – 15.30 Coffee Break
- 15.30 – 16.00 **The Applicability of Human Rights Treaties in Peace Operations** by Dr Kjetil M. Larsen, Norway
- 16.00 – 16.30 **SOFA Development and the Status of Forces in Peace Operations** by Dr Aurel Sari, Lecturer in Law, University of Exeter (Cornwall Campus), United Kingdom
- 16.30 – 17.00 **Panel discussion** under the Chair of Dr Claude Bruderlein, Director of the Program on Humanitarian Policy and Conflict Research at Harvard University, United States
- 17.15 – 18.45 Presentation of the HPCR Research Project on **Monitoring Mechanisms in the Implementation of International Humanitarian Law, in Particular in the Context of Peace Operations** by Dr. Claude Bruderlein, Director of the Program on Humanitarian Policy and Conflict Research at Harvard University, United States
- 19.00 Dinner

Friday, November 11, 2011

- 09.15 – 09.45 **Self-Defence in Peace Operations** by Dr Paul Ducheine, University of Amsterdam / The Netherlands' Defence Academy, the Netherlands
- 09.45 – 10.15 **Protection of Civilians in Peace Operations** by Lieutenant-General (Rtd.) Randhir Kumar Mehta PVSM, AVSM, YSM, VSM, India, former Military Advisor at UN Department of Peacekeeping Operations
- 10.15–10.45 Coffee Break
- 10.45 – 11.30 **Panel Discussion** under the Chair of Mr Arne Willy Dahl, President of the International Society for Military Law and the Law of War
- 11.30 – 12.00 **Presentation on the International Society for Military Law and the Law of War** by Mr Alfons Vanheusden, Assistant Secretary General
- 12.00 – 13.30 Lunch

- 13.30 – 14.00 **Restrictions on the Use of Weapons and Capabilities in Peace Operations – The Legal Framework** by Dr. Jann K. Kleffner, LL.M.
Head of the International Law Centre, Associate Professor of International Law, Swedish National Defence College
- 14.00 – 14.30 **Recent Developments in International Humanitarian Law, in the Context of Peace Operations** by Dr Tristan Ferraro, Legal Adviser, Legal Division, ICRC Geneva
- 14.30 – 15.00 Coffee Break
- 15.00 – 15.45 **Panel Discussion** under the Chair of Professor Dr Terry Gill, Universities of Amsterdam and Utrecht, The Netherlands
- 15.45 – 16.15 **Accountability of Peacekeepers** by Professor Dr Boris Kondoch, Executive Director at Asia Center for Peace and Security Studies
- 16.15 – 16.45 **A Case Study – East Timor** by Group Captain Alan Hemmingway, Director Military Law Centre, Randwick, Australia
- 16.45 – 17.30 **Panel Discussion** under the Chair of Brigadier-General Jan Peter Spijk, Vice-President of the International Society for Military Law and the Law of War
- 17.30 – 17.45 Break
- 17.45 – 18.00 **Closing of the Academic Part of the Conference**
- Mr Arne Willy Dahl, President of the International Society for Military Law and the Law of War
- Lieutenant-General Liu Jixian, Vice-President of the Academy of Military Science, PLA & Chairman of China's Society for Military Law
- 18.45 – 21.30 Official Closing Dinner at the Empark Grand Hotel

Saturday, November 12, 2011

- 07.30 – 17.30 Host Nation Programme (Individual Participation)

Sunday, November 13, 2011

Departure or Participation in the Post-Conference Tour to Xi'an and Shanghai (separate registration and participation fee)