20th Congress (Prague, 14-18 April 2015)

Current International Crises and the Rule of Law

Programme for participants
Ref: ISMLLW 556 N E 24

Tuesday 14 April 2015

Arrival of the Participants

09.00 – 12.00 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)

15.30 – 18.00 Registration

19.00 – 21.00 Welcome Reception at Hotel Corinthia. Musical performance by the Military Artistic Unit of the Czech Armed Forces.
(Open to accompanying persons)
**Wednesday 15 April 2015**

08.00 – 08.45  
*Registration*

09.00 - 10.00  
**Opening Ceremony** (Open to accompanying persons)

**Opening speeches by**

- Mr. Daniel KOŠTOVAL, Head of the Defence and Strategy Division, Ministry of Defence of the Czech Republic
- Major-General KOČIÁN, Head of Inspection of Czech Armed Forces
- Brigadier General (ret.) Jan Peter SPIJK, President of the International Society for Military Law and the Law of War

10.00 – 10.10  
**Group photo**

10.10 – 10.30  
**Coffee/tea**

10.30 – 12.00  
**Keynote Presentations**

- **Will Current International Crises result in Structural Shifts in International Law?**
  
  Prof. em. Dr. Michael BOTHE, Goethe University, Frankfurt am Main

- **Status of Foreign Fighters under International and National Law**

  Ms. Sandra KRAEHENMANN (PhD), Research fellow of the Geneva Academy of International Humanitarian Law and Human Rights

12.00 – 13.45  
**Lunch**

13.45 – 15.30  
**General Report and Discussion**

*The Challenges in the Implementation of International Humanitarian Law*

**General Rapporteurs:**

- Air Commodore Peter HEBLY, Head of Military Legal Services, The Netherlands
- LCol Jean-Michel CAMBRON, Judge Advocate General Corps, Canada

15.30 – 16.00  
**Coffee/tea**

16.00 – 16.15  
**The Swiss-ICRC Initiative on Strengthening Compliance with IHL**

H.E. François VOEFFRAY, Ambassador-at-Large, Federal Department of Foreign Affairs, Switzerland
16.15 – 16.30  **In memoriam Brigadier-General E. DAHINDEN**  
Colonel Carl MARCHAND, Director IHL, Army Staff, Swiss Armed Forces

16.30 – 17.00  **Presentation of the International Society for Military Law and the Law of War**  
Mr Ludwig Van Der VEKEN, Secretary General of the International Society for Military Law and the Law of War

17.00 – 17.45  **General Assembly (Members of the Society only)**
Thursday 16 April 2015

Parallel Sessions of the Specialised Committee

08.30 – 10.45  **Committee for Military Justice**
- *Jaloud v. The Netherlands – An In-Depth Analysis*
Chair: Prof. Eugene FIDELL, Florence Rogatz Visiting Lecturer in Law, Yale Law School, New Haven (Conn.), USA
Speakers:
Professor Elizabeth HILLMAN, Professor of Law and Provost & Academic Dean, UC Hastings, San Francisco (Cal.), USA
Colonel Charles BARNETT, Army Legal Service, UK
Mr Bas van HOEK, Expertise Centre on Military Criminal Law, Public Prosecutors Office, The Netherlands

**Defence Procurement Law**
- *How Defence Procurement & Critical Infrastructure can fall Victim to the Cyber Threat*
Chair: Mr Roland TROPE, Partner, Trope and Schramm LLP; Adjunct Professor, Department of Law, U.S. Military Academy, USA
Speaker: Mr. Daniel P. BAGGE, Head of Strategy and Policy, National Cyber Security Center, National Security Authority, Czech Republic - *Protecting strategic assets: national cyber security framework of the Czech Republic - the legal and organizational perspectives*,

10.45 – 11.15  Coffee/tea

11.15 – 12.15  **Committee for the Law of Maritime and Air Operations (Part I)**
- *Persons in distress at sea: legal implications for Navies and enforcement agencies // Use of force against pirates: operational and legal challenges*
Chair: Commander Gianmatteo BREDA, Italian Navy
Professor Dr. Irini PAPANICOLOPULU, Associate Professor of International Law, University of Milan Bicocca, Italy - *Saving lives and enforcing the law: legal and operational challenges of irregular migration by sea.*

**Committee for International Humanitarian Law (Part I)**

* IHL in Current International Crises  
* Chair: Colonel Ben F. Klappe, Director of the Seminar for Legal Advisors  
* Speaker:  
  
  Lieutenant-Colonel Otakar Foltýn, Legal Adviser, Joint Operational Centre, General Staff, Czech Republic  
  
  Lieutenant-Colonel Frank Rosenblatt, Legal Advisor at Special Operations Command, Pacific, USA, *Responsibility for Crimes of Surrogates - Status and self-policing by advisory teams'*

12.15 – 14.00 Lunch

14.00 – 15.15 **Committee for the Law of Maritime and Air Operations (Part II)**  

* Current Air and Joint Operations in Syria and Iraq  
* Chair: Commander Gianmatteo Breda, Italian Navy  
* Speakers:  
  
  Professor Natalino Ronzitti, Professor of International Law, Libera Università degli Studi Sociali Guido Carli of Rome – "*Jus ad bellum, Jus in bello and Jus post bellum: the Practice of Recent and Current Air Operations*”  
  
  Dr. Petra Ochmannova, Senior Legal Advisor, Legal Office, Ministry of Defence, Prague, Czech Republic - *Use of Drones and Legal Challenges*,

15.15 – 15.45 Coffee/tea

15.45 – 18.00 **Committee for History of Military Law and the Law of War**  

* Non-State Actors and the Laws of Armed Conflict  
* Chair: Prof. Dr. Stefan Oeter, University of Hamburg, Germany  
* Speakers:  
  
  Mr. Christian Gossiaux, senior legal advisor, Ministry of Defence, Belgium
Committee for General Affairs

- Military orders, military superiors and military subordinates - a contribution to legal interoperability
Chair: Dr. Alexander PORETSCHKIN, Legal Advisor (ret.), Germany
Speakers:
Commander Christopher GRIGGS RNZN (ret.), barrister, New Zealand: "Obedience to superior orders as a defence in common law jurisdictions".
Mr. Lars Morten BJøRKHOLT, Head of the Military Prosecution Authority, Norway: “The Norwegian Approach”.
Discussion and question period
Chair: Dr. Petra OCHMANNOVA, MoD Czech Republic
Friday 17 April 2015

Plenary Session

08.30 – 09.45
Panel discussion on International Principles Governing the Administration of Justice Through Military Tribunals
Chair: Brigadier General Dimitrios ZAFEIROPOULOS, Senior Vice-President of the International Society for Military Law and the Law of War
Speakers:
Dr. Elizabeth Guimarães Teixeira ROCHA, President, Superior Tribunal Militar, Brazil
Maj Gen Nilendra KUMAR, Director, Amity Law School, Noida, India
Colonel Rob HOLMAN, Deputy Judge Advocate general for Military Justice, Canada
Mr. Christopher GRIGGS, barrister, Wellington, New Zealand
Colonel Pierre Desire Mvienna, President of Douala Military Tribunal, Cameroon

09.45 – 10.15
Coffee/tea

10.15 – 11.20
Challenges to Domestic Prosecution of War Crimes
Chair: Colonel Ben F. Klappe, Director of Seminars
Speakers:
JUDr. Anna RICHTEROVÁ, Deputy National Member of the Czech Republic in EUROJUST, The Netherlands
Colonel James A.E. JOHNSTON, Managing Prosecutor, Service Prosecuting Authority, United Kingdom

11.20 - 11.40
Dr. Nelly SALVO Ilabel, Ministry of Justice, Santiago de Chile, Chile
Changes to the Military Justice System in Chile

11.45 - 12.20
Presentation on the Manual of International Law in Peace Operations
Prof. Dr. T.D. GILL, University of Amsterdam, Netherlands Defence Academy, the Netherlands
12.20 – 13.45  Lunch

13.45 – 14.45  **The Importance of Cyber Warfare in Current International Crises**  
Prof. Dr. W. HEINTSCHEL VON HEINEGG, Europa University Viadrina, Frankfurt (Oder), Germany  
**Speakers:**  
Air Commodore (Ret) Dr. William BOOTHBY, UK  
Brigadier General Prof. Dr. Paul DUCHEINE, Netherlands Defence Academy, University of Amsterdam, The Netherlands

14.45 - 15.15  Coffee/tea

15.15 – 15.45  **Award of the Ciardi Prize 2015**

15.45 – 16.15  **Closing Session** (Open to accompanying persons)  
Closing speeches by  
- Colonel Tomáš ANDREJSEK, Head of International Department, Ministry of Defence, Czech Republic  
- Brigadier General (ret.) Jan Peter SPIJK, President of the International Society for Military Law and the Law of War

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

19.00 – 22.00  **Closing Dinner** at Chateau Štiřín. The Chateau is located 20 km from Prague; transportation will be arranged. (Open to accompanying persons)
Sunday 19 April 2015

Departure of the Participants