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 community.1

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

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 Duchene, 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)