The 11th Annual Minerva/ICRC International Conference on International Humanitarian Law:
Contemporary Challenges in International Humanitarian Law

Jerusalem, 28-29 November 2016

Senate Hall, Administration Building, Mount Scopus Campus, The Hebrew University of Jerusalem

Day 1: Monday, November 28

09:00-09:15 Greetings

Prof. Yuval Shany Chair, Conference Committee,
Outgoing Dean, Faculty of Law, Hebrew University of Jerusalem

Mr. Jacques de Maio Head of Delegation, International Committee of the Red Cross, Israel and the Occupied Territories

09:15-11:00 Session 1: Law Catching Up with Contemporary Practice?

Chair: Prof. Tomer Broude Academic Director, Minerva Center for Human Rights, Hebrew University of Jerusalem

Speakers:
Mr. David Hughes PhD Candidate, Osgoode Hall Law School, Toronto

Col. Noam Neuman Head, International Law Department, Military Advocate General’s Corps, Israel Defense Forces
“Challenges in the Interpretation of IHL during Ground Operations”

Dr. Daphné Richemond-Barak Leader School of Government, Diplomacy and Strategy, IDC Herzliya
“Underground Warfare in Urban Areas: Operational and Legal Dilemmas”

11:10-13:00 Session 2: Living Conventions? (Re)Interpreting IHL

Chair: Mr. Bruno Demayere Legal Advisor, International Committee of the Red Cross, Geneva

“The ICRC Updated Commentaries: Capturing 60 Years of Implementation and Interpretation of IHL”

Capt. Ben Wahlhaus Senior Legal Advisor, International Law Department, Military Advocate General’s Corps, Israel Defense Forces
“Watching IHL Evolve: The ICRC Commentaries as a Case Study”

Commentator: Prof. Yuval Shany Faculty of Law, Hebrew University of Jerusalem

14:30-16:15 Session 3: Expanding the Discourse about IHL

Chair: Mr. Liron Libman PhD Candidate, Faculty of Law, Hebrew University of Jerusalem; Former Head, International Law Department, Military Advocate General’s Corps, IDF

Speakers:
Dr. Sherif A. Elgebeily Legal Advisor, International Committee of the Red Cross, Geneva

“Self-Reflection and Article 42: Are International Human Rights and Humanitarian Law Considerations by the UN Security Council Necessary in its Decision to Mandate Armed Intervention?”

Dr. Giovanna Maria Friso Fluminense Federal University, Rio de Janeiro; School for Public Defenders, Office of the Public Defender, Brasilia
“The Principle of Systemic Integrity and the Definition of the Duty to Investigate and to Prosecute Violations of the Right to Life in Armed Conflicts”

Ms. Helen Obregón Gieseken Legal Advisor International Committee of the Red Cross, Geneva
“Migration: Protection Response and Legal Perspectives”

16:45-18:30 Session 4: Domestic Perspectives on Old and New Challenges

Chair: Prof. Yael Ronen Shari’a Mishpat Academic Center, Minerva Center for Human Rights, Hebrew University of Jerusalem

Speakers:
Mr. Eitan Diamond Legal Consultant, Forensic Architecture; PhD Candidate, Buchmann Faculty of Law, Tel Aviv University

“Law Trumps Hate? Enforcing IHL in the Face of Literal, Interpretive and Implicatory Denials”

Prof. David Kretzmer Faculty of Law, Hebrew University of Jerusalem; Sapir College Law School
“The Israeli Supreme Court and the Old Problem of Punitive House Demolitions”

Ms. Michal Luft Attorney, Gisha Legal Center for Freedom of Movement
“Living in a Legal Vacuum: The Non-legal Framework of Israel’s Actions towards Gaza Residents and their Ever-changing Status - from Foreign to Special to de facto Occupied Habitants”

18:45-20:00 Session 5: The 2016 Harold Buchwald Memorial Lecture in Human Rights

Chair: Prof. Francois Hampson School of Law and Human Rights Centre, University of Essex

Speaker: Adv. Danny Evron Executive Director, Minerva Center for Human Rights, Hebrew University of Jerusalem

“The Nature and Scope of the Obligation to (Monitor and) Investigate Violations under the Law of Armed Conflict”

Day 2: Tuesday, November 29

09:00-10:45 Session 6: Tackling the Accountability Challenge

Chair: Mr. Alon Margalit Legal Advisor, International Committee of the Red Cross, Israel and the Occupied Territories

Speakers:
Maj. Patricia Beh Legal Advisor, Military Justice Division, Office of the Judge Advocate General, Canadian Forces

Col. Robin Holman Deputy Judge Advocate General for Military Justice, Canadian Forces
“Military Justice Systems as Accountability Mechanisms for Enforcing Compliance with the Laws of Armed Conflict”

Dr. Isabel Lassée Head of Programmes, South Asian Centre for Legal Studies, Sri Lanka; Institute des Hautes Études Internationales, Université Panthéon Assas, Paris
“Public Reporting or Confidential Engagement: Prospects for Fact-finding into IHL Violations”

Prof. Gerald Steinberg Dept. of Political Studies, Bar-Ilan University; Founder and President, NGO Monitor

Ms. Anne Herzog Institute for NGO Research; Legal Advisor, NGO Monitor
“NGO Fact-finding for IHL Enforcement: In Search of a New Model”

11:15-13:00 Session 7: Questioning Basic Assumptions about the IHL Discourse

Chair: Dr. Hilly Moodrick - Even Chen Shari’a Mishpat Academic Center

Prof. Amichai Cohen Faculty of Law, Ostoodo Academic College, Israel Democracy Institute
“The Role of IHL in Modern Hybrid Armed Conflicts”

Dr. Lawrence Hill-Cawthorne Lecturer in Law, University of Reading; Visiting Fellow, London School of Economics
“The Challenge of Teleology: The Invocation of IHL in National and International Courts”

Mr. Yahli Shereshevsky Grotius Research Scholar, University of Michigan Law School; PhD Candidate, Faculty of Law, Hebrew University of Jerusalem
“Targeting the Targeted Killing Case”

14:30-16:15 Session 8: Challenges Arising in Non-International Armed Conflicts

Chair: Ms. Karen Leelhner Head of Legal Department; International Committee of the Red Cross, Israel and the Occupied Territories

Speakers:
Ms. Rosemary Mwanza Catholic University of Eastern Africa Law School, Nairobi
“In Search of a Coherent Framework for the Protection of the Environment in Non International Armed Conflicts: The Case of Darfur”

Mr. Kosuke Onishi PhD Candidate, Doshisha University, Kyoto
“The Principle of Military Necessity in Non-International Armed Conflict”

Ms. Sasha Radić Associate Director of Research, Stockton Center, U.S. Naval War College; Editor-in-Chief, International Law Studies; PhD Candidate, Melbourne University Law School
“When Do Armed Groups Become Parties to Existing Non-International Armed Conflicts? The Threshold of Involvement in Contemporary Conflicts”

16:45-18:45 Session 9: Rights and Obligations of Participants in Hostilities: New Approaches

Chair: Mr. Charles Shamas Founder and Senior Partner, Mattin Group

Speakers:
Prof. Dermot Groomo Dickinson School of Law, Penn State University; Former Senior Prosecuting Attorney, ICTY

“Child Soldiers – Both Victims and Combatants: Is There Anything IHL Can Do?”

Mr. Marcos Kotlik PhD Candidate, University of Buenos Aires; PhD Fellow, National Scientific and Technical Research Council of Argentina
“Unilateral Declarations Made by Non-State Armed Groups: What Are They and Why Do They Matter?”

Mr. Ido Rosenzweig Director of Research (Cyber, Terrorism & Belligerency), Minerva Center for the Rule of Law under Extreme Conditions, University of Haifa; PhD Candidate, Faculty of Law, Hebrew University of Jerusalem
“Can Crimes Against Humanity be Committed Towards Your Own Forces?”

Prof. Ben Saul Sydney Law School, University of Sydney
“What Do Non-State Armed Groups and ‘Terrorists’ Think of ‘Law’ and ‘Justice’?”

The conference is open to the public. Conference discussions will be in English. Pre-registration is required: mchr@savion.huji.ac.il 02-5881156 | Parking may be available - please check when registering