

5th SOUTH ASIAN CONFERENCE ON INTERNATIONAL HUMANITARIAN LAW

Sexual Violence and Armed Conflict

8 - 10 April 2014 | Hotel Radisson | Kathmandu, Nepal



ICRC

5th South Asian Conference on IHL – Sexual Violence and Armed Conflict

The ICRC and the Government of Nepal have collaborated to organize the 5th South Asian Conference on IHL in Kathmandu from April 8-10, 2014. Senior government representatives from SAARC countries and Iran are attending this conference.

The prevalence of sexual violence in armed conflict and other situations of violence and the consequences for victims and their communities deserve recognition and a committed response from the international community, national authorities, and humanitarian stakeholders. In this regard, the conference has the following objectives:

- (1) Provide state officials of the South Asian region and Iran with a platform to discuss IHL and issues related thereto
- (2) Discuss developments in IHL and practice
- (3) Encourage states to become party to key IHL instruments and to take meaningful steps towards implementation of legislation, as appropriate
- (4) Facilitate dialogue between the ICRC, states and official government bodies, with a view to strengthening institutional dialogue and collaboration on IHL and related principles

Programme

DAY 1 TUESDAY 8 APRIL 2014

09.00 am – 10.00 am	Inaugural Session
Moderator:	Mr Charles Sabga, Regional Legal Adviser, ICRC New Delhi
Welcome Remarks:	Ms Dragana Kojic, Head of Delegation, ICRC Nepal
Chair:	Mr Bhesh Raj Sharma, Secretary, Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs, Nepal
Opening statement:	Mr Dilli Raj Ghimire, Member Secretary, National IHL Committee, Nepal
Key note address:	Mr Qinghu Feng, Deputy Secretary General, AALCO Secretariat, New Delhi
Opening remarks:	Honourable Minister for Law, Justice, Constituent Assembly and Parliamentary Affairs, Narahari Acharya, Nepal
Remarks from the Chair:	Mr Bhesh Raj Sharma, Secretary, Ministry of Law, Justice, Constituent Assembly and Parliamentary Affairs, Nepal
10.00 am – 10.30 am	Coffee Break
10.30 am – 11.30 am	Sexual Violence during Armed Conflicts – Needs and Operational Observations
Chair:	Mr Jamie Williamson, Legal Adviser, ICRC Geneva Professor V.S. Mani, Director, Jaipur National University, India Ms Coline Rapneau, Sexual Violence Adviser, ICRC Geneva
11:30 am – 12.30 pm	International Law towards Sexual Violence: Jurisprudence from Nuremberg to Rome
Chair:	Mr Charles Sabga, Regional Legal Adviser, ICRC New Delhi Mr Anura Meddegoda, Partner, Varners Law Firm, Sri Lanka Ms Geeta Pathak Sangroula, Executive Director, Kathmandu School of Law, Nepal Ms Vrinda Grover, Legal Practitioner and Human Rights Advocate, India
12.30 pm – 01.30 pm	Lunch Break
01.30 pm – 02.30 pm	Prevention of Sexual Violence in Armed Conflicts and Post-Conflict Situations - Law, Operational Doctrine and Training
Chair:	Mr Usman Khan, Legal Adviser, ICRC Islamabad Mr Lloyd Gillett, Armed Forces Delegate, ICRC New Delhi Ms Coline Rapneau, Sexual Violence Adviser, ICRC Geneva
02.30 pm – 03.30 pm	Movie Presentation: "Sexual Violence and the Triumph of Justice" and Discussion
Moderator:	Ms Rumana Binte-Masud, Senior Communications Officer, ICRC Dhaka
03:30 pm – 04:00 pm	Coffee Break
04.00 pm – 05.00 pm	UN Resolutions on Sexual Violence during Armed Conflict – An Overview of Existing Instruments and Mechanisms
Chair:	Ms Supriya Rao, Legal Adviser, ICRC New Delhi Ms Sama Shrestha, Unit Manager (Peace and Security), UN Women Nepal Ms Shyamala Gomez, Country Director, Fokus Women, Sri Lanka Ms Saida Mouna, Director, Ministry of Foreign Affairs, Bangladesh
06.30 pm onwards	Dinner Reception at Hotel Radisson

DAY 2 WEDNESDAY 9 APRIL 2014

9.00 am – 10.30 am	The Changing Role of Women in Military – Changing Dynamics in Sexual Violence and Armed Conflict
Chair:	Dr Deepali Gaur, Senior Communications Officer, ICRC New Delhi Representative, Human Rights Directorate, Nepalese Army Mr Habibul Awal, Secretary, Ministry of Defence, Bangladesh
10.30 am – 11.00 am	Coffee Break
11.00 am – 12.30 pm	Addressing the Needs of Women and Children in Conflicts and Post-Conflict Situations
Chair:	Dr Pouria Askary, Legal Adviser, ICRC Tehran Mr Luc Chauvin, Regional Emergency Adviser, UNICEF Regional Office for South Asia, Kathmandu Ms Shyamala Gomez, Country Director, Fokus Women, Sri Lanka Mr Alfredo Mallet, Deputy Head of Delegation, ICRC Nepal
12.30 pm – 01.30 pm	Lunch Break
01:30 pm – 03:00pm	Transitional Justice and IHL – Any Relevance to Sexual Violence?
Chair:	Ms Lakmini Seneveratne, Legal Adviser, ICRC Kabul Mr Jamie Williamson, Legal Adviser, ICRC Geneva Professor Mohsen Mohebi, Azad University, Iran
03.00 pm – 03.30 pm	Coffee Break
03.30 pm – 05.00 pm	IHL Developments and Challenges in Contemporary Armed Conflict
Chair:	Mr Dilli Raj Ghimire, Member Secretary, National IHL Committee, Nepal Mr Jamie Williamson, Legal Advisor, ICRC Geneva Mr Koshal Chandra Subedi, Under Secretary, Government of Nepal Mr Ali Sultan, Executive Director, Research Society of International Law, Pakistan
6:15 pm onwards	Dinner in Hotel Dwarika

DAY 3 THURSDAY 10 APRIL 2014

09.00 am – 10.30 am	Strengthening Legal Protection for Persons Deprived of their Liberty in Relation to Non-International Armed Conflict
Chair:	Dr Yubaraj Sangroula, Former Attorney General of Nepal Mr Jamie Williamson, Legal Adviser, ICRC Geneva Mr Charles Sabga, Regional Legal Adviser, ICRC New Delhi
10.30 am – 11.00 am	Coffee Break
11.00 am – 12.30 pm	Bilateral Meetings
12.30 pm – 01.30 pm	Lunch Break
01.30 pm – 02.30 pm	Presentation on the Work of the National IHL Committee, Nepal
Chair:	Ms Prabodhini Munasinghe, Legal Adviser, ICRC Colombo Mr Dilli Raj Ghimire, Member Secretary, National IHL Committee, Nepal
02.30 pm – 03.30 pm	Wrap-up, including an Overview of New Tools relating to the Implementation of IHL Mr Jamie Williamson, Legal Adviser, ICRC Geneva Mr Charles Sabga, Regional Legal Adviser, ICRC New Delhi
03:30 pm – 03.45 pm	Coffee Break
03.45 pm – 04.30 pm	Concluding Session
Chair: Valedictory statement : Vote of thanks: Closing statement: Concluding remarks:	Mr Shanker Das Bairagi, Officiating Secretary, Ministry of Foreign Affairs, Nepal Ms Dragana Kojic, Head of Delegation, ICRC Nepal Mr Dilli Raj Ghimire, Member Secretary, National IHL Committee, Nepal Honourable Minister for Foreign Affairs, Mahendra Bahadur Pandey, Nepal Mr Shanker Das Bairagi, Officiating Secretary, Ministry of Foreign Affairs, Nepal
7.00 pm onwards	Dinner



South Asian Conference on International Humanitarian Law (IHL)

The ICRC coordinates various opportunities to engage in dialogue on International Humanitarian Law (IHL) with policy makers and public officials. The South Asian Conference on IHL provides one forum through which states and the ICRC alike could address all opportunities and challenges associated with IHL ratification/accession, implementation, and enforcement. Together with governments, regional organisations, and other interested partners, the ICRC looks towards the strengthening of partnerships, which seek to disseminate, promote and implement IHL.

The South Asian Conference on IHL seeks to bring together government officials and IHL experts from the South Asia region and Iran, with a view to sharing perspectives on IHL and working together towards heightened recognition of, and respect for, IHL and compliance mechanisms.

Past South Asian IHL Conferences

SN	Conference	Date and Venue	Theme
1	1 st South Asian Conference on IHL	Feb 2009, Kathmandu	IHL in general
2	2 nd South Asian Conference on IHL	Feb 2010, Dhaka	From Law to Action: IHL Implementing Legislation
3	3 rd South Asian Conference on IHL	Feb 2011, Maldives	Environment and Armed Conflict, International Criminal Law and the Role of a National Society in Promoting IHL
4	4 th South Asian Conference on IHL	Feb 2012, Thimpu	Arms Trade Treaty; the ICRC's Healthcare in Danger Project; Strengthening Legal Protection for Victims of Armed Conflict; and the 31 st Conference on Red Cross and Red Crescent Societies.

International Humanitarian Law

International Humanitarian Law (IHL) is a set of rules which seek, for humanitarian reasons, to limit the effects of armed conflict. It protects persons who are not or are no longer participating in hostilities and restricts the means and methods of warfare. IHL is also known as the Law of War or the Law of Armed Conflict.

The development of IHL in modern treaty form started with the adoption of the First Geneva Convention of 1864, and expanded over time. The present body of IHL mainly contains two sets of rules: one set relates to persons (wounded, sick, prisoners of war, and civilians) affected by armed conflict, while the other regulates the methods and means (weapons) which may be used in armed conflict.

The four Geneva Conventions of 1949 represent the cornerstone of contemporary IHL, which are supplemented by three Additional Protocols: two adopted in 1977 and one in 2005. In addition, there are several other IHL treaties which regulate or prohibit certain categories of weapons, establish additional safeguards relating to children in armed conflict and establish protection of cultural property during armed conflict, to name a few – all of which encompass the expanding corpus of IHL.

