

CORE PROFESSIONAL TRAINING ON HUMANITARIAN LAW AND POLICY

Nairobi, Kenya

1-3 April 2019

Agenda*

The Core Professional Training on Humanitarian Law and Policy – an intensive three-day program – serves as an opportunity for experienced humanitarian practitioners, policymakers, and others operating in or dealing with conflict settings to deepen their understanding of international humanitarian law (IHL) and other legal frameworks applicable in times of war, and to explore related policy and operational challenges. Suitable for those both with and without prior legal training, the course covers the sources and development of IHL, key distinctions between international and non-international armed conflicts, the applicability of international human rights law in armed conflict, the obligations of State and non-State actors, implementation and enforcement of IHL, and the role of humanitarian actors in situations of armed conflict. Additional “flex sessions” respond to the interests and concerns of registrants and specific issues they are currently facing in their work.

Discussions, case studies, and exercises reinforce the learning objectives and connect theory with practice, exploring challenging issues that arise in humanitarian response settings, such as civilians participating in hostilities, the conduct of hostilities in urban settings, the use of certain weapons in highly populated areas, and the norms governing humanitarian access and assistance. Throughout the course, examples from contemporary conflicts illustrate the applicability of legal rules taking into account operational challenges faced by practitioners and highlighting how a deeper understanding of IHL contributes to a more effective protection and assistance work.

MONDAY, 1 APRIL

8:30 – 9:00	Welcome coffee and registration
9:00 – 9:30	Welcome, introduction, and overview
9:30 – 10:30	IHL as part of public international law <ul style="list-style-type: none">– IHL as a branch of PIL and the use of PIL notions when applying IHL– Sources of IHL, including reservations to IHL treaties and the development of customary IHL of NIAC– Subjects of IHL– State responsibility for IHL violations, including attribution
10:30 – 10:45	Coffee break
10:45 – 11:30	Understanding the logic of IHL through its foundations and development <ul style="list-style-type: none">– The balance between humanitarian imperative and military considerations– Hague law vs. Geneva law– The evolution of IHL
11:30 – 12:30	Classification of situations of violence <ul style="list-style-type: none">– The importance of classifying the types of armed conflict

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	<ul style="list-style-type: none"> – Definition of IAC including occupation – Definitions of NIAC and how to establish the organized nature of an armed group
12:30 – 13:30	Lunch
13:30 – 15:15	Exercise: Analysis of conflict situations and identification of applicable law
15:15 – 15:30	Coffee break
15:30 – 16:45	Status of individuals and targeting: Combatants and civilians <ul style="list-style-type: none"> – The notion of combatant and its implications in IAC for targeting – The notion of civilian – The challenges of classifying individuals in NIAC – The notion of direct participation in hostilities
16:45 – 17:30	Wrap-up of the day: Operational humanitarian issues through the lens of IHL
19:30	Group dinner

TUESDAY, 2 APRIL

8:30 – 9:00	Welcome coffee
9:00 – 9:30	Review of previous day: Substantive takeaways and questions
9:30 – 10:15	Conduct of hostilities and targeting objects <ul style="list-style-type: none"> – The principle of distinction and the definition of military objective – Dual use objects
10:15 – 10:30	Coffee break
10:30 – 11:15	The limitations on the conduct of hostilities through the principles of proportionality and precaution <ul style="list-style-type: none"> – The prohibition of direct attack against civilians and the prohibition of indiscriminate attacks – The definition and scope of the principle of proportionality – Precautions in attack and against the effects of attack
11:15 – 12:00	Means and methods of warfare <ul style="list-style-type: none"> – IHL principles on the regulation of weapons – Limitations and prohibitions of weapons during armed conflict – The prohibition of specific methods of warfare
12:00 – 13:00	Lunch
13:00 – 15:00	Targeting exercise
15:00 – 15:15	Coffee break
15:15 – 16:15	Human rights in armed conflict <ul style="list-style-type: none"> – The logic of IHRL – How IHRL continues to apply in times of armed conflict

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	<ul style="list-style-type: none"> – The importance of IHRL in NIAC: The cases of detention and the use of lethal force – The jurisprudence of human rights mechanisms
16:15 – 17:00	Implementation of IHL <ul style="list-style-type: none"> – Challenges to the implementation of IHL – IHL specific mechanisms – Other mechanisms of implementation
17:00 – 17:30	Wrap-up of the day: Operational humanitarian issues through the lens of IHL

WEDNESDAY, 3 APRIL

8:30 – 9:00	Welcome coffee
9:00 – 9:30	Review of previous day: Substantive takeaways and questions
9:30 – 10:30	IHL and international criminal law <ul style="list-style-type: none"> – Role and limits of ICL as a means to enforce IHL – Definition of ICL – The two elements of international crimes – The notion of mode of liability – Definition of war crime, crime against humanity, and genocide
10:30 – 10:45	Coffee break
10:45 – 11:45	Flex session (tbd)
11:45 – 12:45	Humanitarian access under IHL <ul style="list-style-type: none"> – The IHL norms on access – The IHL norms on humanitarian assistance – The role of consent and the notion of arbitrary denial – Modalities of access – The case of cross-border operations
12:45 – 13:45	Lunch
13:45 – 14:45	Principles and methods of humanitarian action <ul style="list-style-type: none"> – The notion of impartial humanitarian organisation under IHL – The nature and definition of humanitarian principles – Operational dilemmas and challenges in applying humanitarian principles
14:45 – 15:00	Coffee break
15:00 – 16:30	Exercise
16:30 – 17:15	Core exam/Comprehension check
17:15 – 17:30	Closing remarks