



College of Europe
Collège d'Europe



Natolin



ICRC

**22nd Bruges Colloquium on International Humanitarian Law
21-22 October 2021**

**SAME LAW, NEW WARS: THE ENDURING RELEVANCE OF
INTERNATIONAL HUMANITARIAN LAW AND THE
IMPORTANCE OF THE UPDATED ICRC COMMENTARIES**

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Hybrid edition, online and in Bruges

Simultaneous translation into French / English / Russian
Traduction simultanée en anglais/français/russe
Синхронный перевод на французский / английский / русский языки

Day 1: Thursday, 21 October 2021
09:00-17:00 (CET)

Registration and Opening Statements

Inscription et discours d'ouverture

9:00 - 9:45 Registration

09:45 - 10:30 Openings Statements

Speakers

Federica Mogherini, Rector, College of Europe

Gilles Carbonnier, Vice-President, ICRC

Knut Dörmann, Head of Delegation, ICRC Brussels

10.30 - 10:50 Coffee break

Keynote Speeches - The Updated Commentaries and their Relevance in Practice

Conférenciers.ères d'honneur - Les Commentaires révisés et leur pertinence dans la pratique

10:50 – 10:55 Introduction to the topic by the Chair **Knut Dörmann**, ICRC Brussels

Topics to be addressed:

1. *The project to update the Commentaries on the Geneva Conventions and their additional Protocols*
2. *Ratifying the treaties, applying the dispositions: a State perspective*
3. *NATO perspective on the influence of the Commentaries*
4. *The EU and IHL: supporting the effective application and relevant interpretation*

10:50 – 12:00 Presentation by the keynote speakers

Jean-Marie Henckaerts, ICRC

Eamon Gilmore, EU Special Representative for Human Rights, International Humanitarian Law and International Criminal Justice

Camille Faure, Ministry of Armed Forces, France

John Swords, Office of Legal Affairs, NATO HQ

12:00 – 13:30 **Sandwich lunch**

Address: Garenmarkt 15, 8000 Bruges

1st Panel - The Common Articles: Cross-Cutting Interpretation Challenges

1^{er} panel - les articles communs : questions transversales d'interprétation

13:45 – 13:50 Introduction to the topic by the Chair, **Mikhail Orkin**, ICRC

Topics to be discussed:

1. *Interpreting the GC IV in relation to conflict classification; occupation law and the invasion phase and consent for the implementation of humanitarian services*
2. *State responsibility of an indirect occupying power for conduct of an armed group under its control*
3. *Common Article 3 and the obligation of non-refoulement*

13:50 – 14:30 Presentation by the speakers

Dapo Akande, Blavatnik School of Government, Oxford Institute for Ethics, Law and Armed Conflict (ELAC)

Yutaka Arai-Takahashi, University of Kent

Nathalie Durhin, NATO SHAPE

14:30- 15:15 Moderated Discussion and Q&A

15:15 - 15:30 Coffee break

2nd Panel - The Third Convention: Protecting Prisoners of Today's Wars

2^{ème} panel - La Troisième Convention : protéger les prisonniers des guerres contemporaines

15:30 – 15:35 Introduction to the topic by the Chair, **Elzbieta Mikos-Skuza**, University of Warsaw and College of Europe (Natolin), Humanitarian Fact Finding Commission

Topics to be discussed:

1. *Setting the scene: the continued relevance of protections for prisoners of wars*
2. *The relevance of the Third Geneva Convention in contemporary armed conflicts*
3. *The modalities of detention and concerns faced by state militaries in capturing prisoners of wars*

15:35 – 16:20 Presentation by the speakers

Cordula Droege, ICRC

Marco Sassòli, University of Geneva

Camilla Guldahl Cooper, Norwegian Defence University College

16:20 – 17:00 Moderated Discussion and Q&A

17:30 - 20:30 **Standing dining reception**
Address: Garenmarkt 15, 8000 Bruges

3rd Panel - Fourth Convention Commentary: IHL-IHRL, between Complementarity and Interplay
3^{ème} panel - Commentaire de la Quatrième Convention : DIH-DH, entre complémentarité et interaction

09:00 – 09:05 Introduction to the topic by the Chair, **Kubo Mačák**, ICRC

Topics to be discussed:

1. *IHL-IHRL: Defining the contours of state obligations*
2. *Law enforcement in occupied territories and procedural guarantees: interaction between GC IV and IHRL*
3. *Bringing IHRL abroad during military operations*

09:05 – 10:00 Presentation by the speakers

Vaios Koutroulis, Free University of Brussels

Françoise Hampson, University of Essex

Mirco Anderegg, Swiss Armed Forces

10:00 - 10:40 Moderated discussion and Q&A

10:40 - 11:00 Coffee break

4th Panel – Fourth Convention Commentary: Selected Topics from the Audience

4^{ème} panel – Commentaire de la Quatrième Convention: sélection de thèmes proposés par les participants

11:00 – 12:45 Discussion and Q&A moderated by the Chair, **Gloria Gaggioli**, Geneva Academy, Swiss National Science Foundation, University of Geneva

Topics to be discussed:

1. *Questioning the relevance of the nationality criterion*
2. *Urban, protracted and hybrid: applying the 4th Convention to nowadays conflicts*
3. *Nobody fights alone: proxy wars and the protection of civilians*
4. *Prevention and repression: a double edge sword to ensure compliance?*

Speakers:

Odile Vandenbossche, University of Liège

Christian De Cock, EU Strategic HQ (MPCC)

Heike Krieger, Freie Universität Berlin

Michael W. Meier, Office of the United-States Army Judge Advocate General

12:45 – 13:00: **Closing Statement by Knut Dörmann**, ICRC Brussels