



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 - 10:45 Coffee break

Keynote Speeches - The Updated Commentaries and their Relevance in Practice

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

10:45 – 10:50 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*
5. *The Commentaries and international criminal jurisdictions: at the heart of IHL interpretation*

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

Jean-Marie Henckaerts, ICRC

Camille Faure, Ministry of Armed Forces, France

John Swords, NATO

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

[TBD]

12:00 – 13:30 **Sandwich lunch**

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 1) conflict classification; 2) occupation law and the invasion phase; 3) 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 reception**

3rd Panel - Fourth Convention Commentaries: IHL-IHRL, between Complementarity and Interplay
3^{ème} panel - Commentaires 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

Natalia Sokolova, Moscow State Law Academy [TBC]

Françoise Hampson, University of Exeter

Mirco Andereg, Swiss Armed Forces

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

10:40 - 11:00 Coffee break

4th Panel – Fourth Convention Commentaries Part II: Selected Topics from the Audience

4^{ème} panel – Commentaires de la Quatrième Convention, partie II : sélection de thèmes proposés par les participants

11:00 – 12:45 Discussion and Q&A moderated by the Chair, **Gloria Gaggioli**, Director of the Geneva Academy and Associate/Swiss National Science Foundation (SNF), 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. *Prevention and repression: a double edge sword to ensure compliance?*
4. *Military occupation in the digital era*
5. *Nobody fights alone: proxy wars and the protection of civilians*

Speakers:

Christian De Cock, EU Strategic HQ (MPCC)

Vaios Koutroulis, Free University of Brussels

Heike Krieger, Freie Universität Berlin

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

Farida El Khamlichi, Moroccan IHL Commission

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