



UNITED STATES INSTITUTE OF PEACE

Academy for International Conflict Management and Peacebuilding

**HUMAN RIGHTS
AND
INTERNATIONAL HUMANITARIAN LAW**

May 15 – 17, 2012

Tuesday – Thursday

Washington, DC

Developed and Instructed by

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The *Human Rights and International Humanitarian Law Course* will provide participants with an introduction and overview of international human rights law and international humanitarian law and answer key questions like: What does each term mean? Why do we have these bodies of law? How do they apply? What is the practical impact of human rights and humanitarian law in conflict-affected states? How do these two bodies of law interact? How are human rights and international humanitarian law relevant to practitioner’s work in the field? The course will be delivered through a variety of methodologies that seek to maximize the learning experience, with an emphasis on “problem-based learning.”

Context:

Those working in the field of international conflict management and peacebuilding confront human rights and humanitarian law issues on a daily basis. Everyone from humanitarian relief workers, military personnel, rule of law practitioners, development donors, journalists, and diplomats to staff of non-governmental organizations needs to have a basic understanding of international human rights and humanitarian law – and their inter-relationship – to work effectively in conflict-affected states. The reality is that most conflict management professionals have never received any formal training in these areas. At best they “learn on the job,” at worst they continue to operate with a fundamental knowledge deficit. Current training opportunities generally consist of master’s degree courses, or more lengthy training courses on either human rights law or humanitarian law. A Training Needs Assessment carried out in FY08 by USIP found that conflict management professionals are looking for an intensive, practical training course that combines both human rights and humanitarian law. This course is designed to fill this training gap.

Learning Objectives:

By the end of this course, participants will:

- ✓ Understand the terms international human rights law and international humanitarian law.
- ✓ Understand why these bodies of law exist, how they interact, what each term means and how they are applied.
- ✓ Understand the practical impact of human rights and humanitarian law in conflict-affected states.
- ✓ Understand how human rights and international humanitarian law are relevant to practitioner’s work in the field.

- ✓ Understand the roles, functions and responsibilities of various actors, organizations, and institutions in international human rights law and international humanitarian law.
- ✓ Understand key areas of applied human rights and international humanitarian law including: transitional justice; the use of force; terrorism; and trafficking in persons.

Day 1 – Introduction and Basic Principles

9:00 Course Introduction

10:00 Introduction to IHL and IHRL

- basic purposes
- sources of authority
- basic sources of law

10:45 Break

11:00 Historical Background

11:45 Break

12:00 Fundamental Principles of IHL

1:00 Lunch

2:30 Fundamental Principles of IHRL

3:15 Break

3:30 What Is Armed Conflict/When Does IHL Apply?

- definition of armed conflict
- IAC
- NIAC

4:30 End of Day

Day 2 – When and Who

9:00 What Is Armed Conflict/When Does IHL Apply?

- NIAC continued
- occupation
- current topics/challenges

9:45 Break

10:00 Organizational Players (Who Is Doing What?)

10:30 Battlefield Status: Combatants and Civilians

11:15 Break

11:30 Human Rights Protections and Mechanisms

12:30 Lunch

2:00 Exercise

- identification of applicable law(s)
- classification and treatment of persons
- interoperability?

3:30 Break

3:45 Discussion/Questions/Current Topics

4:30 End of Day

Day 3 – How: Application of IHL and IHRL

9:00 Conduct of Hostilities – Use of Force

- law of targeting
- direct participation in hostilities

10:00 Break

10:15 Deprivation of Liberty

- arrest, investigation, interrogation

- fair trial rights

11:00 Break

11:15 Accountability and Enforcement

- international/regional
- domestic
- customary/traditional justice mechanisms
- reparations and amends
- rule of law operations

12:15 Lunch

1:45 Exercise

3:45 Break

4:00 Wrap-up

The course designers and instructors:

Greg Noone, Ph.D., J.D., is a USIP Senior Program Officer at the Academy for International Conflict Management and Peacebuilding and has been with USIP since 2001 in numerous capacities including as a full-time Program Officer in the Education Training Center / International as well as work for the Education Training Center / Domestic and the Rule of Law Program. He is currently the Director of the National Security and Intelligence Program at Fairmont State University and is a member of the Public International Law and Policy Group. Noone previously served as an active duty judge advocate in the U.S. Navy. He held various positions in the Navy including the Head of the International Law Branch and the Foreign Military Rights Affairs Branch in the Navy Judge Advocate General's International and Operational Law Division at the Pentagon. Noone also served at the Defense Institute of International Legal Studies (DIILS), where he trained senior military, governmental and non-governmental civilian personnel in over forty countries. Most notably, he has trained members of the Iraqi National Congress, the post-genocide government in Rwanda, the post-Taliban government in Afghanistan, civil society in the Sudan, and senior members of the Russian government. Noone is a Captain in the United

States Naval Reserve and has served as the Commanding Officer of the Navy JAG International and Operational Law reserve unit and he is currently the Commanding Officer of the DIILS reserve unit. Noone is also an adjunct Professor of Law at Roger Williams University School of Law and Case Western Reserve University School of Law where he teaches International Law, Genocide, and International Humanitarian Law. He has published and presented articles on the Rwandan Genocide, the Law of Armed Conflict, the International Criminal Court, and Military Tribunals at numerous forums. Noone appears regularly as a commentator on international and national TV and radio.

Laurie Blank, J.D., is the Director of the International Humanitarian Law Clinic at Emory University School of Law, where she teaches international humanitarian law and works directly with students to provide assistance to international tribunals, non-governmental organizations and law firms around the world on cutting edge issues in humanitarian law and human rights. She formerly served as a program officer in the Rule of Law Program at the United States Institute of Peace, where she supervised the Experts' Working Group on International Humanitarian Law and the project on New Actors in the Implementation and Enforcement of International Humanitarian Law. She has also served as an associate attorney in the litigation department at Shearman & Sterling in their New York and Paris offices. Professor Blank has published and presented on wide-ranging topics in international humanitarian law and has participated in various forums on international humanitarian law and transitional justice.

Together they are co-authors on the forthcoming textbook:

International Law and Armed Conflict: Fundamental Principles and Contemporary Challenges in the Law of War

(Aspen/Wolters Kluwer Publishing 2013).