



**AALCO-ICRC “IHL Seminar for Defense Attaches”, 9 November 2015, AALCO
Headquarters, New Delhi**

AALCO and International Committee of the Red Cross (ICRC) jointly organized a seminar on International Humanitarian Law (IHL) for military attaches based in New Delhi on 9 November 2015 at AALCO Headquarters. The seminar was the first of its kind aimed at defense personnel organized jointly by AALCO and ICRC. It was attended by military attaches of Member States and non-Member States, Liaison Officers, academics and students. Prof. Dr. Rahmat Mohamad, Secretary General of AALCO and Ms. Mary Werntz, Head of Delegation, ICRC, New Delhi delivered the welcome addresses. Their speeches emphasized on the priority accorded by both institutions on propagating the spirit of International Humanitarian Law and hoped that this seminar would serve to remind the participants of the significance of IHL in ensuring that wars, if unavoidable, are fought fairly with due respect to, humanitarian concerns, human rights and human dignity.

The substantive part of the seminar began with a presentation by Mr. Adebayo Olowo-Ake, Communication Coordinator at ICRC, New Delhi, on the role, mandate and functions of the ICRC. After elaborately explaining the history and activities of ICRC, he played a video clip that encapsulates the mission and work of the organization.

This was followed by two lectures delivered by Mr. Richard Desgange on “IHL and the Conduct of Hostilities” and “Non-State Armed Groups and Violations of IHL” respectively. The first segment of his lecture provided an overview of the international legal mechanism in place to regulate the conduct of combatants during armed conflicts. He referred to the application of IHL in cyber warfare and pointed out that anonymity of cyber operations poses the biggest challenge in the application and enforcement of IHL. Further, while referring to the deployment of Unmanned Aerial Vehicles (UAVs) or drones in extra-

territorial operations, he indicated that they can be governed either by IHL or by international human rights law and the relevant domestic law, depending on whether the situation in which they are used amounts to an armed conflict or not.

The second segment of his lecture concentrated on (i) the applicability of IHL to non-state armed groups, (ii) accountability of non-state armed groups under IHL and (iii) accountability of States for the acts committed by non-state armed groups. Given the limited applicability of Geneva Conventions and the Additional Protocols in this case, he called attention of participants to the critical role international criminal law play in ensuring accountability of non-state actors for grave violations and war crimes.

The third lecture on “direct participation in hostilities” was delivered by Mr. Can Akdogan, FAS Coordinator at ICRC New Delhi. His lecture referred to the changing nature of warfare and increased involvement of civilians in activities related to actual combat. Combatants do not always clearly distinguish themselves from civilians, preferring for example to operate as “farmers by day and fighters by night.” Moreover, in some conflicts, traditional military functions have been outsourced to private contractors or other civilians working for State armed forces or for organized armed groups. Further, he discussed IHL provisions enabling identification and categorization of “civilians” and “combatants” and referred to the “Interpretive Guidance on the Notion of Direct Participation in Hostilities under IHL” drafted by ICRC providing its own recommendations as to how provisions of IHL relating to the notion of direct participation in hostilities should be interpreted.

The final lecture was delivered via *Skype* from ICRC Headquarters in Geneva. The lead discussant, Mr. Thomas de Saint Maurice, Legal Adviser at ICRC Geneva spoke about the use of explosive weapons in populated areas and mentioned that explosive weapons meant for open battle fields with wide impact area are increasingly being used in urban environment. He discussed the international law applicable to “indiscriminate” and “disproportional” attacks using explosive weapons, viz. Additional Protocol I and Additional protocol II to Geneva Conventions.

The seminar was moderated by Mr. Mohsen Baharvand, Deputy Secretary-General of AALCO.