

Strategic Areas

Clarifying
International
Humanitarian Law

Weapons Law

Armed Non-State
Actors and the
Protection of
Civilians

Business and
Human Security

Rule of Law and
Human Rights
in Transitional
Processes

Strengthening
Human Rights
Protection

Masters

LL.M. in
International
Humanitarian Law
and Human Rights

Executive Master in
International Law in
Armed Conflict



Annual Report | 2013



THE GENEVA ACADEMY

The Geneva Academy of International Humanitarian Law and Human Rights ('Geneva Academy') provides post-graduate education by organizing a Master of Advanced Studies/LL.M. in International Humanitarian Law and Human Rights, conducts academic legal research, undertakes policy studies, and organizes a Master of Advanced Studies for working professionals as well as training courses and expert meetings. The Geneva Academy concentrates on the branches of international law applicable in times of armed conflict.

Jointly established in 2007 by the Faculty of Law of the University of Geneva and the Graduate Institute of International and Development Studies, the Geneva Academy is the successor to the University Centre for International Humanitarian Law (CUDIH).

The University of Lausanne, the International Committee of the Red Cross, the United Nations High Commissioner for Human Rights, and the Swiss Federal Department of Foreign Affairs all contribute to achieving the objectives of the Academy.

THE FOUNDING ACADEMIC INSTITUTIONS

The **University of Geneva**, founded by Jean Calvin in 1559, is dedicated to thinking, teaching, dialogue and research. With 16'000 students of more than 140 different nationalities, it is Switzerland's second largest university. The University of Geneva offers more than 280 types of degrees and more than 250 Continuing Education programmes covering an extremely wide variety of fields. The **Law Faculty** has an ongoing student and professor exchange programme with Harvard Law School and is also part of the Strategic Alliance of Research Faculties of Law, together with other prestigious European Law Schools.

The **Graduate Institute of International and Development Studies** is an institution of research and higher education dedicated to the study of world affairs, with a particular emphasis on the cross-cutting fields of international relations and development issues. Through its core activities, the Institute aims to promote international cooperation and make a contribution to the progress of developing societies. More broadly, it endeavours to develop creative thinking on the major challenges of our time, foster global responsibility and advance respect for diversity.

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Villa Moynier, home of the Geneva Academy

FOREWORD

This report has described the Academy's work during 2013. This year saw a shift in outlook with more emphasis on policy recommendations and the introduction of 'Academy Policy Briefings', to complement the Academy Briefings (more detailed legal analysis) and the Academy In-Brief Series (more factual and empirical findings).

The year 2013 saw the launch of two crucial Academy products: the War Report and the Weapons Law Encyclopaedia. Both of these represent the culmination of years of expertise and outreach being developed over a number of years. They have also led to new partnerships (UNODC, OSCE, Small Arms Survey, Amnesty International, UNIDIR, UNDP, UNDPKO, OCHA etc). Both products, if supported, have the potential to change the way that these topics are understood in the international and national arenas and to place the Academy at the centre of these fields of knowledge both as a centre of expertise and as a platform for the promotion of the norms associated with these fields.

We might also highlight two other developments in 2013. This year saw the adoption and finalization of the Arms Trade Treaty and the Articles of Association of the Code of Conduct for Private Security Service Providers. The Academy played a role in advising and elaborating these texts and now holds a position whereby it is seen as the repository of specialist insight and expertise on these two regimes. Both texts are rather special in that they combine issues of human rights, humanitarian law and issues of criminal law and law enforcement. Having participated in and contributed to the final version of these texts the Academy has gained considerable experience and profile, and again has strengthened its network of partners in a meaningful way.

Heading into 2014 the key development issue is how to build on some of the ideas discussed with partners in 2013 on the subject of developing the Academy's Think Tank capacity and role as a generator of platforms in order to animate and inform International Geneva. It is important to move away from short term ad hoc projects and set priorities for the next few years. We remain confident that the Academy is not only a trusted and efficient partner but also a sustainable institution which can continue to generate knowledge, enthusiasm and expertise for the fields of human rights and humanitarian law as they are developed and applied in Geneva and around the world.

Andrew Clapham

Professor of International Law,
Director of the Geneva Academy

Paola Gaeta

Professor of International Law,
Director of the Geneva Academy



BOARD OF THE ACADEMY 2013

Nicolas Michel,
President of the Board

Nicolas Michel is a Professor at the Faculty of Law of the University of Geneva and Adjunct Professor at the Graduate Institute of International and Development Studies. He has previously been the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel from 2004 to 2008.

Christine Chappuis,
**Dean of the Law Faculty,
University of Geneva**

Christine Chappuis is a Professor of Civil Law at the University of Geneva, Faculty of Law.

Vincent Bernard, **International
Committee of the Red Cross**

Vincent Bernard, Head of Communication Unit, is the ICRC referee to the Academy.

Andrea Bianchi,
**Professor of International Law,
Graduate Institute**

Andrea Bianchi has been a Professor at the Graduate Institute of International and Development Studies since 2002 and is currently the head of the Department of International Law.

Vincent Chetail, **Professor of
International Law, Graduate
Institute**

Vincent Chetail is Director of the Programme for the Study of Global Migration. From 2004 to 2012, he also was Research Director of the Geneva Academy.

Bacre Ndiaye, **Office of the United
Nations High Commissioner
for Human Rights**

Bacre Ndiaye is the Director of the Human Rights Council and Treaty Bodies Division at the Office of the UN High Commissioner for Human Rights.

Claude Wild, **Head of the Human
Security Division, Swiss Federal
Department of Foreign Affairs**

Ambassador Claude Wild has been appointed Head of the Human Security Division of the Federal Department of Foreign Affairs (FDFA) and has taken over his duties as from August 2010.

Barbara Wilson,
**Professor of International Law,
University of Lausanne**

Barbara Wilson is a Professor of Public International Law at Lausanne University.

EDUCATION AND TRAINING

Master of Advanced Studies (MAS) Programmes

The mission of the Academy comprises training and advanced education in the field of international law in armed conflict. The Geneva Academy offers every year two Masters of Advanced Studies programmes:

LL.M.-MAS in International Humanitarian Law and Human Rights

Language of instruction: English and French

Schedule: full-time

Degree: LL.M./Master of Advanced Studies in International Humanitarian Law and Human Rights (60 ECTS credits)

The LL.M. programme provides post-graduate students with a unique opportunity to follow advanced courses and seminars in all branches of international law applicable to situations of armed conflict and to grasp fully the interplay between them. Professionalizing activities such as supervised internships at Geneva-based organizations and the law clinic on international justice and human rights are part of the programme.

The LL.M. core courses are taught in English, while optional courses are available both in English and French. Exams can be taken either in English or French.

The Master's degree is jointly issued by the University of Geneva and the Graduate Institute of International and Development Studies.

Executive Master-MAS in International Law in Armed Conflict

Language of instruction: English

Schedule: part-time

Degree: Executive Master/Master of Advanced Studies in International Law in Armed Conflict (60 ECTS credits)

The Executive Master is an extensive programme recognized as part of higher education in the pan-European system. The Executive Master is designed to enable working professionals to apply such specialized knowledge with regard to their professional work, which may relate to issues of armed conflict or transnational justice legal issues. The curriculum is built around four main subject-matters, i.e. international humanitarian law, international human rights law, public international law and international criminal law. Each of these four courses is divided into three or four specialized training modules, focusing on specific aspects of the subjects.

The Master's degree is jointly issued by the University of Geneva and the Graduate Institute of International and Development Studies.

EDUCATION

Faculty

Resident Faculty

The resident faculty is engaged in education, academic and applied research at the Graduate Institute of International and Development Studies and/or the University of Geneva.

Prof. Andrew Clapham, Director of the Academy, Professor of International Law at the Graduate Institute of International and Development Studies.

Prof. Paola Gaeta, Director of the Academy, Professor of International Criminal Law at the Law Faculty of the University of Geneva and Adjunct Professor of International Criminal Law at the Graduate Institute of International and Development Studies.

Prof. Vincent Chetail, Professor of International Law at the Graduate Institute of International and Development Studies and Director of the Programme for the Study of Global Migration.

Prof. Nicolas Michel, Professor of International Law at the Faculty of Law of the University of Geneva, and Adjunct Professor at the Graduate Institute of International Studies and Development.

Prof. Marco Sassòli, Professor of International Law and Director of the Department of International Law and International Organization at the University of Geneva, and also Associate Professor of International Law at the Université du Québec à Montréal, Canada and Associate Professor at the University Laval, Canada.

Prof. Robert Kolb, Professor of International Law at the Law Faculty of the University of Geneva.

Swiss Chair of International Humanitarian Law

Prof. Noam Lubell, an expert in the International Law of Armed Conflict at the University of Essex, United Kingdom, became the Swiss Chair of IHL in mid-2013, succeeding Dr. Nils Melzer. Professor Lubell was appointed Head of the School of Law in January 2014.

The Swiss Chair enriches the Academy's expertise and multiplies Academy activities in the field of International Humanitarian Law (IHL). These objectives are achieved through teaching of the Academy's two Masters' degrees, occasional trainings and events, and the organization of activities to promote discussion of current IHL issues.

The Swiss IHL Chair is supported by the Directorate of International Law of the Swiss Ministry of Foreign Affairs in their endeavor to strengthen international humanitarian Geneva.

EDUCATION

Visiting Professors

Prof. Andrea Bianchi, Professor of International Law at the Graduate Institute of International and Development Studies.

Prof. Giovanni Distefano, Professor of International Law at the Faculty of Law of the University of Neuchâtel, Switzerland.

Prof. Frank Haldemann, SNSF Professor of Transitional Justice at the Law Faculty of the University of Geneva.

Prof. Eibe Riedel, Professor of International Law, former Swiss Chair of Human Rights at the Geneva Academy of International Humanitarian Law and Human Rights, Chair of German and Comparative Public Law, European and International Law at the University of Mannheim, Germany.

Prof. William Schabas, Professor of International Law at the University of Middlesex in London, United Kingdom, Associate Professor at the Université du Québec, Montréal, Canada.

Prof. Gabriella Venturini, Professor Emeritus of International Law at the University of Milan.

Lecturers

Guido Acquaviva, *Chef de Cabinet* at the Special Tribunal for Lebanon in The Hague, The Netherlands.

Jérôme de Hemptinne, Senior Legal Adviser at the Special Tribunal for Lebanon and Lecturer of International Humanitarian Law at the Université de Louvain, Belgium.

Alex Conte, Doctor in Law, UN Representative of the International Commission of Jurists (currently Chief of the Research Division).

Christopher Gosnell, defence lawyer before the International Criminal Tribunal for the former Yugoslavia, and legal representative of victims in proceedings at the International Criminal Court.

Stuart Casey-Maslen, Doctor in Law, Head of Research at the Academy.

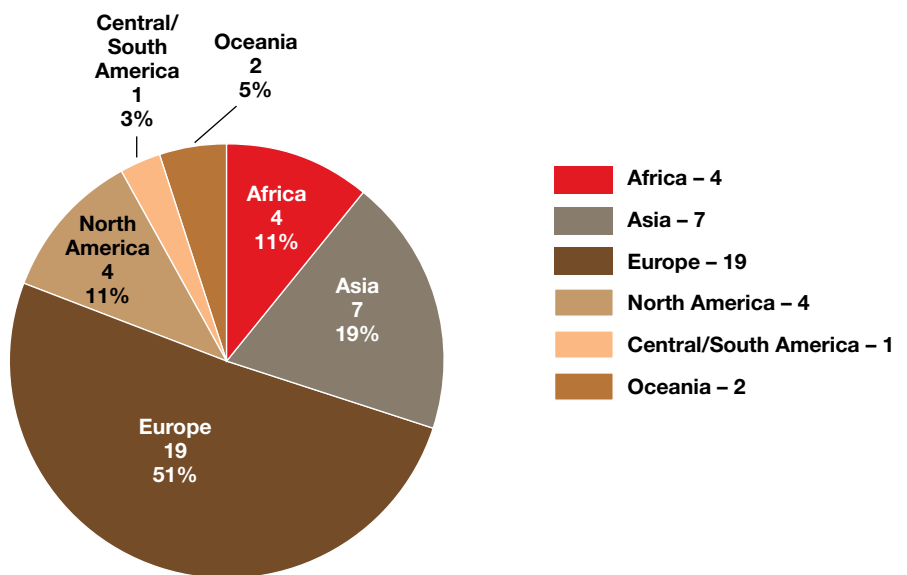
EDUCATION

Classes

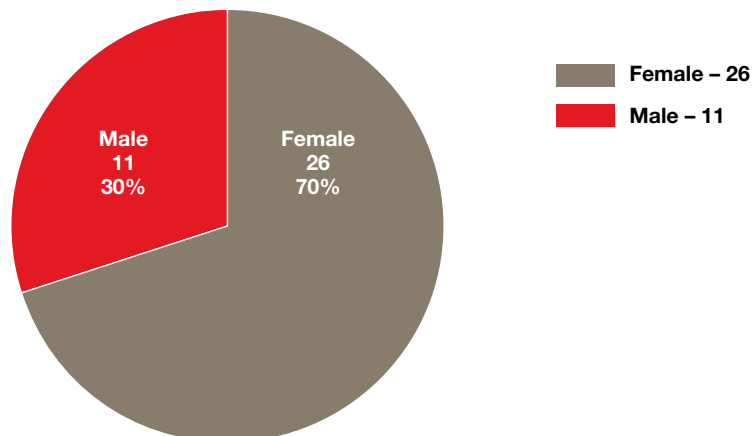
LL.M. 2013-2014

The LL.M. class was composed of 37 students (26 females/ 11 males) from 22 countries covering all continents between the ages of 23 to 31 years of age. Countries represented are: Argentina, Australia, Burundi, Canada, China, Cyprus, England, Ethiopia, France, Georgia, Germany, India, Italy, Nepal, Netherlands, Russia, Serbia, South Korea, Sierra Leon, Turkey, Uganda, USA.

LL.M. Participants
2013-14 / Continent Representation



LL.M. Participants
2013-14 / Gender Representation



LL.M. 2012-2013

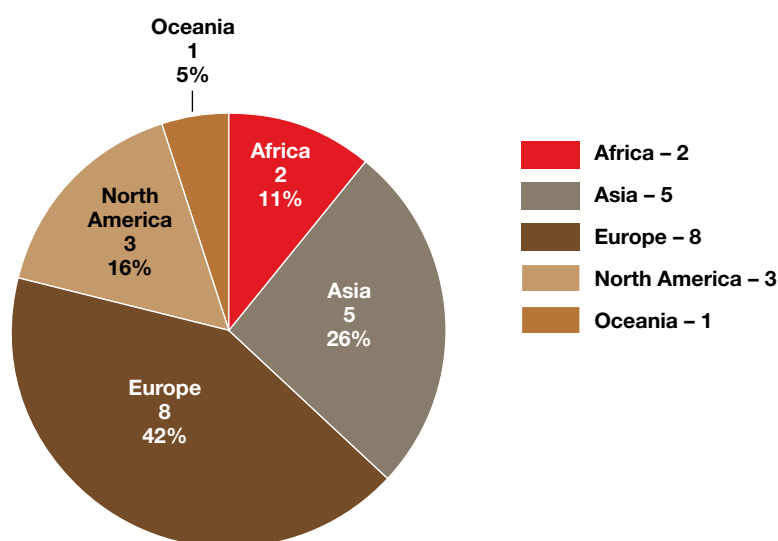
Among the 36 students of the LL.M. class of 2012-2013, one student had to return home for medical reasons in the middle of the year, one student was transferred to the Executive Master Programme and one student did not successfully complete the programme.

EDUCATION

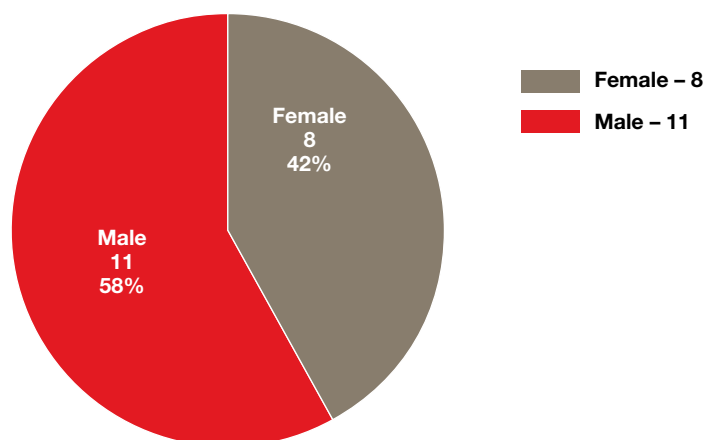
Executive Master 2013-2014

The Executive Master was composed of 19 participants (8 females/11 males) from 14 different countries, namely: Afghanistan, Bahrain, Bangladesh, Canada, France, Germany, Italy, Ivory Coast, New Zealand, Pakistan, Palestine, Switzerland, United Kingdom, US. Participant ages ranged from 27 to 44 years of age.

Executive Master Participants
2013-14 / Continent Representation



Executive Master Participants
2013-14 / Gender Representation



Executive Master 2011-2013

The participants of the first class of the Executive Master finished their programme during the Summer of 2013. Among the 15 people who started the Master in 2011, 13 graduated in 2013 and two of them extended their studies over another year.

EDUCATION

Graduation Ceremony: 10th Anniversary of Teaching and Research in IHL

To commemorate the 10th year mark of teaching and research in international humanitarian law in Geneva, a special ceremony gathering pioneers of the CUDIH – Centre Universitaire de Droit international humanitaire – was organized for the deliverance of the diploma of the LL.M. and of the Executive Master programmes.

Keynote speakers for the occasion were Robert Roth, Professor at the University of Geneva who presented a talk entitled “*Au carrefour du droit international pénal, du droit international humanitaire et des droits humains: la lutte contre l’impunité?*”. It was followed by a presentation of the development of the CUDIH by Robert Kolb, also Professor at the University of Geneva.

Prizes

Henry Dunant

Since 2005, the Prize has been awarded annually by the Fondation Prix Henry Dunant, together with the Academy, for a piece of exceptional academic work that contributes to deepen, strengthen and renew the ideals and commitment of Henry Dunant. Through this award, the Fondation Prix Henry Dunant and the Academy seek to motivate young people to contribute to the dissemination of the international rules protecting the victims of armed conflicts and states of emergency.

In 2013, the Henry Dunant Prize was awarded to Ms. to Ms. Maria Giovanna Pietropaolo for her LL.M. paper entitled “Humanitarian Assistance from the Standpoint of the Human Rights of the Disaster-Affected Individuals: Present and Future Perspectives”.

The prize-awarding ceremony took place on during the Graduation Ceremony. The descendant of Henry Dunant, Mr Mourgue D’Algue attended the ceremony and talks were given by the President of the Fondation Prix Henry Dunant, Mr Roger Durand, by Professor Noam Lubell, Swiss Chair of International Humanitarian Law, and by the laureate.

Best LL.M. Paper

In 2012, the best LL.M. paper prize was attributed to two students: Samson Dabiré and Kinoti M. Festus for their papers entitled “Faut-il prendre en compte la pratique des groupes armés non étatiques dans l’établissement des règles coutumières du droit international humanitaire?” and “Prosecution of war crimes by invading and occupying forces: applicable legislation and competent courts” respectively.

EDUCATION

Scholarships

Each year the Geneva Academy awards a number of scholarships to the students of its LL.M. programme in International Humanitarian Law and Human Rights thanks to the generosity and support of a few donors. The donors are Wilsdorf Foundation, the International Committee of the Red Cross, and Irene and Jeno Staehlin.

Class 2013-2014 Among the 37 students of the class 2013-2014, 9 hold scholarships through the Geneva Academy. Scholarships were attributed to students from Africa (3), Latin America (1), Europe (1) and Asia (4).

The Geneva Academy cannot emphasize enough its deep gratitude to the scholarship donors for their continuing support. They allow talented young people facing financial needs, especially those coming from developing countries, to come to Geneva to acquire a solid knowledge in all the main branches of international law applicable to armed conflict and crisis situations, thus contributing to strengthening the capacity of their countries of origin in such crucial fields of our contemporary world.

TRAINING

Training

The Academy engages in short training courses, such as specialized training modules, workshops and courses, which have short teaching formats enabling participants to acquire in-depth knowledge of specific areas over several days or few weeks. The Academy's training reply to a even bigger request for education by professionals and students willing to spend a couple of days or couple of weeks in the heart of International Geneva where the Academy is situated.

Training Course for Diplomats

As in previous years, the International Committee of the Red Cross (ICRC) and the Geneva Academy organized one day training for diplomats.

As usual, Geneva's diplomatic community warmly welcomed the training, which approximately 80 diplomats attended. Most of the participating diplomats worked in disarmament, human rights, or humanitarian affairs. The issues of proportionality in attack and armed drones namely attracted the attention.

Training Course on Economic, Social and Cultural Rights

The Project on Economic, Social and Cultural Rights (ESCR) offered two training courses on ESCR in 2013. It continued its collaboration with the Friedrich Ebert Foundation which supported the participation of 4 human rights professionals.

1. Advanced Training on Monitoring Economic, Social and Cultural Rights, 6-10 May 2013

The 6th Advanced Training on Monitoring Economic, Social and Cultural Rights focused on the techniques to monitor ESCR (e.g. human rights indicators, budget analysis, human rights impact assessments, and litigation of ESCR at domestic and regional levels), and on the United Nations mechanisms monitoring the realization of ESCR. Thirteen participants with backgrounds in the sectors of NGOs, litigation, international organizations, including the Office of the High Commissioner for Human Rights and the International Labour Organization, and academia attended the training. The diversity of participants is also reflected in their geographic representation. Three participants came from African countries, five from European countries, two from Latin America and three from Asia.

"It was a wonderful learning experience of Economic, Social and Cultural Rights especially in developing countries and in relation to economic development" (feedback from a participant in the May 2013 training).

TRAINING

2. Training on Understanding Economic, Social and Cultural Rights, 18-22 November 2013

The 4th Training on Understanding Economic, Social and Cultural Rights focused on the substantive content of ESCR, in particular the rights to food, housing, education, water, health, decent work, and cultural rights. The mechanisms to protect these rights at the United Nations and at regional and domestic levels were also presented. The training was attended by 10 participants. Government representatives, staff of UN agencies, other international organizations and local NGOs as well as members of academia were brought together for the training. Six of the participants were from European countries. The other four participants came from Asia, Africa, the Middle East and North America.

"This course gave me a very thorough understanding, information and knowledge of the UN system and mechanisms in relation to Economic, Social and Cultural Rights" (feedback from a participant in the November 2013 training).

A Cassese Summer School in Post Conflict Justice and State Building

The Summer School, held in July 2013, was co-organized by the Antonio Cassese initiative and the Geneva Academy. It was supported by the University of Geneva and the Graduate Institute. 29 participants from various countries assisted the two-week courses. For more information please see <http://www.cassese-initiative.org>.

Study trip for LL.M. students

On 27 June 2014, students from the LL.M of the Geneva Academy, joined by students from both the Law Faculty of the University of Geneva and the Graduate Institute of International and Development Studies, went to Lyon to visit the International Criminal Police Organization (Interpol). They met different people from the organization and discussed several crucial issues such as environmental crimes, and recent developments in the investigation and prosecution of international crimes. The visit gave them a great insight on international cooperation in criminal matters and hopefully will open some doors for their future career paths.



RESEARCH

The Geneva Academy carries out fundamental and applied research in international humanitarian law, human rights, international criminal law and transitional justice. It thus contributes to progress and debate on key issues related to these fields both within the scientific community and the policy-making institutions and governments.

In 2013, research at the Geneva Academy focused on the following strategic areas:

Strategic areas

Clarifying International Humanitarian Law

The First War Report and RULAC project

RULAC is the oldest of the Academy's projects. The website, which was created in 2008, was comprehensively revamped in 2013 to support the new *War Report*. The new website represents an ongoing assessment of the existence of armed conflicts in the world and will be formally launched in June 2014. Silvia Suteu, Dr. Casey-Maslen, and Dr. Sharon Weill provided research for this project during 2013.

The War Report: 2012, which was edited by Dr Casey-Maslen, was published for the first time in December 2013 by Oxford University Press and launched formally an event in Geneva, that was attended by more than 300 people. *The War Report* identifies and describes all armed conflicts in the world in a single calendar year as defined by international criminal law and international humanitarian law. The report each year has three main elements:

First, on the basis of criteria developed to determine the nature of armed conflicts, Part I summarizes and categorizes all armed conflicts that have occurred in the year under review, setting out in detail how the criteria have been applied. It also reports estimated civilian and military casualties associated with each conflict, and a global figure for civilian and other deaths that directly result from armed conflicts in the year.

Second, describes each conflict in more detail. It lists the key belligerents, primary means and methods of warfare that each party uses, applicable treaties and rules, and any prosecutions, investigations, or robust allegations of war crimes.

Third, contains thematic contributions on key themes associated with conflicts. In the first publication it addressed sexual violence in armed conflict, explosive violence in populated areas, drone strikes in Pakistan, detention at Guantanamo Bay, armed non-state actors and international norms, and judicial enforcement of international criminal and humanitarian law.

The RULAC will continue to classify armed conflicts. *The War Report* will supplement and greatly enhance its work. The fact that the War Report will be published annually by Oxford University Press for at least three years will greatly increase its profile and relevance. It was launched to significant media and diplomatic interest on 10 December, the International human Rights Day.

The second edition of *The War Report* (covering armed conflicts in 2013) is under production. In addition to identifying the relevant armed conflicts, themes that are being covered include sexual violence against men and boys, the involvement of foreign fighters in armed conflicts, responsibility to protect and Syria, the situation in the Central African Republic, and the protection of persons with disability in armed conflicts. The Academy hopes that this project will remain one of its leading projects for years to come.

RESEARCH

Weapons Law

International Weapons Law is a branch of law that the Academy continued to develop in 2013. It draws on several fields of law for its coherence, including: international law governing the use of force, IHL, international human rights law; disarmament law; international trade law, the international law of law enforcement, and national law.

Report. A wide range of activities were conducted under this framework in 2013. A major meeting of experts to discuss the use of **armed drones** was held at Wilton Park in April 2013, in cooperation with the Office of the UN High Commissioner for Human Rights. A summary report was drafted that is included on the Wilton Park website. A follow-up experts meeting, covering also **armed robots**, was organized in Divonne in December 2013 in partnership with the United Nations Institute for Disarmament Research (UNIDIR), with a summary report of discussions issued in March 2014. The work in these two experts meetings will feed into an Academy Briefing on armed drones and robots, to be published in June 2014, and a major academic publication in 2015. Further, Dr. Casey-Maslen drafted an article for the *International Review of the Red Cross* that was published in 2013.

The Academy continued research for its landmark **Weapons Law Encyclopedia** (www.weaponslaw.org) website in 2013. The website was formally launched in December 2013, with a smart phone 'App' for iPhone and iPad launched shortly thereafter. The website already covers the characteristics, impact, and status under international and national law of use of selected conventional weapons and weapons systems. The Encyclopedia also includes summaries of weapons law treaties and case law, along with a glossary of key terms. The intended outcome of the project, which is due to be completed in 2016, is more accurate understanding of international weapons law, especially among diplomats, lawyers, and the media.

An international experts meeting on **police use of force** and the 1990 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials was organized in Vienna in April 2013 with the UN Office on Drugs and Crime (UNODC) and the Organization for Security and Co-operation in Europe. A summary report was prepared in consultation with UNODC. Follow-up regional meetings are planned for 2014, namely in Argentina.

The first-ever detailed treatise on **weapons and human rights** was developed by the Academy under the editorship of Dr. Casey-Maslen and published by Cambridge University Press in January 2014 under the title *Weapons under International Human Rights Law*. The book sets out relevant international human rights law, IHL, and disarmament law as well as criminal justice standards (notably the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials) and is set to become a reference for future discussion of the legality of all kinds of weapons, including drones, robots, and riot control devices that currently undermine the right to peaceful protest. It was formally launched in Geneva in March 2014.

The Academy believes it is well positioned to continue to play a significant role in the interpretation and application of international weapons law. The issues and outputs it has worked on: notably the Arms Trade Treaty, the Weapons Law Encyclopedia, drones and robots, and police use of force, will continue to form the focus of its work for years to come. To reflect its wide-ranging work in this area, **the Academy will launch a month-long training in international weapons law**, the world's first, in August 2014.

RESEARCH

Swiss IHL Chairs

This multiyear project seeks to enrich the Academy's expertise and to multiply Academy activities in the field of IHL. These objectives are achieved through teaching (by a designated IHL Chair) for the Academy's two Masters' degrees, occasional trainings and organization of activities to promote discussion of current IHL issues.

The position of the Swiss Chair in IHL in 2013 essentially involved teaching one course (28 hours) during one academic semester, including related preparatory and exam work. Dr. Nils Melzer, who became the Swiss IHL Chair in 2011, left this position after two years. Prof Noam Lubell became the new IHL Chair as of September 2013.

In 2013, Dr. Melzer contributed to an experts meeting on the 'scope of the battlefield' for the purposes of IHL (August) and organized a side event on nanotechnologies. In 2013, Prof. Lubell contributed to the experts meetings on the 'scope of the battlefield' and on drones and robots in December 2013. He also organized a public debate on armed robots in November 2013. In November 2013 with respect to his teaching responsibilities, the Chair taught two modules for the Executive Master in 2012– 2013 (14 hours each). Nils Melzer taught 'intersection between human rights and IHL' while Noam Lubell taught 'counterterrorism and human rights'.

The Academy has raised the profile of IHL in Geneva and indeed its own IHL profile significantly through the activities of the IHL Chair. Though this is not a full-time professorial post, the Chair is called on to dedicate a considerable time to the Academy's IHL activities. The project fulfilled two main objectives:

- It developed leading expertise in IHL issues;
- It allowed the Academy and partners to benefit from the Chair's experience and presence to develop policy, convene specific conferences, and elaborate new publications, as well as cultivate new partnerships.

Commentary on the Arms Trade Treaty

The Geneva Academy expects to conclude this multiyear project in 2014 with the completion of a legal commentary on an Arms Trade Treaty (ATT).

The Academy is now an established centre of expertise on the arms trade and human rights/IHL. Switzerland has also become increasingly involved in this field, driven in part by considerable public interest at national level. The topic touches on the economy, trade, the use of force, UN sanctions, human rights, and international criminal law. The Weapons Law Encyclopedia (see above) represents in many ways a continuation of this work in another form.

The Academy continued its work on this topic in 2013 mainly by research in view to publish a book in early 2015, which will be the first ever commentary of the ATT.

RESEARCH

Armed Non-State Actors

The research, conducted in 2012 and 2013, looked at reaction to norms by more than 30 armed groups worldwide. The project was guided by an Advisory Board which included individual experts from the Berghof Foundation, Conciliation Resources, Geneva Call, the Centre for Humanitarian Dialogue, HSD (Human Security Division), Human Rights Watch, and the International Committee of the Red Cross (ICRC). In August 2013, selected individuals belonging or linked to armed groups met in the Philippines to discuss a draft of the Policy Briefing, the first in a new series of publications by the Academy. A group of experts met in Geneva on 11 December 2013 to review and comment on the final draft, which was finalized and printed in January 2014.

The Academy considers this to be one of its leading multi-year projects. Its success has raised the Academy's profile and has increased awareness among ANSAs for international humanitarian law (IHL) and human rights (HR). The project enabled the Academy to cooperate with the UN and NGOs on the role that ANSAs need to play in by protecting civilians and securing respect for human rights and IHL. There is growing awareness internationally of the need to engage with ANSAs, and the Academy remains well positioned to make a contribution in this area, being an independent academic institution without a political or financial stake in the outcome. It is particularly helpful that the project was undertaken in close cooperation with the DFAE and with its full support. All the political objectives mentioned in the terms of reference of the project, have been fulfilled. The Academy also benefitted from working with the Philippines Government and its civil society in 2013.

Business and Human Security

Nota bene. The Organisation for Economic Co-operation and Development (OECD) Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas and its Supplement on Gold seek to ensure that minerals and gold are extracted, supplied and delivered for sale in a responsible manner that respects human rights.

The Geneva Academy has provided technical expertise to the work of the OECD and its partners. In 2013, the Geneva Academy elaborated criteria and guidelines to identify such conflict-affected and high-risk areas, and presented them during the 5th joint meeting organized by the OECD, the International Conference on the Great Lakes Region, and the United Nations Group of Experts on the Democratic Republic of Congo in Paris in May 2013. The Academy used this first year of the project to research and also increased its contacts with the OECD. The exchanges were useful to define directions of the project.

On the basis of these criteria and guidelines, the Academy has been developing a global map and database that identifies in detail specific zones of armed conflict and high-risk areas around the world. 2013 was spent on research and external consultations with the stakeholders and developers of the new website. The database will be launched in 2014 together with an Academy Briefing explaining how to identify the existence in specific zones within a country of an armed conflict under IHL or a 'high-risk' area under human rights law. In 2014, the Academy will also continue its collaboration with the OECD who has requested that the Academy be regularly involved in future expert-led learning sessions with the first session being scheduled for the 7th joint meeting organized by the OECD, the International Conference on the Great Lakes Region, and the UN Group of Experts on the Democratic Republic of Congo in May 2014. The Academy will also organize a meeting of key industry representatives in Geneva to present its work in this area.

RESEARCH

On 3 December, an event 'Business, Human Rights and Conflict: Challenges and Good Practice – from conflict prevention to operating in a conflict-affected area' was organized jointly by the Geneva Academy, UN Global Compact, the Quaker UN Office and the Constructive Engagement Group at the second annual UN Forum on Business and Human Rights. The debate was on the challenges businesses face in implementing the UN Guiding Principles on Business and Human Rights in conflict-affected, high-risk, or post-conflict areas.

This is a major project. It is producing several outputs, notably an Academy Briefing and a new website, indicating conflicts, violence and high-risk zones worldwide. The Academy was able to increase its team, by hiring a new senior researcher in 2013. It also engaged in a new area of legal qualifications of non-legal notorious high risk zone; zones of violence which will certainly become indispensable tools for businesses and policy makers. This is a project which could be potentially beneficial for all the extractive companies worldwide.

International Code of Conduct for Private Security Service Providers

This is the second part of the same project.

The International Code of Conduct was the result of an active collaboration between members of the private security industry, the DFAE, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the Geneva Academy laying down international industry norms and standards for the provision of private security services.

In 2013, Academy researchers drafted an Academy Briefing offering a commentary on the provisions of the International Code of Conduct. The Briefing also cross-references the Articles of Association for the Code's oversight mechanism which was launched in Geneva on 19–20 September 2013. The Briefing analyses each of the Code's sections paragraph by paragraph and explains how various provisions relate to existing rules of international humanitarian law and human rights. Mr. Remy Friedmann, desk officer from the HSD, specifically was commenting the Briefing giving useful insight.

Fellow for the Swiss pool of experts, due to a special agreement on "Business and Human Security Project".

The work of this project and the Briefing attract continuously an increased interest among diplomats and policy-makers. This work is entering a new phase on implementation.

The Rule of Law and Political Transition

Interdisciplinary Research in the area of historical injustices, Reparations and international Law

This research seeks to investigate the relevance of international law in relation to such demands for reparation. While the topic of reparation has increasingly become the focus of scholarly interest, a holistic approach to this issue, combining theoretical notions of international law with considerations of practicality and morality, is still largely missing in the literature. The present research project is intended to fill this gap. Its major purpose is to provide a comprehensive assessment of victims' reparations claims in the light of recent developments in international law, while at the same time paying special attention to the legal and moral dilemmas that may arise in the process of shaping and implementing reparations programmes – especially in situations of transition from civil war and dictatorship towards peace and democracy.

RESEARCH

The results of this research will be published in a number of extensive, book-length studies (two PhD dissertations and a multi-authored volume, gathering the critical reflections of scholars and practitioners working in the field of reparations).

Strengthening Human Rights Protection

In 2013, the Geneva Academy continued to support the strengthening of human rights protection, including through its Project on Economic, Social and Cultural Rights (ESCR).

1. Strengthening the Human Rights Council

This project has principally involved policy work at the Human Rights Council on the rights of peasants and the right to peaceful protest. The Geneva Academy always focuses on less developed issues from a substantive point of view or those that have a particular impact on the work of the Human Rights Council.

In September 2012, the Human Rights Council decided to create an open-ended working group to elaborate a UN Declaration on the rights of peasants and other people working in rural areas. The Geneva Academy participated in the first session of the working group that took place in July 2013, by presenting a background paper in the form of a legal analysis of the draft Declaration produced by the Advisory Committee of the Human Rights Council. Other panelists included the UN Special Rapporteur on the right to food, Olivier De Schutter, and the former UN Special Rapporteur on the right to housing, Miloon Kothari. In 2014, the Geneva Academy will publish an In-Brief on the rights of peasants and other people working in rural areas to support future negotiation at the Human Rights Council.

Since the Academy has been conducting research on the right to freedom of peaceful assembly and limits to the use of force by law enforcement officials in the context of protests. The aim is to identify best practice in facilitating and enhancing states' fulfilment of international rules and standards. In this framework, the Academy continues to prioritize efforts to promote understanding of the 1990 Basic Principles on the Use of Force and Firearms by Law Enforcement Officials in cooperation with the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, Prof. Christof Heyns. In completion for this project, the Academy assists diplomats, in particular those coming from FDFA, in related negotiation and policy work.

The project envisages the organization of several regional expert meetings to identify failures and best practices in domestic regulations and policing practices in the context of peaceful protests. The first regional expert meeting on the theme was convened in October 2013 in partnership with the Institute for International and Comparative Law in Africa and the UN. It was organized by Prof. Heyns at the University of Pretoria. Dr. Stuart Casey-Maslen also participated and contributed to an OHCHR meeting on the same issue in December 2013 in Geneva. Following the meeting Academy Briefing No. 5 on 'Facilitating Peaceful Protest' was written by Milena Costas Trascasas and Stuart Casey-Maslen and launched in February 2014 in Geneva together with the UN Special Rapporteur on extrajudicial, summary or arbitrary executions. The Briefing takes stock of existing international standards and case law and provides example of good and poor state practice.

RESEARCH

The Academy has been working since 2011 towards a set of principles to govern the organization of peaceful protests, taking account of and affirming all relevant human rights principles, notably rights to peaceful assembly and association and freedom of expression, as well as the right to life, the prohibition of torture and ill-treatment, and freedom from arbitrary detention. In addition, the Academy's work added value by examining relevant norms in relation to crowd control, use of force, and law enforcement. On the other topics, the Academy's research provides a real added value to the International Geneva Human Rights debate. The work on the rights of peasants is also of crucial importance since the issue is complex, diverse and under-studied.

2. Support to UN Human Rights Treaty Bodies and Human Rights Defenders Cooperating with the UN Human Rights System

Support to UN Human Rights Treaty Bodies and Human Rights Defenders Cooperating with the UN Human Rights System

In 2013, the Geneva Academy published two In-Briefs aiming to support the work of UN Human Rights treaty bodies and human rights defenders cooperating with the UN human rights system.

The In-Brief on *The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights* presents the key features of this new international instrument which was adopted by the United Nations in 2008 and entered into force in 2013. It begins by summarising the history of the Optional Protocol's elaboration and adoption. It then discusses and assesses the Protocol's content, emphasizing the communications procedure particularly. The last two sections are devoted to international cooperation and assistance, and to inquiry and inter-state procedures. To launch this publication, the Geneva Academy organized a panel discussion in November 2013 with the Vice Chair of the Committee on Economic, Social and Cultural Rights, a member of the Human Rights Committee, and States and NGOs' representatives. The Panel discussion, organized in partnership with the Friedrich Ebert Foundation, was an ideal moment to reflect on the practical ramifications of the instrument's entry into force and its significance for ensuring access to justice in cases of violations of ESCR.

The In-Brief on *Reprisals against Human Rights Defenders who cooperate with the United Nations System* reviews the standards and mechanisms that protect human rights defenders against reprisals. It also presents a number of recommendations to better protect human rights defenders, whose work is essential for the effectiveness and credibility of the UN human rights mechanisms. The In-Brief was presented in September 2013 at the occasion of a side-event of the Human Rights Council on protecting human rights defenders against reprisals, organized by the Geneva Academy and the Governments of Switzerland and Hungary, with the participation of the Chair of the Subcommittee on Prevention of Torture.

At the end of 2013, the Geneva Academy began a two years research project funded by the Swiss Network in International Studies (SNIS) on the intersection of human rights violations, multiple grounds of discrimination and responses by the UN human rights system, coordinated by the University of Fribourg.

RESEARCH

3. Strengthening Economic, Social and Cultural Rights

The Geneva Academy undertook a number of activities to support the strengthening of ESCR in 2013.

From 2011 to 2013, Geneva Academy researchers were engaged in a research project financed by the SNIS on the impact of large-scale land acquisitions on the right to food in Laos and Cambodia, in partnership with the Graduate Institute and the Center for Development and Environment at the University of Bern. In 2013, Geneva Academy researchers presented their findings in many ways. They published an article on “Human Rights Responses to Land Grabbing: a right to food perspective” in a special issue of the *Third World Quarterly* in November 2013, and in October 2013 they organized a side-event on the right to food at the UN Committee on World Food Security, in partnership with the right to food team at the UN Food and Agriculture Organization (FAO), with the financial support of the Swiss Development Cooperation. The side-event, in which Geneva Academy researchers debated with the UN Special Rapporteur on the right to food and the Secretary-General of the NGO FIAN International, was an occasion to evaluate the progress made in the protection of the right to food in the last ten years. Geneva Academy Researchers also participated in a number of other events on the right to food in 2013, including at McGill University, University of Québec in Montreal, Hunter College in New York, University of Bern, and at the Canadian Parliament in Ottawa.

In May 2013, the Geneva Academy organized a two days expert seminar on the progress made in the last twenty years in the promotion and protection of ESCR, at the occasion of the 20th Anniversary of the Vienna Conference on human Rights, in partnership with the UN Special Rapporteur on extreme poverty and human rights, Magdalena Sepulveda, and the Center for Economic and Social Rights (CESR). This seminar was an occasion to share Geneva Academy researchers’ findings on the impact of UN Special Procedures on the development and implementation of ESCR (published in *The International Journal of Human Rights* in 2011) and on the contribution of these special procedures to the human rights and development dialogue (published in the *SUR International Journal on Human Rights* in 2012).

In 2013, the Geneva Academy also organized two high level conferences on ESCR. It organized a conference on the right to water and privatization at the International Film Festival and Forum on Human Rights, with the participation of the Ambassador of Bolivia to the UN in Geneva, and a conference on social international law, at the occasion of the launch of the book *Droit international social* (Bruylant, 2013), with the participation of the Director-General of the World Trade Organization, Pascal Lamy, and Professor of International Law Alain Pellet. Geneva Academy researchers also participated in a dialogue between Government representatives of Switzerland and Senegal, during which they discussed the main challenges in the implementation of the rights to food and education in both countries.

At the end of 2013, the Geneva Academy began a research project with the Global Fund to Fight AIDS, Tuberculosis and Malaria.

RESEARCH



RESEARCH

Publications

Published in 2013



Irene Biglino and Christophe Golay, *The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights*, Geneva Academy of International Humanitarian Law and Human Rights, 2013.

This Academy In-Brief No. 2 presents the key features of this new Optional Protocol which was adopted by the United Nations in 2008 and entered into force in 2013, and its significance for ensuring access to justice in cases of violations of ESCR.



Ivona Truscan, *Reprisals against Human Rights Defenders who Cooperate with the United Nations System*, Geneva Academy of International Humanitarian Law and Human Rights, 2013.

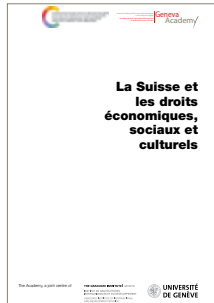
This Academy In-Brief No. 3 reviews the standards and mechanisms that protect human rights defenders against reprisals. It also presents a number of recommendations to better protect human rights defenders, whose work is essential for the effectiveness and credibility of the UN human rights mechanisms.



Christophe Golay, Irene Biglino and Ivona Truscan, *"Economic, Social and Cultural Rights"*, 2 *European Journal of Human Rights*, 2013, pp. 269-296.

The Project on ESCR at the Geneva Academy is responsible for the annual chronicle on ESCR in the European Journal of Human Rights. In 2013, the objective of the chronicle was to trace significant developments in the field of ESCR as they emerged in 2012. These developments unfolded at various levels. At the international level, emphasis was placed on the practice of United Nations treaty bodies, the mechanisms of the Human Rights Council, and significant contributions from United Nations specialized agencies. A review of jurisprudential developments within the European human rights system and leading judgments from European domestic systems was also provided, as well as particularly noteworthy cases from jurisdictions that extend beyond Europe's borders. Focus was put the rights to food, water and sanitation, adequate housing, education, and health.

RESEARCH



Christophe Golay (ed.), *Switzerland and Economic, Social and Cultural Rights*, Geneva Academy of International Humanitarian Law and Human Rights, 2013, available in French and German.

This publication compiles the recommendations addressed by the UN Committee on ESCR to Switzerland in 2010, and the responses of various Swiss stakeholders to these recommendations. It is based on the dialogue that took place between Government representatives at various levels, civil society and academia, at the occasion of a public event and a close workshop organized by the Geneva Academy and the Swiss Center of Expertise on Human Rights in Bern in 2011, to discuss the follow-up measures to be taken to respond to the Committee's recommendations.



Christophe Golay and Irene Biglino, "Human Rights Responses to Land Grabbing: a right to food", 34 *Third World Quarterly*, 2013, pp. 1630-1650.

The aim of this article published in 2013 was to approach the current debate on 'contemporary land-grabbing' from a human rights perspective, and the chosen focus was on one right that is particularly threatened, the right to food. The paper outlined the contours of an analytical framework grounded in international human rights law and the contribution such a framework can bring to the land-grabbing debate. The first part of the article provided a brief historical background of the right to food and sets out its articulation in international human rights law. The second part expanded on this analysis by focusing on what can be referred to as human rights responses to land-grabbing from a right to food standpoint. Focus was put on the role played by the UN Committee on World Food Security, UN treaty bodies, the Human Rights Council and its Special Rapporteurs, and on the role that regional human rights systems could play in response to large scale land transactions.

In preparation



Eibe Riedel, Gilles Giacca, and Christophe Golay (eds.), *Economic, Social, and Cultural Rights in International Law. Contemporary Issues and Challenges*, Oxford University Press, March 2014, 560 pages.

Recent years have seen a remarkable expansion in the scale and importance of ESCR in international law. In this context, this book assesses how effective efforts have been in realizing ESCR by investigating the contemporary challenges obstructing their protection, and the progress that has been made in expanding their implementation. The book contains eighteen essays on the main questions which couch the progressive realization of ESCR and their monitoring mechanisms. The authors of the chapters, both scholars and practitioners, adopt interdisciplinary approaches that move beyond traditional analyses of ESCR, contextualizing their discussions through wider contemporary international law challenges. In reflecting this diversity of perspectives, this book sheds light on new methodologies for the implementation of ESCR as well as the various obstacles they face.

RESEARCH

Selected public events

1. 10 March 2013: **Conference on the right to water and privatization at the International Film Festival and Forum on Human Rights (Geneva)**. This conference was the occasion to discuss the impact of privatization on the right to water, with the Ambassador of Bolivia to the UN in Geneva, a representative of Nestlé, and Prof. Riccardo Petrella. Organized by the Geneva Academy and the Film Festival.
2. 29-30 May 2013: **Expert seminar on the protection of ESCR to celebrate, at the occasion of the 20th Anniversary of the Vienna Conference on Human Rights**. The objective of this seminar was to evaluate the progress made in the last twenty years in the promotion and protection of ESCR. Organized by the Geneva Academy with the UN Special Rapporteur on extreme poverty and human rights, and the Center for Economic and Social Rights (CESR).
3. 4 June 2013: **Conference on social international law (Geneva)**. This conference – organized to launch the book *Droit international social* (Bruylant, 2013) – was an occasion to discuss the emergence of a new branch of international law – social international law – with the Director-General of the World Trade Organization, Pascal Lamy, and Professor of International Law Alain Pellet. Organized by the Geneva Academy.
4. 24 September 2013: **Side-event of the Human Rights Council on protecting human rights defenders against reprisals (Geneva)**. The objective of this side-event was to discuss the need better protect human rights defenders cooperating with the UN human rights system. Organized by the Geneva Academy and the Governments of Switzerland and Hungary.
5. 9 October 2013: **Side-event on the right to food at the UN Committee on World Food Security (Rome)**. This side-event was an occasion to evaluate the progress made in the protection of the right to food in the last ten years, with the UN Special Rapporteur on the right to food and the Secretary-General of the NGO FIAN International. Organized by the Geneva Academy and the right to food team at the FAO.
6. 18 November 2013: **Panel discussion on the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Geneva)**. The Panel discussion was an ideal moment to reflect on the practical ramifications of the new Optional Protocol's entry into force and its significance for ensuring access to justice in cases of violations of ESCR. Panelists included the Vice Chair of the UN Committee on ESCR and a member of the Human Rights Committee. Organized by the Geneva Academy and the Friedrich Ebert Foundation.

RESEARCH

Special and ad hoc projects in connection with the strategic areas

1. Counterterrorism project

This project funded by an institutional donors aims at: First, a desk review of existing host state counterterrorism legislation and other measures in six states where they are likely to have a particular impact on humanitarian operations. This would involve a review proves whereby the relevant authorities were given the possibility to check factual findings and interpretations of relevant legislation. Geographic representation will be a criterion for the selection of the focus states, which should include at least one context from the Americas, the Middle East and North Africa, Sub-Saharan Africa, Europe, and Asia.

Second, based on the desk review, a set of research questions will be elaborated that will be explored in interviews with relevant experts from humanitarian agencies, operational partners, donors, and academics in the field and in New York and Geneva.

Third, based on the results of the desk research and assuming progress with regard to the demands for interviews, a zero draft report will be prepared identifying operational and policy implications and potential best practices.

Fourth, one of the six (or more) focus states will be selected for a case study mission to examine the potential conclusions of the study in more detail.

Fifth, following completion of the case study, the overall study report will be drafted, setting out recommendations for action by humanitarian organizations, host states, and other relevant actors, and identifying best practices and highlighting any gaps requiring further.

2. The Coherence on Human Rights Policies

The Geneva Academy conducted a comparative study into how states ensure that they maintain human rights coherence when they develop government policies. Several states were reviewed for the study. They were selected on the basis of their approaches to international relations, their size and structure of government, and a requisite willingness to engage openly with the project. Four areas of focus were chosen: arms exports, the Human Rights Council's Universal Periodic Review (UPR), national contact points, and free trade agreements. These topics were selected because the challenge of ensuring human rights coherence is particularly apparent in each, and best practices in these areas are transferable to other topics.

The study was conducted through a combination of desk research and interviews with representatives of various ministries in the four chosen states, as well as interviews with representatives of academia and civil society.

The states encounter all same challenges: the need to balance competing interests is key to improving human rights coherence in policy development. Economic interests must be balanced against human rights protection and promotion.

OXFORD

THE WAR REPORT 2012

Edited by **Stuart Casey-Maslen**

PUBLICATIONS

In preparation

The Oxford Handbook of International Law of Armed Conflict
(Andrew Clapham and Paola Gaeta, eds.)
(March 2014)

This Handbook is based on a series of public lectures delivered in Geneva as from 2008 by well-known jurists. It was released as part of Oxford Scholarly Authorities on International Law and has been just published by Oxford University Press.

The Handbook provides an authoritative overview of key topics related to the application of international law in armed conflict, examines different branches of international law, including humanitarian law, human rights law, refugee law, and the law of neutrality, and includes essays analyzing emerging problems related to terrorism, new types of weapons, international criminal law, and the interaction between humanitarian law and human rights law. With an international group of expert contributors, this Handbook has a global, multi-disciplinary perspective on the place of law in war.

The Geneva Conventions: A commentary
(Andrew Clapham, Marco Sassòli, and Paola Gaeta)
(forthcoming: Oxford University Press, 2015)

This much needed Commentary on the 1949 Geneva Conventions takes stock of the development occurred since the first set of Commentaries to the Four Geneva Conventions edited by Jean Pictet and published by the ICRC in a series of books, the last one on the Second Geneva Convention being published in 1960. Since that time the four Conventions have achieved not only universal ratification, but also recognition of their relevance day-to-day, even if there are controversies over their application to certain armed conflicts and the so-called 'war on terror'. In addition they have been incorporated into national law in the context of the emerging regime for the prosecution of international crimes. Moreover, since the establishment of the International Criminal Tribunal for the former Yugoslavia (and subsequent tribunals including the International Criminal Court) a number of key provisions have been applied by judges from these international tribunals in cases brought against individual defendants indicted for war crimes. In turn judges at the national level are increasingly applying national law which has incorporated the Geneva Conventions (or their provisions through the statutes aimed at ensuring compliance with the International Criminal Court Statute).

The Pictet Commentaries referred to above have played an extraordinary role in shaping the debate over the meaning and interpretation of the articles of the four Geneva Conventions. In particular they exhaustively cover the travaux préparatoires and provide the ICRC's institutional approach to many of the issues. Nevertheless, the Commentaries obviously do not take account of how the Conventions have been applied in the last 50 years. The application of the treaties and the interpretative dilemmas provide a rich set of questions that deserve to be tackled in a new set of scholarly volumes. First, the question of the borderline between international and non-international armed conflicts is not as simple as was once thought, in particular due to the use of armed forces mandated by the United Nations and the complex nature of certain internal armed conflicts. Second, the influence of other branches of international law such as human rights law and refugee law is considerable and deserves to be examined. Third, the development of international criminal law has breathed new life into multiple provisions. The Commentary focuses on the Geneva Conventions as they apply today. The specific approach is to interpret the Conventions against the current frameworks of international human rights law and international criminal law. An expert meeting aimed at discussing the interpretation and application of key provisions of the 1949 Geneva Conventions as well as improving

PUBLICATIONS

cooperation and coordinating with ICRC experts was organized at 28 February and 1 March 2013. The participants consisted of academics and legal experts who are contributing to the Commentary as well as legal experts of the ICRC. The debates were moderated by the editors of the Commentary, Andrew Clapham, Paola Gaeta and Marco Sassòli. These debates, on topics such as the concept of armed conflict, detention, occupation and protection of civilians, were fruitful and served as helpful guidelines during the editing process which entered into its final phase.

The Commentary comprises more than 70 chapters written by academics and experts in the field. The editors believe that it will constitute an important reference for all those dealing with international legal issues in armed conflict.

Swiss Human Rights Chair Research Project and Publication

A team led by Professor Eibe Riedel, former Swiss Human Rights Chair is editing a book, *Economic, Social and Cultural Rights: Contemporary Issues and Challenges*, which was published by Oxford University Press in 2014 and launched in May 2014 at the Academy.

Weapons Under International Human Rights Law

Edited by Stuart Casey-Maslen, the Academy's head of research, which will be published by Cambridge University Press in January 2014. International human rights law offers an overarching international legal framework to help determine the legality of the use of any weapon, as well as its lawful supply, governing acts of states and non-state actors alike. In situations of law enforcement (e.g. counterpiracy, prisons, ordinary policing, riot control, and many peace operations), human rights law is the primary legal frame of reference above domestic criminal law. The book includes specific discussion on armed drones and cyberattacks, two highly topical issues in international law and international relations. The book is a basis of a newly launched training in International Weapons Law, to be held at the Academy in August 2014, first edition.

More info on this topic on <http://www.weaponslaw.org>.

Academy Briefings and In-Brief Series

The following Academy Briefings and In-Briefs below were issued in 2013:

Briefing no. 1: Counterpiracy under International Law

Briefing no. 2: Draft Arms Trade Treaty

Briefing no. 3: The Arms Trade Treaty

Briefing no. 4: The International Code of Conduct for Private Security Service Providers

Briefing no. 5: Facilitating Peaceful Protests

In-Brief no.1: The Independence of Treaty Bodies' Members

In-Brief no. 2: The optional protocol to the International Covenant on Economic, Social and Cultural Rights

In-Brief no. 3: Reprisals against Human Rights Defenders who cooperate with the United Nations System

In-Brief no. 4: The Situation of Women's Rights 20 Years after the Vienna World Conference on Human Rights

A new edition "Academy Policy Briefing" was also created.

PUBLICATIONS





PROGRAMME HOSTED AT THE GENEVA ACADEMY

Antonio Cassese Initiative for Justice, Peace and humanity

Justice, peace and humanity were principles that guided the life and work of Antonio Cassese. He was an exceptional thinker, teacher, and humanist, but also a great mentor and friend to many people. To continue his legacy, a group of friends and admirers of Antonio Cassese founded the Antonio Cassese Initiative for justice, peace and humanity to promote global education, training and research in various disciplines dear to Antonio Cassese, including human rights, peace, international justice, transitional justice and development.

The Cassese Initiative was launched on 26 April 2012. Operating from its base at the Geneva Academy of International Humanitarian Law and Human Rights, has prepared a series of activities that have taken place in early 2013 and will continue throughout the year.

Since October 2012 the Antonio Cassese Initiative is hosting the Adviser to the UN Special Rapporteur on Truth, Justice, Reparation and Guarantees of Non-Recurrence. This support is made possible through a grant by the Government of Switzerland.

The Special Rapporteur deals with situations in which there have been gross violations of human rights and serious violations of international humanitarian law. Mr. Pablo de Greiff was appointed by the Human Rights Council as the first mandate holder. He took up his functions on 1 May 2012.

The Adviser hosted by the Antonio Cassese Initiative is Mr. Thomas Unger. He assists the Rapporteur in all aspects of the implementation of his mandate, such as supporting the planning of country visits, drafting reports to the Human Rights Council and the General Assembly, coordinating in close cooperation with the OHCHR, which is the lead agency on transitional justice in the UN system, other transitional justice activities at the UN, liaising with the diplomatic community and civil society.



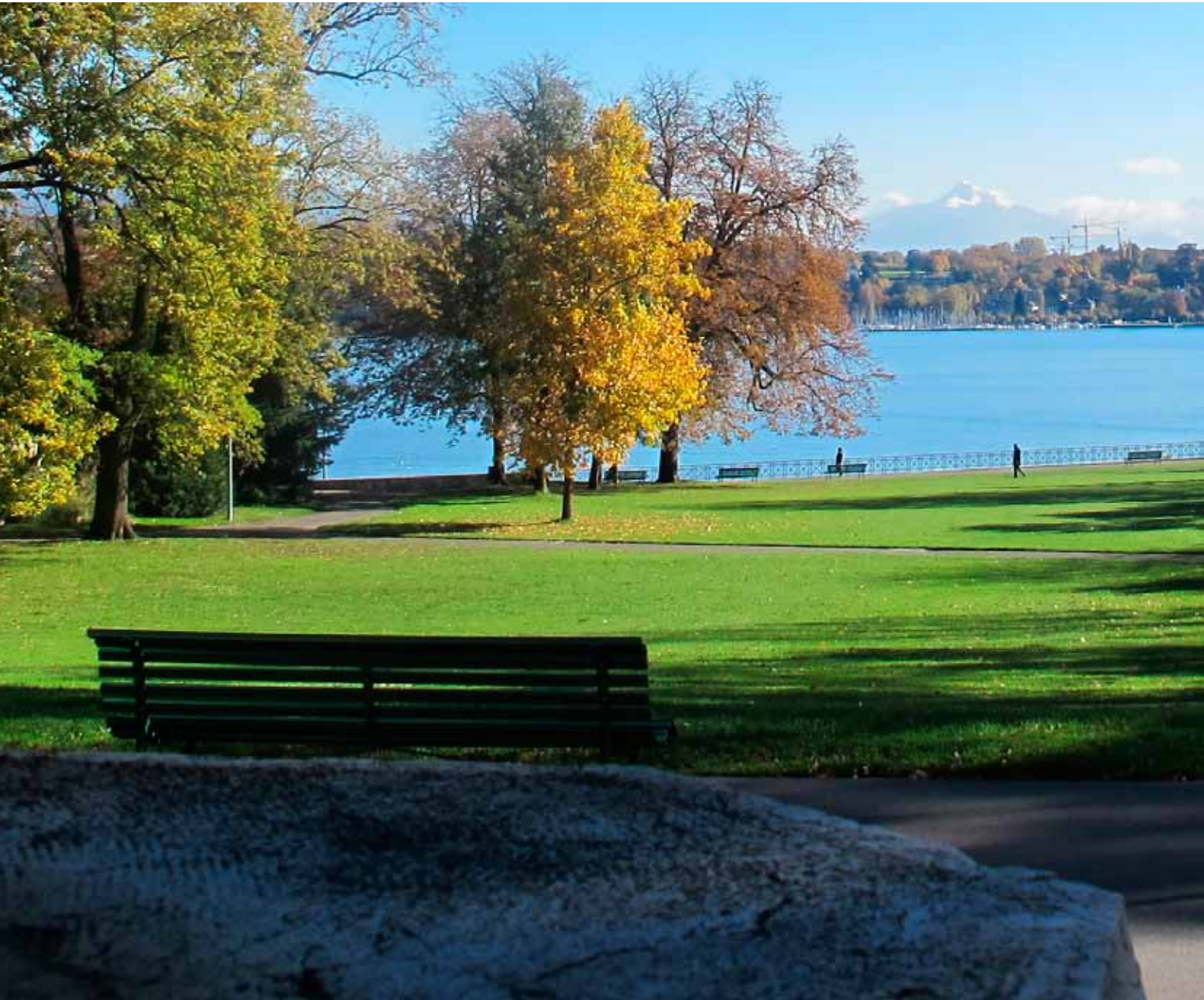
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SELECTED PUBLIC EVENTS IN 2013

Date	Event	Description	Organized by
21 January	SG Amnesty International: Human Rights: Divided they Fall + VDPA plus 20	The event reflected on the 1993 Vienna World Conference on Human Rights proclaimed the indivisibility of all human rights. Today, twenty years on, the reality too often looks different. For the majority of the world's population, the failure to give substance to the indivisibility of civil and political rights and economic, social and cultural rights carries heavy costs. It was concluded that the elaboration of the post-2015 development agenda offers an opportunity to breathe new life into the indivisibility of human rights that must not be missed lecture.	Geneva Academy
9 February	150th anniversary of the International Committee of the Red Cross and humanitarian action	Commemoration ceremony, with contributions from: Mr. Rémy Pagani, Olivier Vodoz, Christian Huber, Roger Durand.	Geneva Academy
12 February	UNOG Library Talk - A new paradigm of international criminal law	Forty people were tried at Nuremburg and Tokyo. Ten thousand more were tried by national tribunals endorsed by a 15 nation UN commission on charges including murder, torture, sexual violence as international crimes. The defendants included many mid-level personnel. The nations concerned, including China and India, created the UN War Crimes Commission in 1943. Its work has powerful lessons for the present. Dr Dan Plesch , Director, Centre for International Studies and Diplomacy. Professor Bertrand G. Ramcharan , former Acting United Nations High Commissioner for Human Rights Dr. Paola Gaeta, Director, Geneva Academy of International Humanitarian Law and Human Rights.	Geneva Academy/ UNOG
2 March	International film festival for human rights: a subject, a film discussion: Drones, a clean war?	Film: Attack of the drones Debate: Ibrahim Mothana , political activist and writer Yemen; Casey Stuart Maslen , Research Director at the Academy of International Humanitarian Law and Human Rights in Geneva; Joshua Foust , security expert at the American Security Project, a contributor PBS and The Atlantic Moderator: François-Xavier Trégan , Special Envoy of the newspaper Le Monde in Yemen documentary France Culture.	Austrian Government /Academy

PUBLIC EVENTS

Date	Event	Description	Organized by
10 March	International film festival for human rights: a subject, a film discussion: Battle for water on the blue planet	Film: Even the Rain (Hásta la lluvia) Debate: Andrew Clapham, Director of the Academy of International Humanitarian Law and Human Rights (ADH); Riccardo Petrella , political scientist and economist, President of the European Research Institute on Water Policy; Victoria Stone , Director of Sustainable Development of Veolia Environnement; Dr. Christophe Golay , Research Fellow at the Academy of International Humanitarian Law and Human Rights in Geneva; Angélica Navarro Llanos , Ambassador, Permanent Representative of the Plurinational State of Bolivia. Moderator: Pierre Veya , Editor in <i>Le Temps</i> .	Geneva Academy
14 March	The International Criminal Court: Lessons Learnt and not Learnt from the Ad Hoc Tribunals	On this occasion, the third edition of “Cassese’s International Criminal Law” was presented. A panel discussion was organized.	Geneva Academy
9 April	Special Lecture - 20th Anniversary of the Vienna declaration and programme of action	Thoughts from an insider: lecture from Ambassador Christian Stohal (Austria), special envoy for Ambassador Christian Stohdal (Austria) the VDMA+20.	Geneva Academy
17 – 19 April	Drone strikes under International law (Wilton Park Conference)	This conference will look in detail at the application of international law to drone strikes, as well as issues related to the present and future technology of armed drones and the human rights impact of drone strikes. It will seek to avoid conflation and confusion between international law relating to the inter-state use of force (jus ad bellum), international law applicable to armed conflict (jus in bello), and international law applicable to law enforcement, including counterterrorism operations.	Geneva Academy/ ONHCHR
18 April	Afghanistan: A Failed Transition	After thirteen years of international occupation and unprecedented amounts of military spending, what the international community will be leaving behind in relation to security, stability, the rule of law and development when it depicts Afghanistan was discussed.	Geneva Academy/ GCSP
24 April	Geographical scope of the battlefield	The panel discussion tackled following issues: Are there territorial limits to armed conflicts?- How far does the reach of the laws of war extend?- Have transnational terrorism, drone attacks and cyber warfare turned the world into a global battlefield?	Geneva Academy/ Swiss IHL Chair
15 May	Disaster relief: A state right and/or an individual right?	The Geneva Academy and the Centre for Education and Research in Humanitarian Action (CERAH) presented a joint research project carried out by the Scuola Superiore Sant’Anna, the University of Milan and the University of Modena and Reggio Emilia: Panel discussion	Geneva Academy/ CERAH

PUBLIC EVENTS

Date	Event	Description	Organized by
5-9 May	Advanced Training Course on Monitoring Economic, Social and Cultural Rights	The advanced training provides in-depth knowledge on monitoring aspects related to economic, social and cultural rights (ESC rights), and comprehensive understanding of how to enhance monitoring of ESC rights.	Geneva Academy
29-30 May	“Vienna at 20: Renewing strategies for economic and social justice”	The discussion centered on three aspects of the VDPA of particular significance for ESC rights: the recognition of the role human rights should play in shaping economic and development policy; the commitment to tackle the injustice of inequality, including its socio-economic dimensions; and the emphasis on meeting the challenges of implementing, monitoring and enforcing ESC rights.	Geneva Academy
4 June	Conference: Is the International law social?	This conference enjoyed the special participation of: Pascal Lamy, Director-General of the World Trade Organization Interventions: Dr. Christophe Golay, research fellow, Geneva Academy and Alain Pellet, Professor, University of Paris	Geneva Academy
11 June	The Arms Trade Treaty: a Human Rights Treaty?	Side event at the Human Rights Council provided participants with a forum to discuss the protection of Human Rights under the Arms Trade Treaty (ATT), including ways to ensure compliance with the ATT, and the relevance of the treaty for the Human Rights Council and its special procedures.	Geneva Academy/ International Commission of Jurists
27 June	Nanotechnology and International Humanitarian Law	The panel discussion tackled numerous issues across disciplines such as engineering, quantum physics, optics, chemistry and biology, nanotechnology typically involves manipulation of matter on the atomic and molecular level. Military use of this rapidly evolving technology during armed conflict in relation to the application and interpretation of international humanitarian law.	Geneva Academy/ Swiss IHL Chair
1-5 July	Summer School in Transitional Justice	Countries emerging from armed conflict face important challenges: re-establishing the rule of law, achieving conflict mitigation and prevention, integrating traumatic events, inscribing and negotiating memories, as well as strengthening reconciliation, nation-building and identity, all of which were addressed during the summer school. While many of the measures traditionally applied in the context of post-authoritarian regimes constitute today important guidelines, contemporary post-conflict settings seem to require a fine-tuned, targeted and sensitive approach, embracing political, security, transitional justice-related and social factors, likely to support, in the longer run, peace as well as equitable political, economic and social order. The summer school was attended by 27 participants.	Geneva Academy/ Cassese Initiative

PUBLIC EVENTS

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24 September	Protecting Human Rights Defenders from Reprisals + VDPA plus 20	Amid a number of standard-setting initiatives debated at the Human Rights Council and by the UN human rights treaty bodies, this side-event proposed a forum for reflection on the normative requirements to ensure adequate protection for human rights defenders at domestic and UN levels as well as on the development of effective mechanisms to achieve compliance with these standards. The Academy In Brief on this topic was launched with a panel debate.	Geneva Academy/ HSD
3 October	Launch Briefing: The International Code of Conduct for Private Security Companies	This Academy Briefing was launched with a panel debate.	Geneva Academy/ DCAF
7 November	Training IHL teachers - ICRC	Traditional one day IHL training for Geneva based diplomats.	Geneva Academy/ ICRC / Swiss IHL Chair
7-8 November	Annual training on international humanitarian law for diplomats working with international humanitarian law, human rights and disarmament	Worldwide university professors and representatives from the international, diplomatic and humanitarian community attended this two day training jointly organized by the ICRC and the Geneva Academy of International Humanitarian Law and Human Rights	Geneva Academy/ ICRC
17-21 November	Training on Understanding Economic, Social and Cultural Rights	The training is held in parallel with the November sessions of the Committee on Economic, Social, and Cultural Rights in Geneva which allows course participants to observe the Committee in session.	Geneva Academy
18 November	The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights + VDPA plus 20	This panel debate, attended by approximately 100 people, emphasized the need to improve the protection of ESCR, including by drafting an Optional Protocol to the ICESCR: discussion and launch of the Academy In-Brief on The Optional Protocol on ESCR.	Geneva Academy/ Friedrich-Ebert- Stiftung
20 November	Autonomous Weapon Systems: Dangerous Killer Robots or Smarter and Less-Harmful Warfare?	The motion under debate was: "Should there be an absolute ban on autonomous systems capable of using lethal force?" Two key speakers argued for and against the motion, and responded to each other's presentations. This was followed by a discussion session with the audience, and a public vote.	Geneva Academy/ Swiss IHL Chair

PUBLIC EVENTS

Date	Event	Description	Organized by
2 December	Weapons Law Encyclopedia Launch	The launch of the Weapons Law Encyclopedia the world's first website dedicated to describing international law applicable to all weapons. The launch version of the Encyclopedia covers the use of conventional and non-conventional weapons that are specifically prohibited by international treaties. It includes relevant case law, a glossary of international legal terms, and a summary of weapons law treaties. Maya Brehm and Stuart Casey-Maslen who have conducted the research for the Encyclopedia, presented the website publicly for the first time.	Geneva Academy
3 December	Business, Human Rights and Conflict: Challenges and Good Practice from conflict prevention to operating in a conflict-affected area	Businesses and foreign investors operating in conflict affected areas and high-risk areas face significant practical challenges. The Geneva Academy presented its work at the UN Forum on Business and Human Rights*.	Geneva Academy/ Partners
3-5 December	Experts meeting on armed drones and robots under international law (follow up Wilton Park Conference)	This Experts Meeting was convened by the Geneva Academy of International Humanitarian Law and Human Rights and the United Nations Institute for Disarmament Research (UNIDIR), with the support of the Swiss Federal Department of Foreign Affairs, to look at application of international law to armed drones along with legal and ethical issues related to development and use of fully autonomous lethal weapons systems.	Geneva Academy/ UNIDIR / DFAE
10 December	The War Report Launch	The Geneva Academy launched its first War Report on 10 December 2013 (Human Rights Day). The War Report (2012) identifies and discusses all those situations of armed violence that amounted to armed conflicts according to the criteria which have developed under international law. The War Report lists a total of 37 armed conflicts on the territory of 24 states for 2012. The purpose of The War Report is to collect information in the public domain and provide legal analysis for governments, policy makers, the United Nations, academics, NGOs, and journalists. The War Report also identifies conflict-related deaths and injuries for each armed conflict, disaggregating categories whenever the data supports it.	Geneva Academy/ The Graduate Institute

The **Geneva Academy of International Humanitarian Law and Human Rights** provides post-graduate education by organizing a Master of Advanced Studies/LL.M. in International Humanitarian Law and Human Rights, offers a Master of advanced studies for working professionals, conducts academic legal research, undertakes policy studies, and organizes training courses and expert meetings. The Geneva Academy concentrates on the branches of international law applicable in times of armed conflict.

Jointly established in 2007 by the Faculty of Law of the University of Geneva and the Graduate Institute of International and Development Studies, the Geneva Academy is the successor to the University Centre for International Humanitarian Law.

The University of Lausanne, the International Committee of the Red Cross, the United Nations High Commissioner for Human Rights, and the Swiss Federal Department of Foreign Affairs all contribute to achieving the objectives of the Academy.

Master of advanced studies programmes at the Geneva Academy:

LL.M. in International Humanitarian Law and Human Rights

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