

AGGREGATION, GOVERNANCE AND NEXUS: THE LEGAL AND PRACTICAL IMPLICATIONS OF THE ICC'S AL HASSAN CASE

VILLA MOYNIER, 120B RUE DE LAUSANNE, GENEVA | THURSDAY 7 DECEMBER 2023 | 18:00-19:30



ICC-CPI

Subject to ongoing judicial deliberations, with a first-instance judgement expected soon, the Al Hassan case before the International Criminal Court (ICC) stands out as one of today's most closely scrutinized proceedings from the perspective of international humanitarian law. Brought against Mr Al Hassan Hassan Ag Abdoul Aziz – an alleged member of the Ansar Eddine armed group, the head of its Islamic police, and a judge in its Islamic court in Timbuktu (Mali) – the case involves complex questions related to the classification of armed conflicts, rebel governance, nexus, and the protection of cultural property in situations of armed conflict.

In its awaited judgement, the ICC Trial Chamber is expected to take a position and possibly resolve several controversial matters of international humanitarian law (IHL). These include the possibility of aggregating the violence perpetrated by a multitude of armed groups when classifying a situation as an armed conflict, and whether we can consider an armed group's non-military wing when determining if it is sufficiently well organized for a non-international armed conflict. The Chamber judgement should also address the question of the nexus requirement as applied to organized armed groups that exercise control over a certain territory, including to what extent the implementation of an armed group's legislation should be governed by IHL.

Bearing in mind the legal and practical implications of Al Hassan, our panelists will address the relevance of the case for armed conflict classification, rebel governance, the protection of cultural property in armed conflicts, and the nexus requirement, but also, more broadly, its impact on the operations of humanitarian organizations active in Mali and other countries within the region.

MODERATION

Pavle Kilibarda

Postdoctoral Researcher, University of Geneva

PANELISTS

Jann Kleffner

Professor of International Law, Swedish Defence University

Katherine Fortin

Associate Professor, Utrecht University

Francesco Romani

Research Fellow, Geneva Academy

Hichem Khadraoui

Executive-in-residence, Geneva Centre for Security Policy

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The IHL Talks are a series of events, hosted by the Geneva Academy, on international humanitarian law and current humanitarian topics. Academic experts, practitioners, policymakers and journalists discuss burning humanitarian issues and their regulation under international law.

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