

**INTERNATIONAL COMMITTEE OF THE RED CROSS:
INTERNATIONAL HUMANITARIAN LAW WORKSHOP**

FEBRUARY 16 – 19, 2008

**Hosted by: Santa Clara University School of Law
500 El Camino Real
Santa Clara, CA 95053**

AGENDA AND SYLLABUS

Course Materials

Marco Sassòli & Antoine A. Bouvier, *How Does Law Protect In War?*
(1999) (“Text”) [Relevant pages from this text will be provided to students.]
The 1949 Geneva Conventions and their three Protocols.

Agenda

All events are held in Weigand Room, Arts & Sciences Building, unless otherwise noted.

Friday, February 15, 2008

8:30 – 9:00 Check-in / Continental Breakfast provided

Opening Remarks by: **Donald Polden, Dean**
Santa Clara University School of Law

Washington Head of Delegation
ICRC Regional Delegation for US and
Canada

9:00 – 11:30	Lecture 1: <u>Introduction to International Humanitarian Law / IHL and Human Rights</u> Philip Sundel, ICRC
11:30 – noon	Q & A, discussion Introduction of scenario for closing session; team assignments
noon – 13:30	Lunch break – students on own Teams meet

Saturday, February 16, 2008

8:00 – 8:30 Continental Breakfast provided

8:30 – 10:30 Lecture 3: Protected Persons / Internment and Detention
Major Olga M. Anderson
International and Operational Law Department
Judge Advocate General's Legal Center and School

IHL and Human Rights

10:30 – 10:45 Break

10:45 – noon Lecture 3 Exercise:
Protected Persons: Prepare Question 12, p. 1875; pp. 1237-1243 (*Cheikh Obeid*);
Internment and Detention: Prepare Questions 1 & 5, pp. 1243-1244

noon – 13:30 Lunch break – students on own
Teams meet

13:30 – 15:30 Lecture 4: Direct Participation in Hostilities
Nils Meltzer
ICRC Geneva

Reading: Israel Supreme Court case, found at:
http://elyon1.court.gov.il/Files_ENG/02/690/007/a34/02007690.a34.HTM
Military commission jurisdiction decision (*Hamdan*), found at:
<http://www.defenselink.mil/news/Dec2007/Hamdan-Jurisdiction%20After%20Reconsideration%20Ruling.pdf>

15:30 – 15:45 Break

15:45 – 17:00 Lecture 4 Exercise: **[TBD]**

Saturday night – students on their own.

Sunday, February 17, 2008

- 8:00 – 8:30 Continental Breakfast provided
- 8:30 – 10:00 Lecture 5: Means and Methods of Warfare
Captain Michael McCoy
United States Air Force
- 10:30 – 10:45 Break
- 10:45 – noon Lecture 5 Exercise: Targeting exercises
- noon – 13:30 Lunch break – students on own
Teams meet
- 13:30 – 15:30 Lecture 6: Implementation and Enforcement of IHL
Beth Van Schaack
Professor of Law, Santa Clara University School of Law
- Reading: Text pp. 606-624 (ICC Statute)
- 15:30 – 15:45 Break
- 15:45 – 17:00 Lecture 6 Exercise: Compare and contrast the U.S. War Crimes Act of 1996 (18 U.S.C. § 2441) and as amended by the Military Commission Act of 2006.

Sunday night – students on their own.

Monday, February 18, 2008

8:00 – 8:30	Continental Breakfast provided
8:30 – noon	Final presentation Moot Court Room, Bergin Hall
noon – 13:00	Farewell and Certificate Ceremony

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NOTE:

*Text pages will be provided to students.

*Students are responsible for reading the two cases for which Internet cites are provided; these cases will not otherwise be distributed to students.

*Exercises will be conducted by students meeting in their pre-assigned groups for 30 minutes. Following the individual group discussions, students then will return to the whole group and one student from each individual group will present the discussion results.

*Students are expected to meet with their individual pre-assigned groups to work on the closing day project. Students may meet during the lunch hours and at the end of the day to work on the project.