



## **‘Testing the boundaries of international humanitarian law’**

**BIICL, 1-2 June 2006**

Events in the last decade, including the establishment of the international criminal courts, and the launching of the ‘global fight on terror’ have generated broad public and academic interest in international humanitarian law. Consequently, the British Institute of International and Comparative Law has developed a research initiative in international humanitarian law as a part of its Public International Law programme, with the aim of building on high-level research studies and serving as a common forum for various experts from the field. Fittingly, then, the launch of this initiative is being marked by the first BIICL publication to address IHL in over a dozen years.

The purpose of this conference is to complement the launch of this publication by providing an opportunity for the some authors to present their articles, as well as a forum for discussion of the contentious issues in international humanitarian law raised in the publication in more general sense. Untied in looking at the contemporary world, and the most recent developments in the IHL, some of the speakers will direct their thoughts to a broader, multi-disciplinary view on the changes to the law and reflect on the interrelations between IHL and human rights, rule of law or criminal law, some others will consider very specific or unique legal issues by showing how they may have affected our understanding of the current law of armed conflict.

The picture of 21<sup>st</sup> Century IHL in eyes of our contributors displays not only the multitude of influences but also series of controversies. These issues range from the recent ICJ decision on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, to the occupation of Iraq and the phenomenon of terrorism. A particular focus is the special statute establishing criminal jurisdiction over Saddam Hussein.

## Keynote speakers:

### **Professor Leslie C. Green**

Professor Green (C.M., LL.B., LL.D., F.R.S.C.) was the Charles H. Stockton Professor of International Law, Naval War College (1996-97); He is University Professor Emeritus, University of Alberta (1992-present); having been University Professor, University of Alberta (1969-91); Professor of International Law and Dean of Law School, University of Singapore (1960-65). His publications include *The Contemporary Law of Armed Conflict* (New York: Manchester University Press, 1993), *Essays on the Modern Law of War* (Dobbs Ferry NY: Transnational Publications, 1985), and *International Law Through the Cases* (Dobbs Ferry NY: Oceana, 1970).

He is a member of the Order of Canada, Fellow of the Royal Society of Canada and Resident Consultant to Judge Advocate General of Canada. He was a Legal Advisor and Member of the Canadian Delegation, Diplomatic Conference on Humanitarian Law in Armed Conflict (1975-77). He was a member of the British Army - Japanese translator and Deputy Military Prosecutor, General Headquarters, India (1941-46). He received his LL.D. from the University of London in 1976. He is a renowned expert and professor in international law.

### **Professor Christopher Greenwood, CMG, QC**

Professor of International Law at the London School of Economics and a Queen's Counsel practising from Essex Court Chambers.

Educated at Wellingborough School and Magdalene College, Cambridge: BA in Law (1st Class Honours), 1976; LIB in International Law (1st class honours) 1977; Whewell Scholar. Called to the Bar (Middle Temple) 1978. He was a Fellow of Magdalene College and a University Lecturer in Law in the University of Cambridge from 1978 until taking up his position at LSE in 1996. Practice at the Bar from 1985; appointed Queen's Counsel 1999. Appointed Companion of the Order of St Michael and St George (CMG) for services to public international law, 2002.

Cases include:- *Aerial Incident at Lockerbie (Libya v. United Kingdom)* (International Court of Justice), ICJ Reports, 1992, p. 3 and 1998, p. 3 (case continuing); *Legality of the Use by a State of Nuclear Weapons*, (International Court of Justice), ICJ Reports, 1996, p. 65; *Legality of the Threat or Use of Nuclear Weapons* (International Court of Justice), ICJ Reports, 1996, p. 226; *Case concerning Legality of Use of Force (Yugoslavia v. United Kingdom)* (International Court of Justice), 38 ILM (1999) 1167 (case continuing); *Armed Activities in Congo (Congo v. Rwanda)* (international Court of Justice); *Bankovic v. United Kingdom* 11 Butterworths Human Rights Law Cases 435 (2002) in the European Court of Human Rights; Category E claim before the United Nations Compensation Commission; *Prosecutor v. Simic (ICRC evidence)* before the International Criminal Tribunal for the Former Yugoslavia; various cases currently before the European Court of Human Rights.

Cases in the English courts include: *R. v. Bow Street Magistrates, ex parte Pinochet* (House of Lords) [2000] 1 AC 61 and 147; *Holland v. Lampen-Wolfe* [2000] 1 WLR 1573 (House of Lords); *Kuwait Airways Corporation v. Iraqi Airways Co.* [2002] AC 883 (House of Lords); *Lonrho v. ECGD* [1999] Ch. 158 (High Court); *Re P (United States of America intervening)* (High Court and Court of Appeal) 114 ILR 485 and *Abbasi ("Guantanamo Bay detainees")*, Court of Appeal, November 2002. Expert evidence in cases in Canada, the United States and New Zealand.

Publications include the *International Law Reports* (Joint Editor with Sir Elihu Lauterpacht QC) and *The Kuwait Crisis: Basic Documents* (1991). Approximately sixty articles in various law journals in England and elsewhere. Currently working on a book on the *Modern Law of Armed Conflict* which is to be published by the Oxford University Press and a tenth edition of *Oppenheim's International Law* (with Sir Arthur Watts).

## DAY 1

### **Session I: 21<sup>st</sup> Century Conflict, 21<sup>st</sup> Century Threat**

'War' had historically been considered as an armed conflict between two sovereign nations, however, the current global paradigm presents the world community with complex security situations such as powerful insurgent forces, military and political occupation, terrorist activity, and other forms of violence that often cause an interface with the police and civilian population. The broad range of contemporary violence situations present a challenge for the lawyers seeking adequate legal measures to be applied both drawing from international normative structure of humanitarian law and international human rights law.

Looking at the very nature of armed conflict is impossible without considering changing concepts of the enemy and the developments in warfare. Gone are the days of the linear battlefield. Terrorism - is it a conflict or a threat? Are modifications to the laws of war are needed in order to adapt to the new asymmetric conflict or threat of the 21st century? How do the technology advances in warfare influence the modern conflicts? Does IHL fully accommodate these changes?

#### **Chair: Professor Lindsay Moir**

Lindsay Moir is Professor of Law at the University of Hull Law School.

Having studied at the Universities of Edinburgh and Cambridge, he joined the University of Hull in 1997 and was appointed to a Chair in 2005. He has published in the areas of international humanitarian law, use of force, international criminal law and human rights, and his works include *The Law of Internal Armed Conflict* (Cambridge University Press, 2002).

#### **Speakers:**

##### **'21st Century Warfare and IHL' by Professor Michael N. Schmitt**

Michael Schmitt is Professor of International Law at the George C. Marshall European Center for Security Studies. He also directs the Program in Advanced Security Studies, a course of study for mid-level and senior government officials and military officers from throughout Europe, Eurasia, and Central Asia. A former US Air Force Judge Advocate with operational law experience, Professor Schmitt has previously served on the faculties of the United States Naval War College and United States Air Force Academy. A Member of the International Institute of International Law, he serves on the board of numerous organizations and publications active in the field of international humanitarian law.

##### ***'Back to the Future: The Participants in Armed Conflict, Their Status and Treatment'* by**

##### **Dr Avril McDonald**

Avril McDonald is Head of the Section of International Humanitarian Law and International Criminal Law and a senior researcher at the TMC Asser Institute for International Law in The Hague. She is also the Managing Editor of the Yearbook of International Humanitarian Law. For the past several years, she has taught courses in international peace and security at the Amsterdam School of International Relations and in international humanitarian law at the University of Groningen. She is a regular guest lecturer at a number of Dutch academic

institutions, including the University of Amsterdam, the University of Leiden and Institute Clingendael and is involved in organising professional training programs for judges and prosecutors for the Hague Forum for Judicial Expertise. Before joining the institute, she was a legal assistant at the International Criminal Tribunal for the Former Yugoslavia, and prior to that, she pursued a career in journalism and publishing. Her current research interests include private military contractors, direct participation by civilians in hostilities, victims of war crimes, new types of actors, and depleted uranium weapons.

*'The Strategic Environment and the Nature of Conflict'* by **Dr Steven Haines**

Steven Haines is Head of the Department of Politics and International Relations at Royal Holloway College, University of London and Visiting Fellow in Law, Strategy and Military Operations at Cranfield University (Security Studies Institute, Shrivenham). Prior to joining Royal Holloway in 2003, he served for 32 years in the Royal Navy, the last eight of which were spent in the Ministry of Defence (on the Naval Staff 1995-98, and in the Policy Area of the Central Staff 1998-2003). Operationally he saw service on Beira Patrol in 1973, with the Security Forces in Northern Ireland between 1977-82 (and as Head of the Naval Operations Department there between 1979-81), on Fishery Protection operations between 1988-91 and in both Kosovo and Sierra Leone during 2001. He was the editor/principle author of the RN's military strategic level doctrine (*British Maritime Doctrine*, 2nd Edition, 1999), the author of the current *British Defence Doctrine* (launched by the Chief of Defence Staff, Admiral Sir Michael Boyce, in October 2001) and initiated the MoD's current Strategic Analysis Programme (the results of which were published as Strategic Trends and launched by the Secretary of State for Defence, Geoff Hoon, in March 2003). Between 1999-2004 he chaired the Editorial Board of the UK MoD's *Manual of the Law of Armed Conflict* (Oxford University Press, 2004) and from 2002-03 was one of the legal team within the Joint Doctrine and Concepts Centre responsible for conducting legal reviews of new weapons in accordance with Article 36 of the *1977 Additional Protocol I to the 1949 Geneva Conventions*.

## **Session II : Enforcement of Law**

Some see the International Criminal Court as an ultimate culmination point of the converging development of IHL and human rights law providing equal jurisdiction over the violations of either human rights law or IHL as a part of international criminal law. However ICC is not the only venue to prosecute the individuals for war crimes and breaches of IHL. This session will provide presentations on national and international (mixed) enforcement systems. UK and US enforcement systems will be scrutinised in regards to the first part and Sierra Leone Special Court will be discussed as an example of recent development under the international enforcement.

### **Chair: Elizabeth Wilmshurst**

Elizabeth Wilmshurst CMG is Senior Fellow, International Law, at Chatham House and a visiting professor at University College, London University. She was a legal adviser in the United Kingdom Foreign and Commonwealth Office between 1974 and 2003. From 1994 to 1997 she was posted to New York as Legal Adviser at the United Kingdom Mission to the United Nations, and while there led the United Kingdom delegation to the committees preparing for the establishment of the International Criminal Court. She was in the UK delegation at the 1998 Rome Conference for the International Criminal Court. She chaired the Interdepartmental Committee for International Humanitarian Law at the FCO.

### **Speakers:**

***'Enforcement Mechanisms in the Absence of a Chapter Seven Mandate: Sierra Leone Perspective'* by James Johnson**

Mr. Johnson is the Chief of Prosecutions for the Special Court for Sierra Leone. The Special Court, an International War Crimes Tribunal set up in 2002 jointly by the United Nations and the Government of Sierra Leone and is responsible for prosecuting persons who bear the greatest responsibility for violations of international humanitarian law and Sierra Leonean law committed in the territory of Sierra Leone since 30 November 1996. As such, he is currently supervising the prosecution of ten accused, including Charles Taylor, former President of Liberia. Before assuming duties as Chief of Prosecutions, Mr. Johnson was a Senior Trial Attorney with the Special Court and was responsible for trying the former leaders of the Civil Defence Forces, a pro-government militia that fought in the decade-long conflict within Sierra Leone.

Before joining the Special Court in January 2003, Mr. Johnson served for 20 years in the United States Army. Among his many tours of duty in the military he served as the Legal Advisor, George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen, Germany and as an Assistant Professor of International and Operational Law, United States Army Judge Advocate General's School, Charlottesville, Virginia. He also served as a prosecutor and operational/international law advisor to both conventional and special operations units. His academic degrees include a BS (Business Administration) from the University of Nebraska, a JD from the University of Nebraska and an LL.M. from The Judge Advocate General's School.

***'Armed Opposition Groups and International Humanitarian Law: The Case of Child Recruitment'* by Matthew Happold**

Matthew Happold is Reader in Law at the University of Hull. He previously taught at the universities of Sussex and Nottingham. In 2004, he was a Visiting Fellow at the Human Rights

Program, Harvard Law School and a Visiting Professional at the Office of the Prosecutor of the International Criminal Court.

Matthew has published in the areas of international humanitarian law, international human rights law, international criminal law and United Nations law. He is the author of *Child Soldiers in International Law* (MUP: 2005). With Wayne Jordash of Doughty Street Chambers, he is currently writing a monograph on the Special Court for Sierra Leone. Matthew also practices as a barrister from 3 Hare Court, London.

*'Taking account of enforcement obligations- from campaign planning to prosecutions'* by **Capt Neil Brown and Lt Col David Frend**

Captain Neil Brown, Royal Navy and Lt Col David Frend, Army Legal Services, are both barristers serving in the UK Armed Forces. They are currently serving in the UK Ministry of Defence on the team charged with delivering a Bill which will produce a single modernised system of discipline for the Armed Forces. Both have significant service legal experience including prosecutions and operational law experience in relation to operations in Iraq. Neil Brown served as legal adviser to the UK Operational Commander in theatre for OP TELIC in 2003 and in the legal cell of the UK's Chief of Joint Operations throughout 2004, advising on UK operations from Iraq and Afghanistan to the UK's response to the Tsunami. David served in 2003 with 1(UK) Armoured Division in Iraq and thereafter with the UK's Army Prosecuting Authority.

*"Guantanamo, Military Commissions, and the Rule of Law"* by **Kathleen Duignan**

After completing law school, Ms. Duignan served on active duty as an officer and judge advocate in the United States Coast Guard for four years, where she mainly practiced in the area of military justice, serving as both defense counsel and prosecutor at courts-martial. She left active duty to clerk for Chief Judge Walter T. Cox III at the United States Court of Appeals for the Armed Forces in Washington, D.C. Ms. Duignan also has experience in non-profit management, homeland security consulting, and command center management – the latter experience gained post-9-11, when she was recalled to active duty and served as the Chief, Operations Division at the Coast Guard Command Center located at Coast Guard Headquarters, Washington, D.C. Presently, she serves as the first Executive Director of the National Institute of Military Justice (NIMJ), an independent non-profit organization that was established in 1991 to foster understanding, scholarship, and civilian education about military justice. NIMJ recently affiliated with the Washington College of Law at American University in Washington, DC. Ms. Duignan has also held various leadership positions in the Federal Bar Association and is a former president of the D.C. Chapter. She continues her military service as a Commander in the United States Coast Guard Reserve and is presently assigned to the J5 - Policy and Planning for the Joint Chiefs of Staff at the Pentagon.

She is a native of New York where she attended the public schools. Ms. Duignan accepted an academic scholarship to attend the University of Miami, in Coral Gables, Florida, where she earned a Bachelor of Arts in both Politics & Public Affairs and French. She earned a Juris Doctor. from Brooklyn Law School in 1991, where she was a member of the Moot Court Honor Society and graduated from the Johns Hopkins University in Baltimore, Maryland in 2002 with a Masters in Business Administration.

## Iraqi High Criminal Court Debate

A very controversial and unique example of the national prosecution for war crimes and other serious crimes is Iraqi Special Tribunal. Both Professors Newton and Garraway, being personally involved in the creation of the Tribunal will provide their commentary and reflection of the background of its creation, its statute and the efforts to maintain a respect for human rights in the process. Numerous human rights organisations, in particular Human Rights Watch, have expressed their criticism and concern over the Tribunal and the ongoing trial of Saddam Hussein. The debate continues.

### Panellists:

#### **Professor Charles Garraway**

Charles Garraway retired in 2003 after thirty years in United Kingdom Army Legal Services, initially as a criminal prosecutor but latterly as an adviser in the law of armed conflict and operational law. In that capacity, he represented the Ministry of Defence at numerous international conferences and was part of the UK delegations to the First Review Conference for the 1981 Conventional Weapons Convention, the negotiations on the establishment of an International Criminal Court, and the Diplomatic Conference that led to the 1999 Second Protocol to the 1954 Hague Convention on Cultural Property. He was also the senior Army lawyer deployed to the Gulf during the 1990/91 Gulf Conflict.

Since retiring, he spent three months in Baghdad working for the Foreign Office on transitional justice issues and six months as a Senior Research Fellow at the British Institute of International and Comparative Law before taking up the Stockton Chair in International Law at the United States Naval War College, Newport, Rhode Island in August 2004 for the year 2004/5. He is currently a Visiting Professor at King's College, London, a Visiting Fellow in the Department of Human Rights, University of Essex and an Associate Fellow at the Royal Institute of International Affairs (Chatham House) on both their International Law and International Security Programmes. Professor Garraway is a member of the teaching faculty at the International Institute of International Law, San Remo, Italy and has lectured extensively on the law of armed conflict to both civilian and military audiences. His publications include contributions to *The International Criminal Court: Elements of Crimes and Rules of Procedure & Evidence* (Ed. Roy Lee), 1999 Oceana Publications, as well as articles on superior orders (Superior Orders and the International Criminal Court: Justice Delivered or Justice Denied, 1999 *IRRC* No.836 at p.785), internal conflict (The Code of Conduct for Military Operations during Non-International Armed Conflict, *IJHL*, November 2001), interoperability (Interoperability and the Atlantic Divide – A Bridge over Troubled Waters. *Israel Yearbook on Human Rights* (2004), at p.105) and transitional justice (The Statute of the Iraqi Special Tribunal – A Commentary, in *Testing the Boundaries of International Humanitarian Law*, Susan Breau & Agnieszka Jachec-Neale Eds., BIICL, 2006, at pp.155-189).

#### **Professor Michael Newton**

Mike Newton came to Vanderbilt from his position as an Associate Professor in the Department of Law, United States Military Academy. He is a highly sought after speaker on accountability and conduct of hostilities issues, and is a member of the International Institute of Humanitarian Law. He has made numerous media appearances on CNN, BBC, NPR, and other print and broadcast media. His principal responsibilities at Vanderbilt involve teaching practice-based courses relating to international law and international criminal law as well as developing externships and other educational opportunities for students interested in international legal issues. During his capacity as the Senior Advisor to the United States Ambassador-at-Large for War Crimes Issues,

he implemented a wide range of policy positions related to the law of armed conflict, including U.S. support to accountability mechanisms worldwide. After assisting with the establishment of the Iraqi High Criminal Court, he has repeatedly taught Iraqi jurists and is a member of its academic consortium. He served as the U.S. representative on the U.N. Planning Mission for the Sierra Leone Special Court, and was also a member of the Special Court academic consortium. From January 1999 to August 2000, he served in the Office of War Crimes Issues, U.S. Department of State. He negotiated the Elements of Crimes document for the International Criminal Court, and coordinated the interface between the FBI and the ICTY and deployed into Kosovo to do the forensics fieldwork to support the Milosevic indictment.

Professor Newton graduated from the United States Military Academy at West Point. He served as an armor officer until he received his Juris Doctor from the University of Virginia School of Law. He also earned L.L.M. degrees from the University of Virginia and the Judge Advocate General's School. He is a member of the Virginia Bar and has published articles in the International Review of the Red Cross, Cornell International Law Journal, Connecticut Journal of International Law, Military Law Review, The Virginia Journal of International Law, The Yearbook of International Peacekeeping, and numerous other journals, editorials, and book chapters.

During his distinguished military career, Professor Newton served with the United States Army Special Forces Command (Airborne), Fort Bragg, North Carolina in support of units participating in Desert Storm. Following duty as the Chief of Operational Law, he served as the Group Judge Advocate for the 7th Special Forces Group (Airborne). He deployed on Operation Provide Comfort to assist Kurdish civilians in Northern Iraq, as well as a number of other exercises and operations. From 1993-1995 he was reassigned as the Brigade Judge Advocate for the 194th Armored Brigade (Separate), during which time he organized and led the human rights and rules of engagement education for all Multinational Forces and International Police deploying into Haiti. He subsequently was appointed as a Professor of International and Operational Law at the Judge Advocate General's School, Charlottesville, Virginia from 1996-1999. He has received a number of military and academic awards.

### **Steven Crawshaw**

Steve Crawshaw joined Human Rights Watch as UK director in 2002 from The Independent. His work includes advocacy with the UK government, as well as TV and radio interviews; he regularly publishes articles on human rights issues in the UK press. While at The Independent, his roles included East Europe Editor, Germany correspondent and foreign news editor. He reported on the east European revolutions, the collapse of the Soviet Union, and the Balkan wars; other foreign reporting included Burma, Hong Kong and Sudan. He studied Russian and German at Oxford and Leningrad Universities, and taught English in Poland during the Solidarity era. He is the author of Goodbye to the USSR (1992) and Easier Fatherland: Germany and the Twenty-First Century (2004; German edition, Ein leichteres Vaterland, 2005)



## DAY 2

### **Session III: The Convergence of Legal Regimes**

The interrelation between IHL and human rights has historically been thought of in terms of separate regimes. ICJ in its latest Advisory Opinion of 9 July 2004 on the Legal Consequences of the Construction of a Wall in The Occupied Palestinian Territory reconfirmed its earlier Advisory Opinion on the *Legality of the Threat or Use of Nuclear Weapons* finding that “the protection offered by human rights conventions does not cease in case of armed conflict...”and that “some rights may be exclusively matters of international humanitarian law; others may be exclusively matters of human rights law; yet others may be matters of both these branches of international law.” Where do we find these converging points as applicable to armed conflicts? Shall we talk about the complementarity or exclusiveness?

Similarly, looking at the sources of law, rather than the branches of law, what the relevance and contribution to IHL of treaty versus customary law? Can we find anymore guidance in this field from looking at the practice of Security Council or other international bodies in interpretation of the obligations under IHL? How do they contribute to the enforcement and development of IHL norms? How much authority do international organizations have in practice?

#### **Chair: David Turns**

David Turns has been a Lecturer in Law at the University of Liverpool since 1994; he was previously a Part-Time Lecturer in the Law Department of the London School of Economics & Political Science (1990-1994). He specialises in Public International Law, with particular emphasis on International Humanitarian Law and International Criminal Law. From 1997 to 2004 he was a Visiting Lecturer for the International Institute of Humanitarian Law (San Remo, Italy), where he was Course Director of the 3<sup>rd</sup> Course on Human Rights and Security Forces in 2003. At the XIVth Congress of the International Society for Military Law and the Law of War in Athens (1997), he was the National Rapporteur for the United Kingdom. He has presented papers at many international conferences and seminars and has also taught on short courses in Moscow and Vienna. In 2002 he spent six months in Vienna as a Visiting Scholar at the *Institut für Völkerrecht und Internationale Beziehungen, Universität Wien*, whilst on sabbatical leave from the University of Liverpool. In 2004-5 he designed a new training course for military lawyers from Central & Eastern Europe, with the support of the Austrian Federal Ministry of Defence and the International Committee of the Red Cross (Regional Delegation Budapest).

#### **Speakers:**

*‘The law of armed conflict and human rights bodies’* by **Professor Françoise Hampson**

LLB (Newcastle), Barrister, Professor of Law

Françoise Hampson is a Professor of Law in the Human Rights Centre and Department of Law, University of Essex, where she teaches inter alia the law of armed conflict and the case-law of the European Convention on Human Rights. She was a member of the Steering Committee and the Group of Experts for the ICRC study of Customary IHL. She has successfully litigated many cases before the European Court of Human Rights in Strasbourg, including cases arising out of

situations of conflict and, in connection with this work, was awarded Human Rights Lawyer of the Year in 1998 jointly with her colleague from the Centre, Professor Kevin Boyle. She has taught, researched and published widely in the fields of armed conflict, international humanitarian law and on the European Convention on Human Rights, most recently on the relationship between IHL and human rights law and accountability of international personnel in PSOs.

***'A comparison between the conventional and customary regime'* by Dr Jean-Marie Henckaerts**

He is a legal adviser in the ICRC Legal Division since October 1996 and head of the project on customary international humanitarian law. He was a member of the ICRC delegation to the Diplomatic Conference on a Second Protocol to the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (The Hague, 1999). Before joining the ICRC, he worked as a postdoctoral research fellow at the University of Brussels from 1993 to 1996 heading the University's Project on Strengthening Democracy in Societies in Transition. At the same time he served as a legal assessment commentator for the American Bar Association's Central and East European Law Initiative (CEELI).

Prior to that, from 1991–1993, he was a research assistant at the George Washington University Law School where he received the degree of Doctor of Juridical Science (SJD) in 1994. He previously received the degree of Master of Laws (LL.M.) from the University of Georgia in 1990 and then worked as an associate attorney in the law firm of Troutman Sanders in Atlanta from 1990–1991. He received the degree of Bachelor of Laws (LL.B.) from the University of Brussels in 1989.

He teaches customary international humanitarian law at the University Centre for International Humanitarian Law in Geneva. He previously taught international law at Boston University Brussels and Webster University Geneva. He lectured at the International Institute of Human Rights (Strasbourg), Nijmegen Law School (The Netherlands), the UNITAR Fellowship Programme in International Law (The Hague); the International Institute of Humanitarian Law (San Remo/Geneva); the Universidad Nacional Educación a Distancia (Geneva) and the Summer School on Human Rights (Geneva). He is a member of the International Law Association, European Society of International Law, American Society of International Law, Academic Council of the United Nations System and the United Nations Association. He has published four books and numerous articles on international law, international humanitarian law and human rights law.

***'The Advisory Opinion on the Wall case: A Divergence of Legal Regimes'* by Dr Susan C. Breau**

Dr Breau obtained her Ph.D. in 2003 from the London School of Economics and Political Science. Her topic was: An examination of the doctrine of humanitarian intervention in customary international law and under the United Nations Charter. She continues to conduct research in this area of international law.

She is a barrister and a solicitor in the province of Ontario, Canada (called to the Bar in 1981). Her most recent position was at the School of Law, Queen's University, Belfast, Northern Ireland where she was a Lecturer and Course Convener in Public International Law (LLB) and the LLM Human Rights Law Course Coordinator. Dr Breau is a Part time faculty member at the London School of Economics teaching the Law of Armed Conflict and the International Protection of Human Rights in the LLM programme. She is also a part time faculty member of Pepperdine University teaching International Law on the JD program and a visiting adjunct Associate Professor of the Royal Military College of Canada.

***'The Security Council and International Humanitarian Law'* by Dr Robert Cryer**  
LL.B. (Wales), LLM, Ph.D. (Nottingham)

Dr Cryer is a senior lecturer in law. He read law at Cardiff University from 1992-1995. Scholarships enabled him to study for his LL.M. and Ph.D. (which was in international criminal law) at the School of Law, University of Nottingham. He rejoined the School in 2001, having previously been a lecturer at the University of Manchester (1999-2001). Recently, he has published journal articles in *Theoretical Inquiries in Law*, the *Leiden Journal of International Law* and *the Journal of Conflict and Security Law*. He has also recently contributed chapters on superior orders in international criminal law, ICTY jurisprudence, the Security Council and Humanitarian Law, the International Criminal Court and post-conflict justice to edited books. His book on *Prosecuting International Crimes: Selectivity and the International Criminal Law Regime* was published by Cambridge University Press in 2005, and he is now working on books on the Tokyo International Military Tribunal and International Criminal Law in the UK for Oxford University Press and a textbook on International Criminal Law for Cambridge University Press.

***'The Application of International Humanitarian Law by Regional Human Rights Bodies: An Analysis of the European and Inter-American Approaches'* by Dr Christine Byron**

Christine Byron is a lecturer in law at Manchester University where she teaches public international law, human rights and criminal law. She has published in the fields of humanitarian law and international criminal law and is currently converting her PhD thesis on war crimes and crimes against humanity in the Rome Statute of the International Criminal Court into a monograph with Manchester University Press. She has been involved in the training of military lawyers and humanitarian workers both in the UK and abroad for several years.