

INTERNATIONAL HUMANITARIAN LAW CONFERENCE

NON-STATE ARMED ACTORS AND NEW DEVELOPMENTS IN IHL: CANADA'S RESPONSIBILITY IN INSTANCES OF MILITARY COLABORATION

Centre for International Defence Policy
Queens University
Kingston, Ontario
March 9th, 2018

EXTERNAL REPORT

Prepared By

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Background

This was the first IHL Conference organized in partnership between the Ontario International Humanitarian Law Unit of the Canadian Red Cross and the Centre for International Defense and Policy (CIDP) at Queens University. This event was further made possible thanks to the contributions from Professor Daryl Robinson from the Faculty of Law at Queens University and the Strategic Partnership between the Canadian Red Cross and Global Affairs Canada (GAC).

The organizing committee was assisted by the work of the International Humanitarian Law Working Group for Ottawa (IHL WG – OTT) as well as some student volunteers from the Faculty of Law at Queens University, who assisted with the development of moderated question, event promotions, registration and summary report writing.

Objective

As part of the mandate of the Red Cross Red Crescent Movement and thus National Societies around the world, public engagement on humanitarian issues and International Humanitarian Law (IHL) is an important objective. Through academic conferences, the Canadian Red Cross Society upholds this strategic objective by providing a space to engage the academic community in impartial discussions on IHL as it relates to contemporary issues.

The objective of the conference was not only to educate the public and bring awareness to the discussion surrounding IHL and the protection of people caught up in armed conflict, but also to engage academics and students alike in discussions on the application of IHL and the role of the Red Cross Red Crescent Movement in promoting and safe-guarding these laws.

The speakers that participated in the panel discussions during the conference offered their expertise on IHL, emphasising the facts surrounding the use of child soldiers and sexual violence as a weapon of war which deepened the attendee's understanding and also offered an opportunity to consider where we are today and the way forward as an international community.

There were 85 people in the audience who were made up of members of the Canadian Armed Forces representing different centres, professionals from Non-Governmental Organizations, academia and members of the Kingston area community. Overall the conference was a big success with articulate and diverse speakers and a participatory audience.



The Conference¹

The conference was opened by Associate Professor Stéfanie von Hlatky, Director of the Centre for International Defense and Policy at Queens University. Professor von Hlatky welcomed everyone and provided opening remarks to set the stage for the conference that followed, pointing out the timeliness of our conference as attention has been shifted among the international community to the issues of child soldiers and Sexual and Gender-Based Violence (SGBV). After her opening remarks, Professor von Hlatky introduced the keynote speaker, Major-General (ret'd) Blaise Cathcart.

Major-General (ret'd) Cathcart began the conference as our keynote speaker by providing his views on both child soldiers and sexual violence, setting the stage for the discussions later on in the conference. His address started with outlining the main bodies of law that provide protections for child soldiers and SGBV. The Major-General then identified some key issues that come up when addressing child soldiers: (1) whether child soldiers are combatants; (2) if they are, whether the rules are the same for them as they are for regular combatants; (3) the treatment of child soldiers when they are confronted in combat; and (4) the treatment of child soldiers when they are detained. He stated the answer was ‘yes’ to the first two and that The Joint Doctrine Notice was a good way address the legal requirements on child soldiers that the CAF should follow. Major-General Cathcart then addressed the issue of Sexual and Gender-Based Violence (SGBV) by starting with view that the phrase “sex as a weapon of war” should be described as an strategy or tactic of warfare and that ‘weapons’ should be limited to things as for former can undermine the effort to reduce or eradicate SGBV. He suggested two ways to promote the operationalization of laws that protect against SGBV by: (1) ending impunity through the use of the military justice system; and (2) obtaining assistance from the United Nation’s Fact Finding Commission (IFFC) as SGBV is too broad for the military to deal with alone. To conclude, Major-General Cathcart expressed his wish to see a focus on the operationalization of the current laws on child soldiers and SGBV. After he answered some questions from the audience, Professor von Hlatky came up to the podium to thank the Major-General and introduce the next speaker, Ms. Sabrina Henry, Legal and Policy Officer, CRCS and ICRC, Canadian Delegation.

Ms. Henry provided an overview of the basics of International Humanitarian Law and drew the audience’s attention to numerous legal sources that were applicable to the protection of civilians and touched upon the definition of ‘sexual violence’. After answering questions from the audience, Professor von Hlatky thanked Sabrina and invited the audience to take a 15min break in the area just outside of the conference room at which point refreshments were served and networking took place.

The first panel on child soldiers commenced just after the break with the panel moderator, Mr. Jonathan Somer, Senior Legal Advisor to the Canadian Red Cross, introduced the panel and panel

¹ Some notes were taken from the Queen’s Student Summary Report written by: Justin Bozzo, Joycna Kang, Sierra MacDonald, Marika Maksymec, Alyssa Moses, Rebecca Strain, Kent Williams; Edited by: Olivia Hamilton; 2018.



topic. He then spoke briefly to the varying standards, definitions and state obligations across the body of International Humanitarian Law and the confusion that these can have which contribute to non-compliance of the laws. Once Mr. Somer concluded his introductory remarks, he introduced the first panel member, Ms. Zama Neff, Director, Children's Rights Division, Human Rights Watch. Ms. Neff, drew on first hand interviews with girls and boys who have been recruited in conflicts around the world and how this has affected children in their own words. She pointed to a lack of protection for children through statistics on child soldiers and children affected by armed conflict as well as addressed why, how and where children are being recruited. Ms. Neff concluded by mentioning the targeting of schools for recruitment and efforts such as the Safe Schools Declaration, to ensure that children can learn safely even during war. At this time Mr. Somer also mentioned the work that the non-governmental organization, Geneva Call, was engaged in with non-state armed groups in promoting compliance to IHL. He then introduced the last panel member, Lt-Col Guy Marcoux, G7, Canadian Army Doctrine and Training Centre (CADTC). Lt-Col Marcoux discussed the Canadian Armed Forces (CAF) Joint Doctrine Note (JDN) on Child Soldiers. In more detail, he highlighted the strategic context leading to the JDN, when it was published, its purpose, its main parts and key aspects that need to be considered, the requirements from the Chief of Defense Staff (CDS) for the CAF to adopt it and integrate it across doctrine and training. After Lt-Col Marcoux delivered his remarks, Mr. Somer opened the floor up to questions from the audience. This was followed by a 15 minute break at which point coffee, tea and water were provided.

Upon returning from the break, Professor von Hlatky began the second part of the conference as the moderator on the panel on sexual violence, by introducing the panel members. First, Ms. Sara Wharton, Assistant Professor, Faculty of Law, Windsor University, spoke about the accountability for Sexual and Gender Based Violence (SGBV) at international courts. Professor Wharton looked at the statutes and jurisprudence of the international criminal tribunals and the International Criminal Court, and the key advancements made in accountability for Sexual and Gender Based Violence (SGBV) in times of armed conflict, such as the Strategic Plans adopted from 2012-2015, and again in 2014 in which the ICC declared its commitment to identifying and prosecuting sexual crimes. She also discussed critiques and challenges that the courts have faced and strategies implemented to address such challenges. Lastly, Professor Wharton drew focus to the recent developments, upcoming cases, and current challenges and what this means for IHL. Next, Dr. Susan Bartels, Clinician-Scientist and Associate Professor, Departments of Emergency Medicine and Public Health Sciences, Queen's University, spoke about the militarization of sexual violence in eastern Democratic Republic of Congo (DRC) from a scientific perspective by discussing data she had collected from her work in the Panzi hospital. Her research was based on data collected between 2004 and 2008 from over 4,000 interviewed survivors of rape and sexual violence. Dr. Bartels also discussed patterns of militarized violence against women and girls, perpetrators, motives behind the violence and the consequences for local communities. She concluded with her hope for more projects on these issues in countries where rape and sexual violence are prevalent, citing three stages for successful approaches: assistance, protection, and prevention. The last panel member to speak was Mr. Andrew Carswell, Sr. Delegate to Canada, from the ICRC who described the ICRC's understanding of the humanitarian



problem of sexual violence in armed conflicts worldwide and examined the means by which the prohibition may be translated from treaties and customary law into battlefield practice. Rather than offering solutions, he proposed a different way of looking at the problem and ensuring the integration of the prohibition on sexual violence into operational practice of armed forces to change behaviors. He touched upon the pervasiveness of sexual violence and its use in armed conflict that dates back to the beginning of warfare. Mr. Carswell went on to speak about the impacts on victims of sexual violence and one of the biggest reasons for under-reporting which is the stigma that sexual violence can have for victims. He also noted that while women and children are vulnerable, so are men and boys and that this needs to be looked at as a whole. While sexual violence is prohibited by IHL, IHRL and domestic laws, it is still used in armed conflict to instill fear and terror, based on opportunity, for tactical or strategic means of overwhelming and weakening the adversary, and/or to undermine the very fabric of society. If it is systematically carried out, sexual violence can also constitute torture, acts of genocide or crimes against humanity. Lastly, Mr. Carswell put forth his view that the problem rests in the implementation of the law and commitment of the party(ies) or state(s) involved. At the conclusion of this panel, Professor von Hlatky as moderator opened the floor to questions from the audience during the question and answer period.

The conference ended with Ms. Svetlana Ageeva, Advisor IHL, Ontario, Canadian Red Cross, delivering closing remarks. Ms. Ageeva began by thanking everyone for attending the conference then touched upon the benefits of hearing from various perspectives (academic, military and aid organizations) in discussing these timely topics that exploit vulnerabilities within populations experiencing armed conflict. She recounted the key points that each speaker presented and reinforced the importance of IHL and promotion of compliance when addressing the issues of child soldiers and SGBV. Ms. Ageeva then thanked the organizing committee, partners, funders and guest speakers for making the conference a success. She concluded by asking the all those in attendance for feedback via the feedback forms contained in the conference packages and invited everyone to gather outside the conference room for an informal reception in which refreshments were served and opportunities for networking took place.



Annex 1 – Event Poster

INTERNATIONAL HUMANITARIAN LAW CONFERENCE



Vulnerabilities In Armed Conflict exploring child soldiers and sex as a weapon of war

Join us as we uncover the role that International Humanitarian Law (IHL) plays when looking at issues concerning the use of child soldiers in situations of armed conflict, and the use of sexual violence as a weapon of war. This conference will bring together experts from the field, including academics, practitioners and representatives from the Red Cross Red Crescent Movement

Join the Conversation

Register Now: <http://www.redcross.ca/IHLKingston>

Friday March 9, 2018
1pm - 5:30pm
Reception to follow

Queen's University
Conference Room 202, Robert Sutherland Hall
138 Union Street, Kingston, ON
K7L 2P1

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Annex 2 – Agenda

2018 Canadian Red Cross International Humanitarian Law Conference

Room 202 | Robert Sutherland Hall | Queens University | 138 Union Street, Kingston | March 9th, 2018

“Vulnerabilities in Armed Conflict: Exploring Child Soldiers and Sexual Violence as a Weapon of War”

12:30 – 1:00	Registration	
1:00 – 1:10	Welcome and Opening Remarks	Stéphanie von Hlatky <i>Associate Professor, Political Studies and Director, Centre for International and Defence Policy (CIDP), Queens University</i>
1:10 – 1:55	A Military Legal Advisor's Perspective on Child Soldiers & Sexual and Gender Based Violence during Armed Conflict	<i>Keynote Address:</i> Major-General (ret'd) Blaise Cathcart, QC
1:55 – 2:35	Introductory session on International Humanitarian Law	Sabrina Henry <i>Legal and Policy Officer, CRCS and ICRC, Canadian Delegation</i>
2:35 – 2:55	Break	
2:55 – 3:05	Panel 1: Child Soldiers	<i>Moderator:</i> Jonathan Somer <i>Senior Legal Advisor, IHL, CRCS</i>
3:05 – 3:20	Child Soldier: How and Why	Zama Neff <i>Director, Children's Rights Division, Human Rights Watch</i>
3:20 – 3:35	Canadian Armed Forces Joint Doctrine Note on Child Soldiers	Lieutenant-Colonel Guy Marcoux <i>G7, Canadian Army Doctrine and Training Centre (CADTC)</i>
3:35 – 3:55	Question and Answer Period	All
3:55 – 4:10	Break	
4:10 – 4:15	Panel 2: Sexual Violence	<i>Moderator:</i> Stefanie von Hlatky <i>CIDP</i>
4:15 – 4:30	Accountability for Sexual and Gender based Violence at International Courts	Sara Wharton <i>Assistant Professor, Faculty of Law, University of Windsor</i>
4:30 – 4:45	Militarized Sexual Violence in eastern Democratic Republic of Congo	Susan Bartels <i>Clinician-Scientist and Associate Professor, Departments of Emergency Medicine and Public Health Sciences, Queen's University</i>
4:45 – 5:00	Integrating the IHL prohibition on sexual violence into the operational practice of armed forces	Andrew Carswell <i>Sr. Delegate to Canada, International Committee of the Red Cross</i>
5:00 – 5:25	Question and Answer Period	All
5:25 – 5:30	Closing Remarks	Svetlana Ageeva <i>Advisor IHL, Ontario, CRCS</i>
5:30 – 6:30	Reception	



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Annex 3 – Speaker Biographies

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Speaker Biographies

Major-General (ret'd) Blaise Cathcart

Former Judge Advocate General of the Canadian Armed Forces

Major-General (ret'd) Blaise Cathcart served as the Judge Advocate General (JAG) of the Canadian Armed Forces (CAF) from 2010-2017. He joined the CAF as a legal officer with the Office of the Judge Advocate General in 1990.

Serving over 7 seven years as the JAG, he directly advised the Government of Canada, the Governor-General of Canada, the Minister of National Defence, the Chief of the Defence Staff and the Deputy Minister of National Defence on matters of military law and was the superintendent of the administration of the Canadian military justice system.

He served in a number of positions within the Office of the JAG, and has a breadth of knowledge and experience particularly in the area of operational law. He has provided legal advice on issues arising from domestic and international operations and was intimately involved in providing legal advice at the strategic and operational levels during the planning and execution of the CAF participation in the Campaign Against Terrorism.

He has participated in many Canadian Armed Force missions as a legal advisor, including as legal advisor to Commander Canadian Contingent United Nations Protection Force (UNPROFOR) and the United Nation Peace Forces (UNPF) in the former Yugoslavia in 1994 and 1995, and as the Senior Legal Advisor to the Commander Canadian Task Force Bosnia-Herzegovina (SFOR) from February to September 2000. He was the legal advisor to Joint Task Force 2, the Canadian Armed Forces Counter-Terrorism/Special Operations unit from 1997-2000.

He is a proud graduate of Dalhousie Law School (Bachelor of Laws) and post-graduate studies (Master of Laws) in Public International Law at the London School of Economics and Political Science, London, England where he graduated with "Distinction".

Blaise retired from the CAF on 11 September 2017.



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Sabrina Henry

Sabrina Henry is currently the Legal and Policy Officer with the Canadian Red Cross and International Committee of the Red Cross, Canadian Delegation. Prior to that, Ms. Henry was an Associate in the Legal Division of the International Committee of the Red Cross. In 2016, she was awarded the Henry Dunant Research Prize for her thesis which critically analyses the concepts of “continuous combat function” and “direct participation in hostilities” of a variety of actors implicated in both international and non-international armed conflicts. Ms. Henry holds a bachelor degree in International Relations and Public Affairs, a master degree in International and Transnational law, as well as an LL.M. from the Geneva Academy of International Humanitarian Law and Human Rights.

Stéfanie von Hlatky

Stéfanie von Hlatky is an associate professor of political studies at Queen's University and the Director of the Queen's Centre for International and Defence Policy (CIDP). She received her Ph.D. in Political Science from Université de Montréal in 2010, where she was also Executive Director for the Centre for International Peace and Security Studies. She's held positions at Georgetown University's Center for Peace and Security Studies, the Woodrow Wilson International Center for Scholars, Dartmouth College's Dickey Center for International Understanding, the Centre for Security Studies at ETH Zurich and was a Fulbright Visiting Research Chair at the University of Southern California's Centre for Public Diplomacy. Stéfanie von Hlatky is the founder of Women in International Security-Canada and current Chair of the Board.

Zama Neff

Zama Neff is the executive director of the children's rights division of Human Rights Watch. She also co-chairs the Global Coalition to Protect Education from Attack (GCPEA). Neff has conducted fact-finding investigations and is the author of reports and articles on a range of issues affecting children, including access to education, police violence, refugee protection, the worst forms of child labor, and discrimination against women and girls. She has published on op-ed pages in major international and US publications and speaks regularly to the media. During a sabbatical, she ran a protection monitoring team for the Norwegian Refugee Council in Sri Lanka. Before joining Human Rights Watch in 1999, Neff clerked for a US federal judge, advocated on behalf of immigrants and refugees in the US, and worked with community development and women's organizations in Honduras. She is a graduate of Davidson College and New York University School of Law.



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Lieutenant-Colonel Guy Marcoux

Lieutenant-Colonel Guy Marcoux has been with the Canadian Armed Forces for more than 25 years. By background, he is an Armour Officer, and graduated from le Collège militaire royal de Saint-Jean-sur-Richelieu with a Business Degree. Lieutenant-Colonel Marcoux, upon completion of his basic training and his degree, joined le 12e Régiment blindé du Canada in Valcartier where he held, throughout the years, many positions from Troop Leader to Deputy Commanding Officer. Outside his regimental duties, he served in several other Canadian Army locations throughout the country, including various positions in the training system as an instructor or a staff officer. Lieutenant-Colonel Marcoux was also deployed to Bosnia-Herzegovina and Afghanistan, and participated in a number of domestic operations throughout the years. In his current position in the Canadian Army Doctrine and Training Centre Headquarters in Kingston, LCol Marcoux is the Branch Head responsible for training development and requirements of major Canadian Army initiatives, such as the Child Soldiers initiative where he is looking after the doctrine and training development regarding the Canadian Armed Forces Joint Doctrine Note.

Jonathan Somer

Jonathan Somer is interim Senior Legal Adviser with the Canadian Red Cross. In 2013, Jonathan founded Persona Grata Consulting, advising humanitarian organisations on IHL and strategic development. From 2008-2013, Jonathan was Legal Advisor and Programme Coordinator on children and armed conflict with Geneva Call, an international NGO that engages armed non-State actors towards respect for international humanitarian norms. Previously, he worked with the Organization for Security and Cooperation in Europe, and as consultant with among others the United Nations, the Humanitarian Policy and Conflict Research Programme of Harvard University, and the International Law Department of the Danish Ministry of Foreign Affairs.

Jonathan was awarded the 2007 Henri Dunant Prize for excellence in IHL scholarship. He sits on several experts groups related to armed non-state actors, and is a member of the Editorial Board of the Journal of International Humanitarian Legal Studies and the IHL Companion. He holds a B.A from the University of Western Ontario, a J.D. from the University of British Columbia, and an L.L.M from the Geneva Academy of International Humanitarian Law and Human Rights.



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Sara Wharton

Sara Wharton is an Assistant Professor at the University of Windsor, Faculty of Law. She researches in the fields of international criminal law and transnational criminal law and teaches courses in Canadian criminal law, international criminal law, and access to justice. Prior to joining Windsor Law, Dr. Wharton was a Postdoctoral Fellow at the National University of Singapore and a Visiting Fellow at the University of New South Wales in Sydney, Australia, where she held an Endeavour Research Fellowship. She also worked as a legal intern in the Trial Chamber at the International Criminal Court. Dr. Wharton holds a Ph.D. from the University of Cambridge, Faculty of Law. She also holds an LL.M. from Harvard Law School, a J.D. from Osgoode Hall Law School, and a B.A. (Honours) from Queen's University. Dr. Wharton is a member of the Law Society of Upper Canada and was called to the Bar of Ontario.

Susan Bartels

Dr. Susan Bartels is an emergency physician and clinician-scientist at Queen's University. In addition to practicing clinical medicine, she conducts global public health research focused on how women and children are impacted by humanitarian crises around the world. While much of her work has been in Sub-Saharan Africa, she has also worked in the Middle East with the Syrian crisis as well as in Asia and Haiti. She is currently the lead investigator on research projects funded by the World Bank Group / Sexual Violence Research Initiative, the Social Sciences and Humanities Research Council of Canada and the Enhanced Learning and Research for Humanitarian Assistance. Dr. Bartels is interested in using innovative methods to improve knowledge and understanding of health-related topics in complex environments such as armed conflict, post-conflict settings and natural disasters.



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Andrew J. Carswell

Based in Ottawa since 2015, Andrew Carswell currently serves as the senior delegate to Canada for the International Committee of the Red Cross (ICRC). Between 2011 and 2015, Andrew was ICRC's senior delegate to the U.S. and Canadian Armed Forces, advising Combatant Commands, deploying operational units and advanced military colleges regarding ICRC's field interaction with armed forces and the international legal framework governing military operations. Between 2009 and 2011 he served as advisor for the ICRC's Unit for Relations with Arms Carriers in Geneva, where he supported twenty five armed forces delegates worldwide regarding their efforts to implement the law of armed conflict at the national level; and between 2006 and 2009 he was based in Pretoria as Regional Delegate to the Armed Forces of Southern Africa and the Indian Ocean. He has served on ICRC operations in Jordan regarding Syria, Afghanistan, Rwanda, South Sudan, Madagascar and Zimbabwe, amongst others. Prior to his career with the ICRC, he served as an officer in the Canadian Armed Forces Office of the Judge Advocate General (2000-05), where he specialized in military prosecutions, international law and legal training. He was deployed to the NATO chain of command as a divisional legal advisor in Bosnia (2002) and served as third in command of the Canadian Military Prosecution Service (2003-05). Before joining the military, he was a criminal prosecutor in the city of Calgary, Canada (1997-2000). He performed his articles of clerkship at the Court of Appeal of Alberta (1996-97), and remains a member of the Alberta Law Society. He has authored publications on the law of armed conflict.

A Canadian national, Andrew holds a Master's degree with distinction in the international law of armed conflict from the University of Geneva and the Graduate Institute of International Studies, in addition to a law degree from Cardiff University and an undergraduate degree in politics and history from McGill University.

Svetlana Ageeva

Svetlana Ageeva has worked for the Canadian Red Cross Society since 2003. She holds the position of Advisor, International Humanitarian Law and leads the work of the International Humanitarian Law Unit in Ontario. Svetlana and her team work closely with various partners in promoting knowledge of, respect for and implementation of the rules of International Humanitarian Law by organising regular academic conferences and Exploring Humanitarian Law trainings for education professionals. Svetlana completed her BComm at the Moscow State University, her Masters Degree in International Development at the University of the Witwatersrand, Johannesburg. She recently completed her MBA at McMaster University. Prior to joining Canadian Red Cross Svetlana worked for the Delegation of the European Commission in Southern Africa (Pretoria) in 1998 - 2003.



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Annex 4 – Pre-Reading List

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Vulnerabilities in Armed Conflict:

Exploring Child Soldiers and Sex as a Weapon of War

PRE-CONFERENCE READING LIST

Title: Fundamentals of IHL

Author ICRC

LINK <https://casebook.icrc.org/law/fundamentals-ihl>

Title: Armed Groups and Children

Author ICRC

LINK <https://casebook.icrc.org/highlight/armed-groups-and-children>

Title: The Right to Education: Regulating the Conduct of Armed Forces Under International Law

Author Zama Neff; Harvard International Review

LINK <http://hir.harvard.edu/article/?a=12838>

Title: A Day in the Life of a Child Soldier (video)

Author Jo Becker, Human Rights Watch

LINK <http://bighink.com/videos/a-day-in-the-life-of-a-child-soldier>

Title: Sexual violence in the Democratic Republic of Congo

Author ICRC

LINK <https://www.icrc.org/en/document/tedxtalks-we-need-talk-about-sexual-violence>

Title: The Evolution of International Criminal Law: Prosecuting 'New' Crimes Before the Special Court for Sierra Leone

Author Sara Wharton

LINK <http://booksandjournals.brillonline.com/content/journals/10.1163/157181211x559662>



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Vulnerabilities in Armed Conflict:
Exploring Child Soldiers and Sex as a Weapon of War

PRE-CONFERENCE READING LIST

Title: International Review of the Red Cross: Sexual Violence in Armed Conflict

Author ICRC

LINK <https://www.icrc.org/en/international-review/sexual-violence-armed-conflict>

Title: Policy Options: Gender and Peacekeeping

Author Stéphanie von Hlatky

LINK <http://policyoptions.irpp.org/magazines/november-2017/gender-and-peacekeeping/>

Title: Basic Rules of IHL (Canada & Conflict: A Humanitarian Perspective - Student Resource 2.2)

Author ICRC

LINK See page 3



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Basic Rules of IHL

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Canada & Conflict
A Humanitarian Perspective

Module 2: Limits of Armed Conflict
Canada's Contributions

IHL is a set of rules that aim to preserve human dignity in armed conflict by protecting the most vulnerable persons and by limiting the way in which war is conducted.	
IHL strikes a balance between the principle of humanity and military necessity.	
PROTECTING THE MOST VULNERABLE PERSONS	PROHIBITIONS
<ul style="list-style-type: none"> * civilians * wounded and sick * detainees * health care workers 	<p>It is forbidden to:</p> <ul style="list-style-type: none"> • attack civilians and civilian objects (houses, schools, places of worship, cultural or historic monuments, etc.); • murder and torture; • commit acts of sexual violence; • forcibly displace and starve civilians; • attack hospitals, ambulances and health care workers; • use human shields; • destroy stocks of food, farming areas, and the water supply; • recruit or use children under the age of 15 in armed conflict; • misuse the red cross / red crescent / red crystal emblem; • interfere with the delivery of humanitarian relief; • damage the environment.
LIMITING THE WAY IN WHICH WAR IS CONDUCTED	OBLIGATIONS
<ul style="list-style-type: none"> * weapons * use of force 	<p>Captured civilians and enemy combatants:</p> <ul style="list-style-type: none"> • must be given adequate food, water, clothing, shelter and medical care; • must be allowed to have contact with their families. <p>Children and women must be detained separately from men, to the extent feasible.</p> <p>Respect human dignity</p> <p>Enemy combatants who are wounded, sick, shipwrecked, or surrendering:</p> <ul style="list-style-type: none"> • must be searched for, collected and cared for; • must not receive preferential treatment, except on medical grounds. <p>A surrendered enemy must not be wounded or killed. The specific protection, health and assistance needs of women affected by armed conflict must be respected. Everyone is entitled to a fair trial.</p> <p>Those who are fighting must distinguish themselves from those who are not.</p> <p>Attacks must be limited to military objectives.</p> <p>Minimize collateral damage</p> <p>During an attack, every precaution must be taken to minimize the potential harm to civilians and civilian objects.</p>
DEFINITIONS	<p>Combatant: Member of armed forces, member of any armed group under the orders of a party to the conflict.</p> <p>Hors de combat: Literally means "out of fight" and describes combatants who have been captured or wounded or who are sick or shipwrecked and thus no longer in a position to fight.</p> <p>Civilian object: Any object that is not a military objective. When a civilian is used in support of military action, it can become a legitimate military target and loses its protection. (When there is any doubt about its status, it shall be considered to be a civilian object).</p> <p>Military objective: Object that by its nature, location, purpose or use makes an effective contribution to military action and whose destruction offers a definite military advantage.</p>

ICRC. (2012). Mini IHL: The essence of humanitarian law. Geneva, SW: ICRC.



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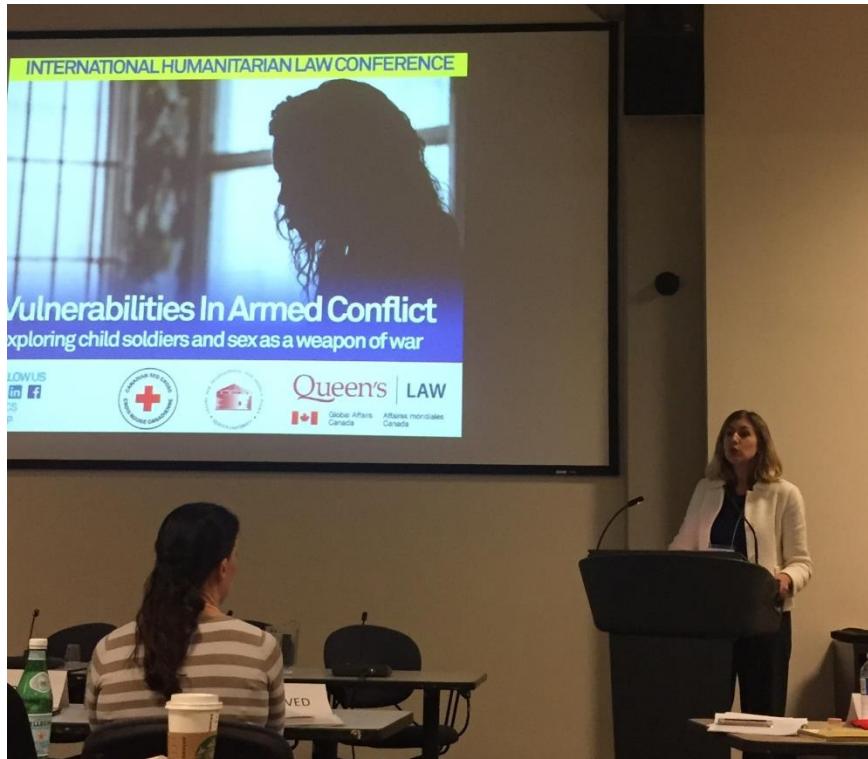
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Annex 5 – Photos



Conference audience.



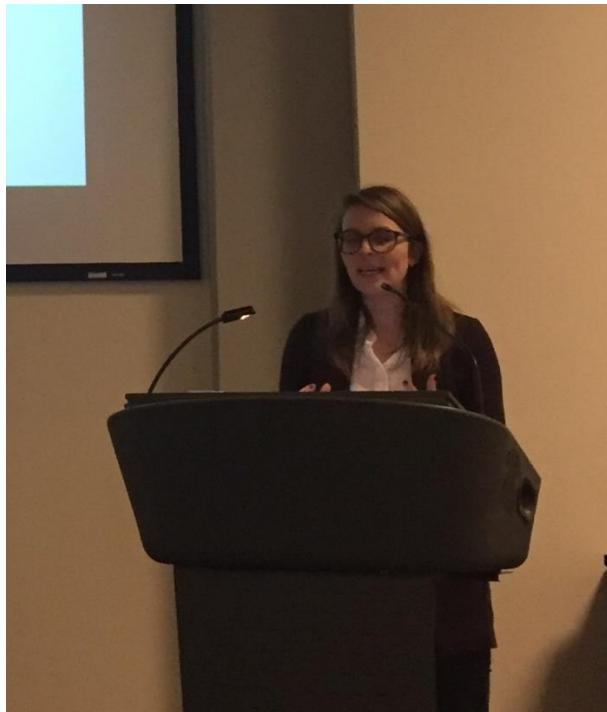
Associate Professor, Political Studies and Director of the Centre for International Defense and Policy at Queen's University, Stéphanie von Hlatky delivering opening remarks.



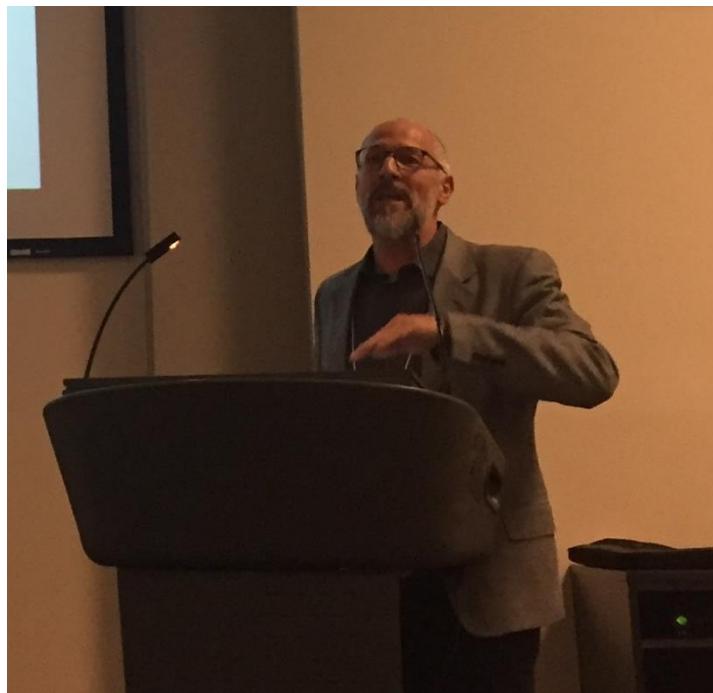


Major-General (ret'd) Blaise Cathcart, QC, delivering the keynote address.





Ms. Sabrina Henry, Legal and Policy Officer, Canadian Red Cross and ICRC, Canadian Delegation, delivering IHL 101 presentation.



Moderator for the panel on Child Soldiers, Mr. Jonathan Somer, Senior Legal Advisor, IHL, Canadian Red Cross, delivers opening remarks.





Panel 1: Child Soldiers (from left to right): Moderator, Mr. Jonathan Somer; Lt-Col. Guy Marcoux, G7 Canadian Army Doctrine and Training Centre (CADTC); Ms. Zama Neff, Director, Children's Rights Division, Human Rights Watch.



Panel 2: Sexual Violence (from left to right): Mr. Andrew Carswell, Sr. Delegate to Canada, ICRC; Ms. Susan Bartels, Clinician-Scientist and Associate Professor, Departments of Emergency Medicine and Public Health Sciences, Queen's University; Ms. Sara Wharton, Assistant Professor, Faculty of Law, University of Windsor; and Moderator, Ms. Stéphanie von Hlatky.



Ms. Svetlana Ageeva, Advisor, IHL, Ontario, Canadian Red Cross delivering closing remarks.

