

Newsletter

SWIRMO day two

The day started with a daily wrap-up by the SWIRMO director.

The workshop' highlights

Today's topics were: Targeting in armed conflict and The Military in Law Enforcement.

Discussions were centered around the topic of "Targeting in armed conflict" relating to the applicability of the principles of Distinction, Proportionality and Precaution in international or non-international conflicts. They raised interesting points about the principle of Distinction in the case of non-international conflict of which the notion of Direct Participation in Hostilities (DPH) was identified as a key issue.

As Armed Forces are increasingly confronted by situations where civilians take direct part in hostilities, it becomes difficult to discern when exactly they may or may not be participating directly in hostilities. This distinction is of critical importance to determine the subsequent loss of protection against direct armed attack.

DPH as a principle is present in both Additional Protocols to the Geneva Conventions, however the Protocols do not define what "Direct Participation in hostility" exactly means. Thus the ICRC issued an interpretative guidance seeking to clarify the notion of Direct Participation in Hostilities. This guide contains criteria and examples to help decision makers and fighters discern whether or not a person loses the protection IHL confers to civilians.

The lecture and the discussion were strengthened by a case study pushing participants to face a situation they could potentially be confronted with in reality. The case study showed there are no tailored answers but every situation should be pondered according to its own particularities.

Tomorrow

The topics to be dealt with tomorrow are "Rules of Engagement" and its related handbook.