



# ICRC

**Address by Christoph Harnisch, Head of Delegation  
ICRC Delegation in Israel, the Occupied and Autonomous Territories  
at the closing ceremony of the National Competition on IHL  
Israel 2007  
Kibbutz Tzuba, 6 December 2007**

Distinguished members of the competition Jury; participating teachers, coaches and teams;  
Ladies and Gentlemen,

Thank you all for taking the trouble to travel to Tzuba to attend this important event.

The final round of competition we witnessed earlier this evening, and which I trust and hope you enjoyed as much as I did, is the culmination of four days of intense competing preceded by months of preparatory work. Before turning to thank the individuals and academic institutes who took part in these efforts thereby making the competition possible, allow me first to say a few words on international humanitarian law and on the ICRC's agenda to promote this body of law and to sponsor this competition.

In some circles that, as a delegate of the ICRC I have had the privilege to be at various moments in recent years, international public law in general and international humanitarian law in particular are being derided as either insignificant, naïve, inspired exclusively by Western philosophy and not relevant to face the military and security challenges of the day. In this environment and as some sort of response to the charge, the ICRC President stated the following at the beginning of the 30<sup>th</sup> International Conference of the Red Cross and Red Crescent last week in Geneva:

"Marginalization of humanitarian law, or even its exclusion, may occur if might prevails over all else. International humanitarian law is the appropriate solution in the quest for a realistic balance between military imperative and respect for human dignity. International humanitarian law is not the product of naïve and unrealistic thinking. The distinction between combatants and civilians, which, as we know, is difficult to establish in every case, remains important, as does respect for the principle of precaution and proportionality in the conduct of hostilities. Humanitarian law is realistic and necessary. It must be known and respected."

All activities of the ICRC are inextricably linked to international humanitarian law. According to a mistaken but once common adage, when the canons roar the laws are silent. If this were true our task would be next to impossible. IHL ensures that this is not the case. By laying down rules whose object is to limit the human suffering caused by armed conflicts and which all belligerents are duty bound to obey, IHL provides the normative basis for our work. Over the years, the ICRC has played a significant role in developing IHL trying to ensure that this body of law best meets the challenge of protecting people from ever evolving threats. The ICRC has also consistently endeavoured to strengthen and promote IHL so that its rules are known and adhered to. It is at least in part due to these endeavours that the ICRC is sometimes referred to as "the guardian of international humanitarian law".

Personally, I do not always like the term "guardian" as it implies something passive. It is important not to think of the ICRC and IHL as passive observers of what happens on the many battlefields in today's world, of which violations of the law are committed and of who are the main perpetrators. The ICRC and those involved in the promotion of IHL must play an active role as guardians, at times even an aggressive role.

The ICRC's delegation in Israel and the Occupied and Autonomous Territories tries to complement its operational activities by working to promote respect for IHL. One of the ways we set out to do so was by enhancing IHL's place within Israeli academic discourse. Even though it is intrinsically linked to issues at the forefront of the Israeli political agenda, Israeli academic programmes focusing on IHL were, at least until recently, surprisingly sparse.

The competition is the latest in a series of projects that the ICRC has undertaken in close cooperation with Israeli academic institutes in an effort to fill this gap. Other such projects, which we have launched in recent years and which are still going strong, include:

- Workshops on IHL providing a forum for local academic experts, as well as practitioners, to exchange views and to jointly address contemporary challenges;
- A guest lecture series consisting of 5 to 6 annual lectures delivered by leading world experts on IHL and open to the public;

and

- Annual conferences on IHL, which have attracted fascinating contributions from both Israel and abroad generating constructive debate.

In addition, we provided sponsoring for Israeli academics to attend specialist-training courses on IHL.

As with all these IHL related projects, our interest in the national competition on IHL is not as an end unto itself, but rather as a means to an end. The students of today will be the decision makers and opinion shapers of tomorrow. By strengthening their grasp of IHL we aim to increase their commitment to its humanitarian principles. We hope that this commitment will remain with them in their future endeavours be it as legal practitioners, academics, civil servants, state officials, military reservists, in NGOs and perhaps even in humanitarian organizations. Such commitment should in turn help to ensure full compliance with IHL thus preventing human suffering.

Whether or not this ultimate goal will eventually be realized remains to be seen. What is already evident is that the teaching of IHL in Israel has been enhanced as a result of the initiation of this competition. The students who attended this year's competition, as well as others who participated in preliminary stages leading up to the competition, received intense training including a crash course on IHL delivered by academic experts and ICRC staff members and training sessions with coaches appointed by their universities, complemented by extensive independent study. These students now know a great deal more about IHL as will those who attend future editions of the competition. Moreover, as a precondition to taking part in the competition, the participating institutes undertook to include a course on IHL within their future curriculum. Thus, even students who do not themselves participate in the competition will have an opportunity to study IHL.

All this would not have been possible if not for the support of the participating academic institutes: The College of Management, the Hebrew University of Jerusalem and the Ramat Gan School of Law. These institutes all recognised the importance of this initiative and played an active role in its planning and realization. They encouraged their students to take part in the competition, adapting their curriculum for this purpose, and provided consistent support to the teams selected to attend on their behalf. We very much appreciate these efforts and thank all three institutes for them. I sincerely hope that other academic institutes will follow their lead and participate in future editions of the competition.

Very special thanks is due to three individuals who have all played a leading role in promoting IHL in Israel: Prof. David Kretzmer, who is professor emeritus at the Hebrew University and teaches at the Ramat Gan School of Law; Dr. Yuval Shany from the Hebrew University and Dr. Orna Ben-Naftali from the College of Management. Their support has been crucial to the success of this as well as past ICRC projects and we are very grateful to them. Thanks are also due to Dr. Hilly Moodrik Even-Chen from Sha'arei Mishpat College, to

Dr. Amichai Cohen from the Ono Academic College and to attorney Limor Yehuda from the Association of Civil Rights in Israel who kindly provided training sessions to the competition participants.

Antoine Bouvier, the ICRC legal adviser delegate to academic circles, Prof. Francoise Hampson, of the University of Essex, Prof. Ryzard Piotrowicz, of the University of Aberystwyth, and Anna Segall, who heads the international law division at UNRWA, all distinguished experts on IHL, generously took time off from their busy schedules and travelled from afar to serve as the jury for this competition. Over the last few days they have worked hard not only testing the students, but also teaching them in training sessions between tests. We are extremely grateful to them.

Magen David Adom, our fellow member of the Red Cross and Red Crescent Movement, was kind enough to fund the reception you all attended earlier. We thank them for their help.

Last but not least, I wish to thank the participating teams and their coaches for all the hard work they invested in preparation for the competition and for their fine performances over the last few days – Well done! I hope that participation in the competition was a rewarding experience for them and that it might serve as a useful launching point for future careers in IHL related pursuits.

This competition was never meant to be a one time-event. Thanks to the successful efforts of all those involved in this inaugurating edition, I am confident that the national competition on IHL will indeed become a regular fixture in the Israeli academic calendar.

Now I am sure you are all anxious to hear from the next speakers who will be announcing the winning team of this year's competition, but before I pass the floor on to them, allow me just a few more words about the other award we will be handing out this evening. The Uriel Masad award, which will be given to the competitor deemed the competitions best speaker is named after a dear colleague who, sadly, passed away last year. As the head of the communications department in our Tel Aviv delegation, Uriel Masad was the ICRC's public face in Israel. He represented us with great conviction and skill before the Israeli media and in many public forums and he is sorely missed. I think that it is most befitting that the best speaker award for this event should be named after a man who was himself so gifted a speaker and who dedicatedly made use of his gift to promote the ICRC's humanitarian cause.

I give my congratulations in advance to the winner of this award and, of course, to the winning team and wish you all a most enjoyable evening.