

Controversy and Developments in the Law of Armed Conflict: Customary vs Treaty Law; Law of the Sea Manual; Manual on International Law Applicable to Air and Missile Warfare



Friday, April 23, 2010
The Catholic University of America
Columbus School of Law
Washington, DC 20064



*Co-sponsored by:
The Catholic University of America Columbus Law School
and The American Membership of the International Society for Military Law
and the Law of War*

In cooperation with The American Bar Association Standing Committee on Law and National Security

This program will examine three important efforts relating to International Humanitarian Law: the San Remo Manual on International Law Applicable to Armed Conflicts at Sea, the more recent Commentary and Manual on International Law Applicable to Air and Missile Warfare (prepared by the Harvard Program on Humanitarian Policy and Conflict Research), and the ICRC's multi-volume study on Customary International Humanitarian Law. To what extent do the manuals reflect state practice, and what role do such manuals play in the formulation and application of customary international humanitarian law? Panels of international law experts and practitioners will discuss these important issues in a format designed to encourage lively debate, and to draw conclusions based both on scholarly treatises and the actual practice of states.

SCHEDULE OF EVENTS

9:00 a.m. COFFEE AND REGISTRATION

9:45 a.m. WELCOME REMARKS

James Burger, for the American Membership of the Society
Maj. Gen Charles J. Dunlap, USAF (retired), former Deputy Judge Advocate General of the Air Force

10:00 a.m. PANEL ONE: CUSTOMARY VS. TREATY LAW IN THE DEVELOPMENT OF LOAC

Moderator: **James Burger**, Office of the General Counsel, Department of Defense
Arne Willy Dahl, president of the International Society for Military Law and the Law of War, Judge Advocate General, Norwegian Armed Forces
Jamie Allan Williamson, legal adviser, International Committee of the Red Cross Regional Delegation for the United States and Canada
Professor Ken Anderson, Washington College of Law, American University {accepted but not confirmed}
Hays Parks, Office of the General Counsel, Department of Defense
Ashley Deeks, Office of the Legal Adviser, Department of State
Richard Jackson, Office of the Army Judge Advocate General

12:00 p.m. LUNCHEON AND KEYNOTE ADDRESS

Hon. Harold Hongju Koh, Legal Adviser, U.S. Department of State

1:00 p.m. PANEL TWO: SAN REMO NAVAL WARFARE MANUAL

Moderator: **Professor Michael Noone**, Catholic University School of Law
John Norton Moore, Walter L. Brown Professor of Law at the University of Virginia School of Law; Director, Center for National Security Law and Center for Oceans Law and Policy
Capt. J. Ashley Roach, JAGC U.S. Navy (Retired), and Office of the Legal Adviser, U.S. Department of State (retired)
Joe Baggett, Capt. U.S. Navy (retired) JAGC, Acting Chief, Navy Code 10 (Operations Law) Division, U.S. Navy Judge Advocate General's Office
Capt. Stephanie Smart, U.S. Navy JAGC, Office of the Legal Adviser to the Chairman of the Joint Chiefs of Staff

3:00 p.m. PANEL THREE: HPCR MANUAL ON INTERNATIONAL LAW APPLICABLE TO AIR AND MISSILE WARFARE

Moderator: **Professor Eugene R. Fidell**, Senior Research Scholar in Law and Florence Rogatz Lecturer in Law, Yale Law School

Claude Bruderlein, Director, Harvard Program on Humanitarian Policy and Conflict Research

Bruno Demeyere, Advisor on International Humanitarian Law, Program on Humanitarian Policy and Conflict Research, Harvard University

Ed Monahan, Special Assistant to the Judge Advocate General and Deputy Director, Air Force Operations and International Law Directorate

Maj. RM Stoney, Directorate of International and Operational Law, Office of the Judge Advocate General, Canadian Forces

Squadron Commander Joanne Swainston, Royal Air Force Exchange Officer with the Air Force Operations and International Law Directorate, U.S. Air Force Judge Advocate General's Office

CLOSING REMARKS AND DISCUSSION

5:00 p.m. RECEPTION

Registration: The program will take place at the Columbus School of Law at The Catholic University of America, 3600 John McCormack Road, N.E., Washington, D.C. The law school is located one block from the Brookland-CUA stop on Metro's Red Line. The fee of \$40 per person will cover morning coffee, lunch and an afternoon reception. ***Advance registration is required.*** To register, please send a check (payable to The Catholic University of America) to Professor Michael F. Noone, Jr., Columbus School of Law, The Catholic University of America, Washington, D.C. 20064. Please include full name, title, affiliation, daytime phone number and e-mail address. To request directions or parking information, please call 202-319-6126 or e-mail noone@law.edu.