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As a closing event for the activities developed during the past year, the recently created Center for Studies on Human Rights (Centro de Estudios de Derechos Humanos, CEDH) of the Law School of the Central University of the Province of Buenos Aires (UNICEN) organized the First Colloquium on International Humanitarian Law (IHL) and International Criminal Law (ICL), under the title “The Geneva Conventions: Commemorating their Sixtieth Anniversary”. The event was held in the Conference Room of the Research and Postgraduate Center of the Law School, in the city of Azul, Argentina, on 29 November 2009.

The main aim of the Colloquium was to create, for the first time in the country, an ongoing forum to discuss and debate different aspects of the Conventions. In spite of the fact that the Colloquium was specifically addressed to graduate students and researchers, it also proved to be an interesting opportunity to exchange ideas among specialists and scholars working in the fields of IHL and ICL. This inaugural session of the Colloquium brought together professors, teaching assistants, researchers and students from several Law Schools around the country. As co-directors of the CEDH, Professor Laura María Giosa and Professor Emiliano Buis, who teach both at the UNICEN and at the University of Buenos Aires, offered words of welcome and introduced, as a keynote invited speaker, Prof. Marta Vigevano from Buenos Aires, who talked about “Internally Displaced People: Multiple Violations to International Humanitarian Law and Human Rights Law”.

Prof. Vigevano explained the reasons that compel certain populations, settled in particular territories, to abandon their land or place of residence, and then addressed the different ways in which international law deals with the issue. She introduced the specific case of the Colombian conflict, which she has studied broadly, and concluded that it is impossible to achieve effective protection if States are not committed to strengthening institutional capacities. Law is essential, she claimed, but only by
establishing public policies capable of implementing protection and preventive measures, can it be hoped that displaced people will be able to defend their rights and attain better living conditions.

Several round-tables were organized to address the diverse topics that had been placed on the Colloquium’s agenda, which included historical aspects of IHL and ICL; current challenges related to means and methods of warfare; refugees and internally displaced people in contemporary armed conflicts; the use of force in international law; the role of international organizations during armed conflicts, and the foundations and characteristics of ICL (ad hoc tribunals, the ICC and the internationalized courts).

Within the framework of the panel on historical aspects, Prof. Juan Herminio García Zeballos (National University of La Plata) made a general presentation on the diachronic evolution of rules constraining violence in times of war, with particular focus on mediaeval times and the contribution of Christianity to IHL. Going back in time, in his paper “The Punishment of Ares: Limits to Armed Violence and Responsibility for the Commission of War Crimes in Ancient Greece”, Prof. Emiliano Buis demonstrated that an analysis of the classical texts of an ancient civilization – traditionally conceived as being extremely violent – reveals a basis of common sense that did not seem to have tolerated excess in times of conflict.

The panel on IHL and the protection of victims included a presentation by Pablo González and Martín Picasso (National University of La Plata) on the extent of protection granted by the Geneva Conventions to persons and goods, showing some inconsistencies and specifically addressing its main deficiencies. Prof. Laura María Giosa examined the application of the pro homine principle, established in human rights law, in the legal protection of children in times of armed conflict. Finally, Lila García (University of Buenos Aires) presented some interesting ideas on the situation of migrants and their safety vis-à-vis the complicated status of international security after the 9-11 terrorist attacks.

The third panel, dealing with problems arising from the status of combatants in IHL, focused mainly on aspects related to peace operations and war crimes. It was launched by a presentation of Prof. Guillermo Javier Duberti (University of Buenos Aires) in which the violation of several well-established conventional and customary rules by UN peace forces was studied in light of the recent jurisprudence of national and international tribunals. After this presentation, Prof. Romina Pezzot (University of Buenos Aires) drew the audience’s attention to economic issues connected to severe violations of IHL. She presented an in-depth analysis of money-laundering resulting from the commission of war crimes.

The last panel addressed international responsibility and sanctions imposed by the judicial treatment of IHL violations, the pragmatics of internationalized courts and the ups-and-downs of the first years of the ICC. In a paper called “The Application of the Geneva Conventions: The Jurisprudence of the Inter-American Court of Human Rights”, Facundo Achaga (UNICEN) discussed how (and to what extent) a regional mechanism might be useful in responding to IHL violations committed by States.