



MAX PLANCK INSTITUTE

FOR COMPARATIVE PUBLIC LAW
AND INTERNATIONAL LAW

MAX PLANCK TRIALOGUE

ON THE LAW OF PEACE AND WAR

Applicability of International Humanitarian Law

Thursday, 30 - Friday, 31 March 2017

Conference Centre Max Planck Haus

Heidelberg

Workshop Venue:

Conference Centre Max Planck Haus
Gerhart-Hauptmann-Strasse 36, 69120 Heidelberg

The workshop will be followed by a dinner on 30 March

Dinner Address: NH Hotel, Bergheimer Str. 91,
69115 Heidelberg

The applicability of international humanitarian law (IHL) has been a contested issue for decades. However, generally accepted legal solutions have not been found. Recent events, such as the series of terror attacks affecting a number of countries or the increasing prominence of hybrid conflicts create further challenges for determining the scope of armed conflict. Against this background, the workshop will espouse a holistic perspective, tackling applicability in terms of its scope *ratione materiae*, *personae*, and *temporis*. The workshop will also address new forms of conflict such as hybrid war and deal with the applicable legal regimes (IHL & human rights), with their overlap and possible conflicts.

The workshop is part of the preparation of the second volume of the Max Planck Trialogues on the Law of Peace and War. The Max Planck Trialogues, published with Cambridge University Press, are a new format of academic publishing in which three scholars co-author a book and tackle one and the same topic of the *ius contra bellum*, *ius in bello*, or *ius post bellum* from their distinct perspectives. The authors are selected so as to represent different theoretical, geographical, and practical backgrounds and each of them contributes a chapter of around 80 pages. The book will be based on a broad input of commentators and on a discussion in the workshop and shall ultimately provide the academic debate with new impulses.

PROGRAMME

30 March 2017

- from 1 p.m. on Welcome Coffee, Sandwiches
- 1.30 p.m. Welcome and Introduction by Anne Peters and Christian Marxsen
- 1.45 - 4 p.m. **Helen Duffy:** The Applicability of International Humanitarian Law
Commentators: Heike Krieger, Michael A. Newton
- Coffee Break*
- 4.30 - 6.45 p.m. **Ziv Bohrer:** Divisions over Distinctions in Wartime International Law
Commentators: Christian Tomuschat, Andrew Clapham
- 7.30 *Dinner of all participants of the workshop (sponsored by MPIL)*
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31 March 2017

- from 8.30 a.m. on Coffee
- 9 - 11.15 a.m. **Janina Dill:** The Contestability of War as a State of Exception and the Changing Role of International Humanitarian Law in the Global Legal Order
Commentators: Orna Ben-Naftali, Thilo Marauhn
- 11.30 a.m. - 1 p.m. Final Discussion

The workshop is generously sponsored by the "Heidelberger Gesellschaft für ausländisches öffentliches Recht und Völkerrecht e.V.". This non-profit organisation aims at establishing a link between the Max Planck Institute for Comparative Public Law and International Law and those interested in its work. Its further purpose is to foster national and international relationships in the legal areas on which the Institute focuses.

If you are interested in a membership, please contact us at alumni@mpil.de

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