
**THE 4TH ANNUAL SUMMER INSTITUTE IN
INTERNATIONAL HUMANITARIAN LAW AND HUMAN RIGHTS**
“The Rights of Women and Children”

Monday, July 4 – Saturday, July 16, 2011
Singapore and Phnom Penh, Cambodia

Organized by the:

Asian International Justice Initiative
a collaboration between
the UC Berkeley War Crimes Studies Center and the East-West Center
in partnership with
Singapore Management University School of Law
the Centre for International Law at the National University of Singapore
the International Institute for Child Rights and Development
and the Human Rights Resource Center for ASEAN

OVERVIEW

The Summer Institute in International Humanitarian Law (IHL) and Human Rights is a regionally based workshop held in partnership with organizations in Southeast Asia to consider key IHL and human rights issues, past and present, facing the region. Established in 2008, the Summer Institute is designed for participants working across a broad range of fields and disciplines and is best suited to those working within the Asia Pacific region, whose work has an Asia Pacific focus, or who wish to engage in comparative analysis regarding the application of IHL and human rights instruments as they apply in historical and political context of the region.

The fourth annual Summer Institute will be held in Singapore, with an optional field trip to Phnom Penh, Cambodia. This year’s course will focus on the rights of women and children in wartime and in peace. In keeping with the rationale behind the establishment of the Summer Institute, the curriculum will focus primarily on case studies from Asia-Pacific countries, while encouraging comparative exploration with other regions of the world.

The aim of the course is to provide participants with skills and knowledge that will:

- (i) enhance their performance in IHL and human rights-related fields (be it as judges, lawyers, government officials, NGO workers) or as observers of those working in those fields (as academics, monitors, journalists and human rights educators);
- (ii) promote skills-development that will enhance the effectiveness of reporting, analysis, investigation, and prosecution of human rights violations. These skills will also contribute to mediation, reconciliation, and reinstatement of human rights norms in conflict situations;
- (iii) enable them to assess the impact of internal conflict on regional and international peace and security from a broad range of perspectives; and
- (iv) assist participants to contribute more meaningfully to the ongoing debates regarding how best to respond to and resolve internal conflicts throughout the region.



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In this regard, the Summer Institute has a practice-oriented focus: rather than providing participants with a 'textbook' course on IHL and human rights, it engages them to think about both the practical and theoretical application of the discipline to concrete cases in the Asia Pacific region. The Summer Institute faculty includes distinguished practitioners and experts from the region and beyond. The program aims to develop both the legal and political knowledge of the participants, and also the practical skills necessary for people who are working in the field in conflict or post-conflict situations. Unlike similar short courses offered in Europe and North America, the Summer Institute focuses primarily on the Asia Pacific region, using case studies and examples from across the ASEAN countries as its starting point for discussion and debate.

WHO SHOULD APPLY

The Summer Institute is aimed at professionals and practitioners working throughout a broad range of fields dealing with the legal, political, or humanitarian context in conflict and post-conflict societies. This would include advocates in human rights or peace, humanitarian workers, legal officers, advanced (graduate-level) students, academics, government officials, members of international or regional organizations, and military or security personnel. Although the course is open to participants internationally, individuals who show a strong interest in IHL and human rights as it pertains to the Asia Pacific region and those living within ASEAN countries are particularly encouraged to apply. In 2011, we anticipate making 30 places available for this course.

FACULTY

We are presently in the process of finalizing our faculty roster for Summer Institute 2011. Check our website for the most updated list of faculty members (<http://www.eastwestcenter.org/research/asian-international-justice-initiative/summer-institute>)

STRUCTURE OF THE COURSE

The 2011 Summer Institute will take place over a two-week period, beginning with seven days of course work in Singapore, and ending with a field-trip component in Phnom Penh, Cambodia. The course in Singapore will be divided into two parts. Part One will focus on the rights of women and children during armed conflict, looking specifically at problems such as child soldiers, sexual violence, and internal displacement. Part Two of the workshop will explore policy responses and practical tools for addressing these problems, and for enhancing the welfare of women and children generally. Rather than opting for a purely lecture-based format, this course focuses on small group and panel discussions, facilitated by experts from the region (as well as North America and Europe). Although the course is taught predominantly from a legal perspective, the emphasis on contemporary practice in the field necessarily presupposes an interdisciplinary approach to the topic. Participants will therefore be encouraged to consider the subject matter of the course from a holistic perspective, considering political, historical and social factors that both precipitate conflicts and lead to their successful resolution. Discussions will be supplemented by exercises specifically focused on allowing participants to consider in practice the key challenges associated with applying the law in real-life situations. To enhance the learning experience, we offer an optional four day field trip to Phnom Penh, directly following the 7 days of coursework in Singapore. For participants who receive scholarships, the field trip will be compulsory.

The following is a synopsis of the guided discussions that will take place on each day of the course. Further information on the course content, including a draft course outline and the complete faculty roster, will be posted on the Summer Institute 2011 webpage shortly. Prospective participants should continue to check our website for updates later in the spring: <http://www.eastwestcenter.org/research/asian-international-justice-initiative/summer-institute> Specific inquiries may be sent via email to: summerinstitute@eastwestcenter.org.

COURSE SYNOPSIS

It is now widely accepted amongst academics, advocates and policymakers that women and children comprise the most vulnerable groups in conflict and immediate post-conflict situations. Although men outnumber women and children among those directly engaged in armed conflict, civilian women and children have increasingly become the principal victims of violence during war. Subject to the whims of warring factions, women and children in conflict zones are far more likely than male combatants to lose access to adequate healthcare, food, and water. Moreover, problems that begin during wartime often persist beyond the life of a particular conflict. Inadequate enforcement mechanisms and frameworks for protection leave women and children vulnerable to exploitation by sex traffickers and migrant labor market across borders.

Evinced its continued commitment to protect the most vulnerable groups within its societies, the Association of Southeast Asian Nations ('ASEAN') has instituted a policy framework that sets the rights of women and children at the top of its human rights agenda. The ASEAN Commission for Women and Children ('ACWC') and the ASEAN Intergovernmental Commission on Human Rights ('AICHR'), both established in 2009, have both devoted unprecedented emphasis on the protection of women and children, and promotion of their rights, within ASEAN. Bearing in mind the growing significance of this issue for ASEAN countries, and more broadly throughout the Asia Pacific region, this year's Summer Institute in International Humanitarian Law and Human Rights will focus on the rights of women and children, with a view to constructively moving forward the parameters of the policy debate on how best to respond to their needs, both in times of conflict and times of peace. The following is a brief outline of the daily agendas for our seven day course in Singapore.

Day One: Overview

The course begins with a general introduction to the human rights of women and children in armed conflict as well as in peacetime. The first day's seminar and discussion activities will cover legal frameworks for women and children's rights, and introduce the primary international legal instruments that directly impact on the protection and promotion of the rights of women and children. Participants will explore the distinction between the human rights of women and children under the CEDAW and CROC. Laws governing the treatment of women and children as civilians in armed combat will also be discussed, as will the prohibition against the use of child soldiers. The first day's seminars and lectures will introduce participants to some of the practical problems (to be discussed in greater detail in subsequent sessions) involved in implementing conventions during armed conflict and in times of peace.

Days Two and Three: Women and Children in Times of War

Having covered the 'nuts and bolts' of legal instruments implementing a protection regime for women and children, the course then turns to look at thematic issues. The second and third days of the curriculum will address the practical challenges to protecting women and children in armed conflict. Specifically, course sessions will address the use of child soldiers, sexual violence as a tool and as a consequence of armed conflict, and the struggles of women and children living as Internally Displaced People (IDPs) due to armed conflict.

Child Soldiers: Although the issue of child combatants is often perceived to be an 'African' problem, UNICEF estimates that up to one quarter of the world's child combatants are engaged in conflicts in Asia. Faculty during this part of the course will address the legal, political and moral implications of engaging children in armed conflict. Case studies to be considered may include Sri Lanka, Cambodia, East-Timor, Myanmar, Papua New Guinea, and the Philippines. These regional examples will be discussed alongside African conflicts, for a comparative international perspective.

Sexual Violence: Women and girls are routinely the targets of sexual violence during armed conflict. Despite ongoing attention being drawn to the issue through human rights groups and NGOs, the violence has

continued. We will devote one seminar session to studying the history of sexual violence prosecution efforts (including instances of rape, sexual enslavement, forced marriage, and enforced prostitution) and the ongoing challenges for implementing protections against rape and sexual violence during periods of conflict.

IDPs and Refugees: An estimated 4.3 million people in South and South-East Asia were internally displaced by armed conflict, generalized violence or human rights violations at the end of 2009. This represented an increase of around 800,000 people (or 23 per cent, since the end of 2008). Close to four million people were newly displaced in the region during the year, mainly as a result of existing conflicts that escalated. (The overwhelming majority did however manage to return before the end of the year). On day three of the program, participants will learn about and discuss differing perspectives on dealing with the challenges related to internally displaced persons. Based on case studies from regional examples such as the Philippines and West Timor/Indonesia, participants will be asked to consider the limitations of government policy in ASEAN countries and elsewhere in Asia when it comes to IDPs, as well as discuss the role played by multilateral agencies, NGOs, and INGOs.

Day Four: Women and Children in Humanitarian Crises

Moving beyond the context of armed conflict, day four of the program will focus on the impact humanitarian crises have on efforts to protect the rights of women and children. The day's activities will focus on practical skills associated with helping vulnerable populations after violent conflict or humanitarian crises. Expert faculty will lead a practical seminar on how to engage in effective fact-finding and interviewing with particularly vulnerable populations. Using case studies from Aceh and Cambodia, this session will address how an interviewer/investigator should approach distrustful mass crime survivors, what constitutes 'good' evidence and corroboration, how to assess the factual and legal weight of the information gathered, and how to avoid subjective 'bias' in reporting.

Days Five thru Seven: Women and Children in Times of Peace

Having spent several days focused on women and children in the midst of war and humanitarian crisis, day five of the course turns to the subject of women and children's rights in times of peace. This topic is addressed in three parts. (1) The application of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CROC); (2) Human Trafficking and Migrant Labor; (3) The role of UN agencies, National Commissions, INGOs and NGOs in protecting and promoting the rights of women and children during peacetime. Asia constitutes a region often described as a hub of trafficking in persons, particularly for the purposes of sexual exploitation. The largest number of children and women trafficked are said to be within or from Asia. In this sense, trafficking is an important regional issue. The interrelationship between human trafficking and migrant labor is complex, and it affects the ASEAN political and security community significantly. In this section of the course, participants will explore both the underlying causes of migrant labor and trafficking and the consequences for the region. Participants will study and discuss the regional implementation of international rights covenants such as the CEDAW and the CROC, as well as the role of the UN in protecting and promoting the rights of women and children through field operations in Southeast Asia. Participants will also hear faculty panelists discuss the promises and pitfalls of active civil society organizations engaged in human rights advocacy and critical reporting on governmental failures.

The final session on the final day of the course in Singapore will be focused on how we go about [re]setting the policy agenda in favor of women and children. Having explored a series of pragmatic ways to implement gender-based approaches in the field on previous days of the course, the final panel discussion will consider the role of regional commissions such as ASEAN's Commission for Women and Children and the ASEAN Intergovernmental Commission on Human Rights, and to discuss how these types of bodies can best meet the challenges that are facing the region.



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Days Eight through Eleven: Field Trip

Following the seven days of coursework in Singapore, participants are invited to partake in a four day optional field trip to Cambodia. This trip will include study visits to national and international NGOs as well as governmental agencies working on issues of women's and children's rights in Cambodia. The course coordinator is presently working with partner organizations in Cambodia to plan the field trip component of the course. Details will be provided to prospective participants as they become available.

The application deadline is 15 April 2011. Applicants are encouraged to apply early, and will have the greatest chance of receiving one of a limited number of scholarships (assuming their application complies with scholarship conditions and fund availability) if they do so.

Recommendations are likewise due by 15 April 2011.