

## Table of Contents

<b>Opening Session</b> .....	9
Dr. Abbas Karimi .....	11
Mehrdad Eshraghi .....	13
Professor Nasrin Mosaffa .....	16
Peter G. Stocker .....	20
<b>Panel I: Introduction to Customary International Humanitarian Law</b> ..	23
<b>Current Role and Relevance of Customary International Humanitarian Law</b> .....	25
Professor Djamchid Momtaz	
<b>The ICRC Study on Customary International Humanitarian Law: Characteristics, Conclusions and Practical Relevance</b> .....	34
Dr. Jean-Marie Henckaerts	
<b>The Process of Custom Formation in Contemporary International Law</b> ..	105
Professor Georges Abi-Saab	
<b>Questions and Answers</b> .....	116
<b>Panel II: Customary Rules on the Conduct of Hostilities</b> .....	125
<b>Humanitarian Principles in Armed Conflicts From the Perspective of Islamic</b>	

2 □ Proceedings of the conference on: Customary International...

**Jurisprudence** ..... 129

Ayatollah Dr. Seyyed Mustafa Mohaghegh Damad

**The ICRC's Clarification Process on the Notion of Direct Participation in Hostilities under International Humanitarian Law** ..... 141

Dr. Nils Melzer

**The Principle of Distinction and the Use of Weapons** ..... 155

Professor Paul Tavernier

**Panel III: The Customary Framework for the Treatment of Persons in Armed Conflicts** ..... 175

**International Humanitarian Law Current Challenges** ..... 177

Dr. Philip Spoerri

**Fundamental Guarantees in Customary International Humanitarian Law** 195

Dr. Amir Hossein Ranjbarian

**The Treatment of Detainees under Customary International Humanitarian Law** ..... 214

Kathleen Lawand

**Questions and Answers** ..... 232

**Panel IV: Enforcement of Customary Internatoinal**

**Humanitarian Law** ..... 241

**The Challenges of Enforcement** ..... 241

Professor Michael Bothe

**The Role of Custom in International Criminal Law** ..... 251

Professor Ebrahim Beigzadeh

<b>Questions and Answers</b> .....	267
<b>Panel V: Implementation and Promotion of Customary International Humanitarian Law</b> .....	271
<b>The State of Implementation in Iran</b> .....	273
Dr. Alireza Deihim	
<b>Dissemination of Customary International Humanitarian Law</b> .....	281
Markus Cott	
<b>Dissemination of Customary International Humanitarian Law</b> .....	286
Pouria Askary	
<b>Humanitarian Values in Iranian Culture</b> .....	293
Mohammad Ali Bahmani Qajar	
<b>Closing Session</b> .....	305
Dr. Philip Spoerri .....	307
Professor Djamchid Momtaz .....	309
Professor Nasrin Mosaffa .....	310
<b>Annex</b> .....	313
<b>A US Government Response to the International Committee of the Red Cross study: Customary International Humanitarian Law</b> .....	315
John B. Bellinger	

4 □ Proceedings of the conference on: Customary International...

**Customary International Humanitarian Law: A response to US  
comments** ..... 359

Dr. Jean-Marie Henckaerts