



9th Summer Session, Sunday 5 – Friday 17 August 2007

The Court and Applicable Law under Review (Part 1)

ACADEMIC PROGRAMME

Due to the availability of some lecturers their presentations had to be anticipated or postponed, regardless whether they fit at the respective day precisely into the systematic content of the Course.

If necessary, additional changes will be announced on a day-to-day basis.

SUNDAY, 5 August 2007

Welcome and registration of participants and lecturers at the Hotel Kolpinghaus, Adolf - Kolping - Straße 10, A- 5020 Salzburg, Ph.: xxxx.

SLS Hotline xxxx, Astrid Reisinger Coracini (Executive Director)

Lectures will take place at the Institute for History of Arts (in the Old Town), Kapitelgasse 5, Room HS 2.04; exact locations and schedule of additional workshops will be announced later.

Please bring your Rome Statute, Elements of Crimes and Rules of Procedure and Evidence and Regulations of the Court !

The cafeteria of the Faculty of Law, Salzburg is located in the courtyard at Churfürstenstraße 1 (Law Faculty, Toskana Trakt)

MONDAY, 6 August 2007

10.00 a.m. Opening Ceremony, 'Alte Aula', Library of the University of Salzburg, Hofstallgasse 2-4 (just across the 'Festspielhaus')

Welcome: **President of Salzburg University**, o. Univ.-Prof. Dr. Heinrich Schmidinger
Dean of the Faculty of Law, o. Univ.-Prof- Dr. Kurt Schmoller

10.30 a.m. Key note, Ninth Summer Session 2007

International Humanitarian Law Cases in Asia: From Tokyo to East Timor and Cambodia

Prof. Raul C. Pangalangan, Dean and Professor of Law, University of the Philippines, College of Law

Questions and discussion

11.45 a.m. Introduction into the academic programme

Professor Otto Triffterer, Austria, Professor for Austrian and International Criminal Law and Procedure, University of Salzburg

12.15 a.m. Reception

Lunch: 13.00 - 14.30, Cafeteria

First Session: 14.30 – 17.30, HS 2.04 (with coffee break and discussion)***The hopes of Nuremberg: How far have we come and where are we going?***

Prof. Benjamin Ferencz, A former Nuremberg War Crime Prosecutor, author and frequent lecturer on international criminal courts and world peace (website www.benferencz.org)

The history, notion and concept of international criminal law

Prof. Benjamin Ferencz

Prof. Otto Triffterer, Professor for Austrian and International Criminal Law and Procedure, University of Salzburg

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 7 August 2007**Second Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)*****A historical review of the individual responsibility for the crime of aggression***

Address to SLS from **Prof. Muhammad Aziz Shukri**, J.S.D., Emeritus Professor of International Law, University of Damascus, Director General of the Arab Encyclopaedia

The crime of aggression – possible compromise solutions for the Review Conference

Astrid Reisinger Coracini, Executive Director Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law

Loopholes, and non satisfying regulations of practical importance

Prof. Otto Triffterer

Lunch: 13.00 - 14.30, Cafeteria

Afternoon: FREE, guided city tour available at 2.30 p.m.,
or time at the disposal of participants

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

WEDNESDAY, 8 August 2007**Fourth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)*****From state to individual responsibility, from international to hybrid tribunals: recent Asian examples***

Prof. Raul C. Pangalangan

Syria, Lebanon and the assassination of former premier Rafik Hariri "A court of international character"

Gillian Higgins, Barrister UK, former Assigned Counsel to Mr. Slobodan Milosevic at the ICTY

Lunch: 13.00 - 14.30, Cafeteria

Fifth Session: 14.30 – 17.30, HS 2.04 (with coffee break and discussion)***The fair expedition of international trials: Securing the rights of the accused***

Gillian Higgins

Reviewing the Rome Statute's amendment mechanism

Astrid Reisinger Coracini

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 9 August 2007

Sixth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)

The role and rights of victims under the Rome Statute and first decisions of the Court

Gilbert Bitti, Senior Legal Advisor to the Pre-Trial Division, ICC

Pre-Trial Chamber I's decision on the confirmation of charges: selected issues

Gilbert Bitti

Lunch: 13.00 - 14.30, Cafeteria

Seventh Session: 14.30 – 17.30, HS 2.04 (with coffee break and discussion)

Applicable law, article 21 Rome Statute: The rank order of sources of law

Dr. Gudrun Hochmayer, Assistant Professor for Criminal Law and Procedure, University of Salzburg

Elements of Crimes proposing to narrow definitions of crimes violate the Statute and support impunity for behaviour falling within the jurisdiction of the Court?

Prof. Otto Triffterer

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

FRIDAY, 10 August 2007

Eighth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)

To The Hague and back: complementarity and national preparedness

Morten Bergsmo, Consultant to the ICC responsible for the external development of the Legal Tools, Senior Researcher, International Peace Research Institute Oslo

Genocide and the quality of international criminal law

Morten Bergsmo

Lunch: 13.00 - 14.30, Cafeteria

Ninth Session: 14.30 – 17.30, HS 2.04 (with coffee break and discussion)

Panel discussion on Guantanamo Bay, military commissions and recent US Supreme Court decisions

Don Ferencz, Attorney, Adjunct Professor of Law at Pace Law School, Director Planethood Foundation

Prof. Michael Newton, Associate Professor, Vanderbilt University Law School and Department of Law, United States Military Academy

Michael Ratner, President, Center for Constitutional Rights, New York, Lecturer of international human rights litigation at the Yale Law School and the Columbia School of Law

Chair: Prof. Otto Triffterer

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

SATURDAY, 11 August 2007

FREE, time at the disposal of participants

SUNDAY, 12 August 2007

FREE, social programme or time at the disposal of participants

MONDAY, 13 August 2007

Tenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)

The Iraqi special tribunal: an insider's view
Prof. Michael Newton

The Sierra Leone Special Court and the future of international justice
Jennifer Trahan, Visiting Scholar, Columbia Law School; Defence Consultant, Sierra Leone Special Court

Lunch: 13.00 - 14.30, Cafeteria

Eleventh Session: 14.30 – 17.30, HS 2.04 (with coffee break and discussion)

Interactive case study: Do the crimes in Darfur amount to genocide?
Jennifer Trahan

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 14 August 2007

Twelfth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)

Categories and confusion - new rules for new conflicts?
Prof. Charles Garraway, Visiting Professor, King's College, London

The impact of deterrence of the ICC: From the Preamble of the Rome Statute to the practice of states and international organisations nine years after Rome
Dr. David Donat Cattin, Italy, Director of Programmes, Parliamentarians for Global Action; Co-ordinator, Research Project "Law For Just Peace", University Roma Tre

Lunch: 13.00 - 14.30, Cafeteria

Thirteenth Session: 14.30 – 18.00, HS 2.04 (with coffee break and discussion)

Workshop on command responsibility
Prof. Charles Garraway

Analysis of criteria used by the ICC office of the prosecutor for the selection of situations and cases
Dr. David Donat Cattin

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

WEDNESDAY, 15 August 2007

Fourteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)

State and individual responsibility drifting apart? The ICJ's ruling on genocide in Srebrenica

Prof. William Schabas, Professor of Human Rights Law, National University of Ireland Galway, Eire, Director Irish Centre for Human Rights

The ICC and third states

Prof. Gerhard Hafner, Professor of International Law, University of Vienna; former Member of the ILC; head of the Austrian delegation to the Rome Conference

Lunch: 13.00 - 14.30, Restaurant Stiegl-Keller, Festungsgasse 10

Fifteenth Session: 14.30 - 16.00, HS 2.04 (with coffee break and discussion)

Enforcing international criminal law, humanitarian law and human rights
Prof. Gerhard Hafner

Time for exams (16.00 – 18.00)

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 16 August 2007

Sixteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)

Time for exams (9.00 – 10.30)

Current developments in international criminal law:

(a) The Charles Taylor trial

(b) The ICC between peace and justice: international criminal justice in Uganda

Prof. William Schabas

Lunch: 13.00 - 14.30, Cafeteria

Closing Session, 14.30 – 16.00, HS 2.04

Final Discussion with the speakers

Evaluation of the outcome of the SALZBURG LAW SCHOOL 2007

Future plans

Chair: Prof. Otto Triffterer

Distribution of Certificates

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

Farewell Party

FRIDAY, 17 August 2007

Departure of participants