

12th

Salzburg Law School

on International Criminal Law
Humanitarian Law and Human Rights Law

12th Summer Session, Sunday 8 – Friday 20 August 2010

Academic Director: Prof. Em. Dr. Otto Triffterer

**Handling the results of the first Review Conference –
Success and failures equally obliging to continue consolidating and amending
international criminal law and its enforcement mechanisms**

ACADEMIC PROGRAMME

Due to the availability of some lecturers their presentations maybe have 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, 8 August 2010

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

SLS Hotline

+43/xxx, Mag. Katrin Gruber

+43/xxx, Mag. Marlene Eichholzer

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, Rules of Procedure and Evidence, the Statute of the ICTY, the Rules of Procedure and Evidence of the ICTY and the Resolutions of the First Review Conference in Kampala to all sessions!

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

MONDAY, 09 August 2010

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

Welcome: **Vice-President of the Paris Lodron University of Salzburg,
Prof. Dr. Sonja Puntscher-Riekmann
Dean of the Faculty of Law, Prof. Dr. Friedrich Harrer**

10.30 a.m. Key note

Kampala: The challenges of the ICC in the next decade

Prof. M. Cherif Bassiouni

President of the International Institute of Higher Studies in Criminal Sciences, Siracusa/Italy;
President emeritus of the International Human Rights Law Institute, DePaul University College of Law (Chicago)

Questions and discussion

11.45 a.m. ***Introduction into the academic programme, in particular procedures, achievements and failures of the First Review Conference to be considered with the speakers***

Prof. Otto Triffterer

Professor Emeritus for Austrian and International Criminal Law and Procedure, University of Salzburg; Director of the Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law

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)

Chair: Dr. David Donat Cattin, Prof. Otto Triffterer

- ***Higher protection and deterrence through a convention on crimes against humanity?***

Prof. M. Cherif Bassiouni

- ***Results and Failures in Kampala, First Review Conference, First Part – War crimes issues and other amendments***

Prof. Roger Clark

Board of Governors Professor, Rutgers University School of Law

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

TUESDAY, 10 August 2010

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

Chair: Prof. Cherif Bassiouni, Prof. Otto Triffterer

- ***Ending impunity for the crime of aggression***

Prof. Benjamin Ferencz

Former Nuremberg War Crime Prosecutor, author and frequent lecturer on international criminal courts and world peace (www.benferencz.org)

- ***Results and Failures in Kampala, First Review Conference, Second Part – the crime of aggression, definition and elements of the crime***

Prof. Roger Clark

- ***Comments***

Dr. David Donat Cattin, Astrid Reisinger Coracini

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: 18.00 - 19.30, Hotel Kolpinghaus

WEDNESDAY, 11 August 2010

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

Chair: Prof. Roger Clark, Prof. Benjamin Ferencz

- ***Report of the First Review Conference, First Part: Aggression as one of the “most serious crimes of concern to the international community as a whole” (article 5, Rome Statute) – Do the Kampala amendments respect this normative qualification?***

Dr. David Donat Cattin

Director of the International Law and Human Rights Programme, Parliamentarians for Global Action (PGA)

- ***Consent, aggression and the international legal order***

Astrid Reisinger Coracini

Lecturer, Institute of International Law and International Relations, University of Graz; Executive Director SLS

- ***Comments***

Prof. Roger Clark, Prof. Benjamin Ferencz

Lunch: 13.00 - 14.30, Cafeteria

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

Chair: Prof. Roger Clark, Prof. Otto Triffterer

- ***Report of the First Review Conference, Second Part: Stocktaking of international criminal justice without assessing the status of the fight against impunity world-wide – Was Kampala useful?***

Dr. David Donat Cattin

- ***New perspectives after the Kampala Conference and for African issues***

Judge Daniel Ntanda Nsereko

Judge and President of the Appeals Division at the International Criminal Court; Professor of Law, University of Botswana/Gaborone

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

THURSDAY, 12 August 2010

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

Chair: Dr. David Donat Cattin, Prof. Roger Clark

- ***Predecessors to the International Criminal Court and Current Developments in Practice***

Judge Rene Blattmann

Judge and former Second Vice President of the Trial Division at the International Criminal Court

- ***Reviewing the First Review Conference – inside and outside perspectives***

Prof. Otto Triffterer

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

Chair: Prof. Roger Clark, Prof. Otto Triffterer

- ***The crime of aggression – What is its scope and notion now?***

Judge Daniel Ntanda Nsereko

- ***The human right to peace***

Prof. William Schabas

Professor of Human Rights Law, National University of Ireland Galway; Director Irish Centre for Human Rights

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

FRIDAY, 13 August 2010

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

Chair: Dr. David Donat Cattin, Prof. William Schabas

- ***Prosecuting 39 year old atrocities in Bangladesh***

Prof. Suzannah Linton

Associate Professor of Law, University of Hong Kong

- ***Bangladesh's attempt to achieve post war justice in the international legal context***

Prof. Otto Triffterer

Lunch: 13.00 - 14.30, Cafeteria

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

Chair: Prof. Roger Clark, Prof. Otto Triffterer

- ***Dealing with the legacies of the past: a policy discussion on objectives and choices, means and methods***

Prof. Suzannah Linton

- ***Does the Court live up to our expectations of the conduct of international justice?***

Prof. William Schabas

SATURDAY, 14 August 2010

FREE, time at the disposal of participants

SUNDAY, 15 August 2010

FREE, social programme or time at the disposal of participants

MONDAY, 16 August 2010

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

Chair: Dr. Jarinde Temminck Tuinstra, Prof. Otto Triffterer

- ***Detention and other 21st Century Developments in IHL***
Col. William Lietzau Deputy Assistant Secretary of Defence for Detainee Policy, USA
- ***No reservations, as before, but special regulations for aggression***
Prof. Gerhard Hafner Professor Emeritus of International Law, University of Vienna; former member of the ILC

Lunch: 13.00 - 14.30, Cafeteria

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

Chair: Col. William Lietzau, Prof. Otto Triffterer

- ***The right to self-representation: to what degree can the right to legal assistance be waived in international criminal cases?***
Dr. Jarinde Temminck Tuinstra Lecturer in Criminal Law, University of Amsterdam
- ***The work of the Iraqi High Tribunal: a warning lesson about the difficulties of domestic prosecutions***
Prof. Jennifer Trahan Assistant Clinical Professor of Global Affairs, NYU; former Iraq Prosecutions Consultant, International Centre for Transitional Justice

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

TUESDAY, 17 August 2010

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

Chair: Judge Alphons Orie, Prof. Otto Triffterer

- ***Workshop: How we can develop a legal framework that will enable us to hold accountable CEOs and management of companies committing human rights abuses and environmental destruction?***
Bianca Jagger
- ***The “Complementarity Regime” of the Rome Statute – Shaping proper handling of responsibility for crimes within the jurisdiction of the ICC***
Prof. Otto Triffterer

Lunch: 13.00 - 14.30, Cafeteria

Closing Session: 14.30 – 16.00, HS 2.04

Chair: Prof. Otto Triffterer

Final Discussion with the speakers

Evaluation of the outcome of the SALZBURG LAW SCHOOL 2010

Future plans

Distribution of Certificates

Closing reception

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

FRIDAY, 20 August 2010

Departure of participants