

**14<sup>th</sup> Summer Session, Sunday 5 – Friday 17 August 2012**

Academic Programme: Prof. Dr. Otto Triffterer (em.)

SLS Team: Mag. Astrid Reisinger Coracini, Mag. Marlene Eichholzer, Mag. Brigitte Schuller

**ENFORCING INTERNATIONAL CRIMINAL LAW  
THROUGH THE COMPLEMENTARITY REGIME  
OF THE ROME STATUTE!  
DEMAND AND REALITY**

**SUNDAY, 5 August 2012**

**Welcome and registration** of participants and lecturers starting at 15 pm at the Hotel Kolpinghaus, Adolf-Kolping-Straße 10, A- 5020 Salzburg, Phone.: xxxx.

**SLS Hotline**

+43/xxx, Mag. Brigitte Schuller

+43/xxx, Mag. Marlene Eichholzer

**Venue of the Opening Ceremony**, 'Alte Aula', Library of the University of Salzburg, Hofstallgasse 2-4 (just across the 'Festspielhaus'), Monday 6<sup>th</sup> August at 10 am.

**Lectures take place** at the Institute for Social and Economic Sciences HS 2.04, Kapitelgasse 5-7 (in the Old Town); exact locations and schedule of additional workshops will be announced later.

**Please bring your Rome Statute, Elements of Crimes, Rules of Procedure and Evidence and the Resolutions of the First Review Conference in Kampala to all sessions!**

The lunch will take place in the **Cafeteria** of the Faculty of Law, Salzburg which is located in the courtyard at Churfürststraße 1 (Law Faculty, Toskana Trakt)

The following timetable for the Academic Programme may be changed on short notice due to unexpected incidents.

## DRAFT ACADEMIC PROGRAMME

### MONDAY, 06 August 2012

#### 10.00 a.m. Opening Ceremony

Welcome: **Dean of the Faculty of Law, Prof. Dr. Friedrich Harrer**  
**Former Dean of the Faculty of Law, Prof. Dr. Kurt Schmoller**

#### 10.30 a.m. Key note

- ***New horizons after Kampala***

**Prof. Benjamin Ferencz**

A leading Nuremberg Prosecutor with continuous efforts to enhance international criminal law and its enforcement

#### 12.00 a.m. Introduction

##### Legal and political context of the academic programme 2012

**Task and challenge: To enlighten universally about the inviolable human dignity**

**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.

#### 12.30 a.m. Reception

Lunch: 13.00 - 14.30, Cafeteria

#### First Session: 14.30 – 17.30, HS 381 (with coffee break and discussion)

Chair: Dr. David Donat Cattin

- ***Discussing illegal use of armed force as a crime against humanity***

**Prof. Benjamin Ferencz**

- ***Jurisdiction in International Criminal Law: Pirates, the Slave Trade, Submarine Cables and 'The Lotus'***

**Prof. Roger Clark**

Board of Governors Professor, Rutgers University  
School of Law

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

## **TUESDAY, 7 August 2012**

### **Second Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Otto Triffterer

- ***Implementing the Crime of Aggression under Domestic Law***  
Prof. Roger Clark
- ***Complementarity and the crime of aggression: is Complementarity the right approach?***

**Prof. Jennifer Trahan**

Assistant Clinical Professor of Global Affairs, NYU;  
Chair, American Branch of the International Law  
Association, ICC Committee; American Bar  
Association, ICC Task Force

**Lunch:** 13.00 - 14.30, Cafeteria

### **Third Session: 14.30 – 17.30, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Roger Clark

- ***The relationship between the ICC and the UN Security Council: (i) referrals, (ii) deferral, and (iii) cooperation***

**Dr. David Donat Cattin**

Senior Director, Int. Law & Human Rights Programme,  
Parliamentarians for Global Action  
Adjunct Assist. Professor (Int. Law), Center for  
Global Affairs, New York University

- ***Cooperation of States and International Organizations with the ICC - The legal and political intricacies of international "arrest operations" of ICC fugitives***

**Dr. David Donat Cattin**

**Dinner:** 18.00 - 19.30, Hotel Kolpinghaus

## **WEDNESDAY, 08 August 2012**

### **Fourth Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Dr. David Donat Cattin

- ***Future Rome Statute Amendments***  
Prof. Jennifer Trahan
- ***Thoughts on the Lubanga Dyilo Conviction***  
Prof. Roger Clark

**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

## **THURSDAY, 09 August 2012**

**Fifth Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Charles Garraway

***Panel: The first 10 Years of ICC practice from the Rome Statute's Entry into Force on 1 July 2002: Lessons Learned and Challenges for the Future***

- ***Milestones in the first ten years of ICC jurisprudence***

**Astrid Reisinger Coracini**

Lecturer, Institute of International Law and International Relations, University of Graz; Executive Director, Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law

- ***Non-judicial achievements (and challenges) – deterrence, victims and prosecutorial policies***

**Dr. David Donat Cattin**

Lunch: 13.00 - 14.30, Cafeteria

**Sixth Session: 14.30 – 17.30, HS 381 (with coffee break and discussion)**

**Chair:** Astrid Reisinger Coracini

- ***The United States of America's relationship with the Court***

**Col. William Lietzau**

Deputy Assistant Secretary of Defence for Detainee Policy, USA

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

## **FRIDAY, 10 August 2012**

**Seventh Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Otto Triffterer

- ***Complementarity and Domestic Law: The Need for Implementing Legislation***

**Prof. Charles Garraway**

Fellow, Human Rights Centre, University of Essex; Associate Fellow, Chatham House, International Security Programme; Former Stockton Professor of International Law, United States Naval War College

- ***Aiding and abetting, generalizing a special mental element to support the genocidal intent?***

**Prof. Christoph Safferling**

Professor for Criminal Law and Procedure and International Criminal Law, University of Marburg



## **TUESDAY, 14 August 2012**

### **Eleventh Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Otto Triffterer

- ***The Islamic Criminal Justice System and the Complementarity Regime of the International Criminal Court: Replacing Conflict with Harmony***

**Dr. Mohamed Elewa Badar**

Lecturer in International Criminal Law and Islamic Law, Co-Director, Centre for International and Public, Brunel Law School, Brunel University

Lunch: 13.00 - 14. 30, Cafeteria

### **Twelfth Session: 14.30 – 17.30, HS 381 (with coffee break and discussion)**

**Chair:** Astrid Reisinger Coracini

- ***ICC Kenya's Complementarity Issues – State Compliance Failures***

**Steven W. Kay Q.C.**

Former assigned counsel to Mr. Slobodan Milošević at the ICTY; Defence counsel at the International Criminal Court and at several special courts like the Special Tribunal for Lebanon

- ***Bangladesh Rulings from a National International Crimes Tribunal – Progressive or Regressive use of international humanitarian law?***

**Steven W. Kay Q.C.**

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

## **WEDNESDAY, 15 August 2012**

### **Thirteenth Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Otto Triffterer

- ***Salzburg Law School Trophy: N.N.***

**Steven W. Kay Q.C.**

**Gillian Higgins**

Defense counsel at the International Criminal Court, former assigned counsel to Mr. Slobodan Milošević at the ICTY

Lunch: 13.00 - 14.30, Cafeteria

**Fourteenth Session: 14.30 - 17.30, HS 381**

**Chair:** Prof. Otto Triffterer

- ***Continued: Salzburg Law School Trophy***  
**Steven W. Kay Q.C. / Gillian Higgins**
- ***Group Discussion on Studying and Careers in International Law***  
**Steven W. Kay Q.C. / Gillian Higgins**

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

**THURSDAY, 16 August 2012**

**Fifteenth Session: 9.00 – 13.00, HS 381 (with coffee break and discussion)**

**Chair:** Prof. Otto Triffterer

- ***African Court on Human and Peoples' Rights***  
**Gillian Higgins**
- ***Zimbabwe and Mugabe's regime***  
**Gillian Higgins**

Lunch: 13.00 - 14.30, Cafeteria

**Closing Session: 14.30 – 16.00, HS 381**

**Chair:** Prof. Otto Triffterer

Final Discussion with the speakers

Evaluation of the outcome of the SALZBURG LAW SCHOOL 2012

Future plans

Distribution of Certificates

Closing reception

Dinner: 18.00 - 19.30, Hotel Kolpinghaus

**FRIDAY, 17 August 2012**

Departure of participants