



Seventeenth Summer Session of
Salzburg Law School on International Criminal Law,
Humanitarian Law and Human Rights Law
Sunday 2 – Wednesday 12 August 2015

**Salzburg Law School on International Criminal Law,
Humanitarian Law and Human Rights Law**

Founded by **Otto Triffterer**

in collaboration with ELSA Salzburg at the Salzburg Law Faculty

Continued by the Salzburg Law Faculty under the
direction of **Astrid Reisinger Coracini**

**Seventeenth Summer Session,
Sunday 2 – Wednesday 12 August 2015**

Academic Programme: Astrid Reisinger Coracini
Executive Team: Valentin Dornik, Bernhard Zwein

**Strategies to Narrow the Impunity Gap:
Improving the Effectiveness of International Criminal Law and
Exploring Alternative Forms of Accountability**

Points of contact and venues

SLS Hotline

xxxx, Bernhard Zwein
xxxx, Valentin Dornik

Accommodation

Hotel Kolpinghaus, Adolf-Kolping-Straße 10, 5020 Salzburg, Phone: xxxx

Opening Ceremony

'Alte Aula', Library of the University of Salzburg, Hofstallgasse 2-4 (just across the 'Festspielhaus'),
Monday, 3 August at 10 a.m.

Lectures

Law Faculty, Churfürststraße 1, Toskanatrakt, Room HS 209

Lunch

Cafeteria of the Faculty of Law of the University of Salzburg located in the courtyard at
Churfürststraße 1 (Faculty of Law, Toskanatrakt)

Announcements

Kindly check our flip charts outside the lecture room and in the lobby of Hotel Kolpinghaus for
announcements concerning changes of the academic programme, further activities and the social
programme.

**Please bring your amended Rome Statute, Elements of Crimes and Rules of Procedure and
Evidence to all sessions!**

The following timetable may be subject to changes on short notice.

SUNDAY, 2 August 2015

Welcome and registration of participants at Hotel Kolpinghaus starts at 4 p.m.

Dinner: 8 p.m., Hotel Kolpinghaus

SLS 2015 ACADEMIC PROGRAMME

MONDAY, 3 August 2015

10.00 a.m. Opening Ceremony

Welcome: Vice-Dean of the Faculty of Law, Prof. Kirsten Schmalenbach

In memoriam Prof. Otto Triffterer

Prof. Kurt Schmoller, Professor of Criminal Law and Criminal Procedure, University of Salzburg, Head of the Department of Criminal Law and Criminal Procedure

Dr. Astrid Reisinger Coracini, Lecturer, Director of the Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law

10.30 a.m. Keynote address

- ***The international community's commitment to human rights and accountability at the crossroads?***

Mr. David Tolbert, President, International Center for Transitional Justice

12.00 a.m. Introduction to the academic programme of SLS 2015

Dr. Astrid Reisinger Coracini

12.30 a.m. Reception

Lunch: 13.00 - 14.15, Cafeteria

First Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)

- ***The historic development and doctrinal basis of international criminal law as a branch of international law***

Prof. Roger Clark, Board of Governors Professor, Rutgers University School of Law

- ***The primary responsibility of states to exercise criminal jurisdiction and the potential of complementary justice mechanisms***

Mr. David Tolbert

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 4 August 2015

Second Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- ***International efforts to criminalize the unlawful use of force: Overview and future prospects***

Prof. Don Ferencz, Convenor, The Global Institute for the Prevention of Aggression; Visiting Professor, School of Law, Middlesex University; Research Associate, Oxford University Faculty of Law Centre for Criminology

- ***Aggression and the use of force to prevent core crimes: The case of humanitarian intervention***

Prof. Jennifer Trahan, Associate Clinical Professor of Global Affairs, New York University; Chair, American Branch of the International Law Association ICC Committee; 2010 American Bar Association ICC Task Force

- ***Towards the activation of the Kampala compromise on the crime of aggression in 2017 – paving the way and surmounting last obstacles***

Interventions by **Prof. Roger Clark, Dr. David Donat Cattin, Prof. Don Ferencz, Prof. Jennifer Trahan, Dr. Astrid Reisinger Coracini**

Lunch: 13.00 - 14.15, Cafeteria

Third Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)

- ***Post bellum functions of international criminal law: Justice, reconciliation, and memorialisation? Examples from Rwanda and the former Yugoslavia***

Prof. Jennifer Trahan

- ***Prae and in bello functions of international criminal law: Universality, deterrence, and the politics of international criminal justice***

Dr. David Donat Cattin, Secretary-General, Parliamentarians for Global Action; Adjunct Assistant Professor of International Law, Centre for Global Affairs, New York University

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

WEDNESDAY, 5 August 2015

Fourth Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- ***The ‘same person/same conduct’ test under scrutiny. Does the Court’s complementarity jurisprudence favour international prosecution?***

Ms. Eleni Chaitidou, Legal Officer at the Pre-Trial Division, ICC

- ***‘Principles of reparation’ – Another milestone towards a comprehensive system of protecting the rights of victims under the Rome Statute***

Dr. David Donat Cattin

Lunch: 13.00 - 14.00, Cafeteria

Afternoon: Guided city tour, meeting point: Cafeteria, Toskanatrakt, 14.00
or time at the disposal of participants

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 6 August 2015

Fifth Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- ***Article 53, between the duty to prosecute and prosecutorial discretion: How to narrow the impunity gap by applying the law as it is***

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

- ***The concept and practice of transitional justice***

Thomas Unger, LL.M., E.MA., Adviser to the UN Special Rapporteur on Truth, Justice, Reparation and Guarantees of Non-Recurrence; Researcher, Geneva Academy of International Humanitarian Law and Human Rights

Lunch: 13.00 - 14.15, Cafeteria

Sixth Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)

- ***The day they dropped the bomb. Hiroshima, international law and nuclear weapons 1945 and 2015***

Prof. Roger Clark

- ***Workshop on current developments in the jurisprudence of the ICC***

Gilbert Bitti

Eleni Chaitidou

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

FRIDAY, 7 August 2015

Seventh Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- ***Case Study on transitional justice in Burundi: What happened since Arusha?***

Thomas Unger

- ***Proposals to amend the Rome Statute: Missing crimes and the integrity of the Statute***

Prof. Roger Clark

Lunch: 13.00 - 14.15, Cafeteria

Eighth Session: 14.15 – 18.00

- **Screening of the documentary ‘Watchers of the Sky’ (2014),**
Salzburger Filmkulturzentrum DAS KINO, Giselakai 11, 5020 Salzburg, 14.30-16.30
- **Workshop on vertical and horizontal international obligations under judicial scrutiny – arguments and latest developments in the immunity saga**

Dr. Astrid Reisinger Coracini

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

SATURDAY, 8 August 2015

Ninth Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- **The power of the name: Legal and political use and misuse of the term Genocide**
Prof. William A. Schabas, OC MRIA, Professor of International Law, School of Law, Middlesex University, Professor of International Criminal Law and Human Rights, Leiden University

- **The ICC at the centre of an international justice system. A critical evaluation**

Prof. William A. Schabas

Lunch: 13.15 - 14.30, Restaurant Stieglkeller, Festungsgasse 10

Afternoon: FREE time at the disposal of participants

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

SUNDAY, 9 August 2015

FREE time at the disposal of participants

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

MONDAY, 10 August 2015

Tenth Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- **Domestic criminalization of crimes under international law – the Austrian experience**
Dr. Astrid Reisinger Coracini
- **Implementing legislation for facilitating cooperation with the ICC**

Prof. Olympia Bekou Professor of Public International Law and Head, International Criminal Justice at Human Rights Law Centre, School of Law, University of Nottingham

Lunch: 13.00 - 14.15, Cafeteria

Eleventh Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)

- ***Prosecuting core international crimes in post conflict situations: case mapping, selection, and prioritisation of sexual violence cases in the DRC***

Prof. Olympia Bekou

- ***Participation and representation – enforcing victims' rights in international criminal proceedings***

Mr. Orchlon Narantsetseg, LL.M., Legal Officer, Office of Public Counsel for Victims, ICC

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 11 August 2015

Twelfth Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)

- ***Determining the Court's jurisdictional reach – states parties, referrals and ad hoc declarations***

Dr. Rod Rastan, Legal Adviser, Jurisdiction, Complementarity and Cooperation Division, Office of the Prosecutor, ICC

- ***The judicial and non-judicial functions of preliminary examinations***

Dr. Rod Rastan

Lunch: 13.00 - 14.15, Cafeteria

Thirteenth & Closing Session: 14.15 – 16.00, HS 209

- ***In remembrance of Otto Triffterer: Towards an international criminal justice system? Milestones, flaws and the way ahead***

Prof. Benjamin Ferencz, A leading Nuremberg Prosecutor with continuous efforts to enhance international criminal law and its enforcement (via video message)

Evaluation of the outcome of the Salzburg Law School 2015

Future plans

Distribution of Certificates

Refreshments

Closing Dinner: 19.00h, Panorama Restaurant zur Festung Hohensalzburg, Mönchsberg 34

WEDNESDAY, 12 August 2015

Departure of participants

SLS 2015 Faculty

Prof. Olympia Bekou

Professor Olympia Bekou is Professor of Public International Law and Head of the International Criminal Justice Unit of the University of Nottingham Human Rights Law Centre. Olympia read law at the Democritus University of Thrace in Greece and was subsequently admitted to the Greek Bar. She completed the LLM in International Law at the University of Cambridge and obtained her PhD in International Criminal Law from the University of Nottingham, for which she had been awarded a NATO Fellowship.



Olympia joined the School of Law in September 2002 and currently teaches Public International Law and International Criminal Law. In recent years, Olympia has been a fellow of the Max Planck Institute for Foreign and International Criminal Law in Freiburg, Germany, and she has also held visiting positions at the TC Beirne School of Law, University of Queensland, Australia, the University of Nantes, France and Istanbul Bilgi University, Turkey, where she researched and taught International Criminal Law.

Olympia has provided research and capacity building support for 63 States, intensive training to more than 75 international government officials, drafting assistance to Samoa (with legislation enacted in November 2007), Fiji, and Jamaica, and has been involved in training the Thai Judiciary. She has also undertaken capacity building missions in post-conflict situations such as Uganda, the DRC, and Sierra Leone.

Olympia is solely responsible for the National Implementing Legislation Database (NILD) of the International Criminal Court's Legal Tools Project. A qualified lawyer, Olympia is also Deputy Director of the Case Matrix Network and a member of the Advisory Board and Editor of the Forum for International Criminal and Humanitarian Law.

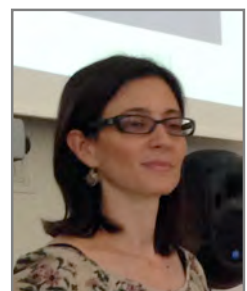
Mr. Gilbert Bitti

Gilbert Bitti is Senior Legal Adviser to the Pre-Trial Division of the International Criminal Court (ICC). He has been a member of the French Delegation during the ICC negotiations in the Ad Hoc Committee (1995), Preparatory Committee (1996-1998), Rome Conference (1998) and Preparatory Commission (1999-2002). Before that, he was Counsel to the French Government at the European Court of Human Rights (1993-2002). He is also a former Assistant Professor at the Faculty of Law in Paris. Bitti is the author of numerous publications on the ICC and he speaks regularly at academic conferences on international criminal justice.



Ms. Eleni Chaitidou

Eleni Chaitidou studied law in Germany where she passed both State Examinations in Law. She worked for several years at the Law Faculty of the University of Munich in the field of Public International and European Community Law. In 2006 she joined the Pre-Trial Division of the International Criminal Court where she works as a Legal Officer. Ms Chaitidou has published on selected issues of international (criminal) law and is the assistant editor of the Commentary on the UN-Charter (OUP, 2nd edition).



Prof. Roger Clark

Professor Clark (B.A., L.L.B., L.L.M., L.L.D., L.L.D. honoris causa; Victoria University of Wellington, New Zealand; L.L.M., J.S.D.; Columbia University, New York) is Board of Governors Professor at Rutgers University School of Law. He teaches courses in international law; international protection of human rights; international organizations; international criminal law and criminal justice policy; United States foreign relations and national security law; and criminal law. He served as a member of the United Nations Committee on Crime Prevention and Control between 1987 and 1990.



Prior to joining the Rutgers faculty in 1972, he worked for the New Zealand Justice Department and Ministry of Foreign Affairs; taught law in New Zealand; served as an American Council of Learned Societies Fellow and Doctoral Fellow at the Columbia University School of Law; interned at the United Nations; and taught at the law school of the University of Iowa.

He has been a visiting or adjunct professor at numerous institutions, including the University of Pennsylvania, the University of Miami, the University of Graz in Austria, and the University of the South Pacific (Fiji). He has taught in study abroad programs offered by Temple University and the University of San Diego and teaches regularly in the University of Salzburg's Summer School in International Criminal Law. Professor Clark serves on the editorial boards of various publications, including *Criminal Law Forum: An International Journal*; the *Human Rights Review*; and the *International Lawyer*. He has been a board member of several international non-governmental organizations, such as the International Centre for Criminal Law Reform and Criminal Justice Policy in Vancouver, B.C., and the International League for Human Rights, headquartered in New York.

In 1995 and 1996, he represented the Government of Samoa in arguing the illegality of nuclear weapons before the International Court of Justice in The Hague. Since 1995, he has represented Samoa in negotiations to create the International Criminal Court and to get the Court running successfully. He was very active in Court's Special Working Group on the Crime of Aggression which had the task of drafting an amendment to the Court's Statute to activate its nascent jurisdiction over the crime of aggression. In 2014, he joined the legal team representing the Marshall Islands in its cases against the states possessing nuclear weapons for failure to disarm. These cases are before the International Court of Justice in The Hague.

Dr. David Donat Cattin

David Donat Cattin (Ph.D Law, Italy) is the Secretary General of Parliamentarians for Global Action (PGA). Over the last 14 years, Dr. Donat Cattin worked with PGA's International Law & Human Rights Programme to promote the universality and effectiveness of the International Criminal Court (ICC) Statute in more than 100 countries. With his assistance, PGA Members contributed to the ratification process of 76 out the current 122 States Parties to the Rome Statute, including the ratifications/accessions by Japan (2007), The Philippines, The Maldives, Cape Verde and Vanuatu (2011), as well as Cote d'Ivoire (2013).



Dr. Donat Cattin holds a Ph.D in Public International Law (2000) from the University of Teramo (Italy), Faculty of Law, and a 'magna cum laude' law degree (1994) from the LUISS-Guido Carli University (Rome, Italy). His writings on international criminal law appeared on well known scholarly works, such as Triffterer's "Commentary on the Rome Statute of the ICC" (I ed. 1999; II ed. 2008; upcoming III ed. 2015/15) and Lattanzi/Schabas "Essays on the Rome Statute of the ICC" (vol. I, 1999; vol. II, 2004). Since May 2012, he is an "Adjunct Assistant Professor" of International Law at New York University (NYU), Center for Global Affairs. Since August 1999,

he is a lecturer at the summer programme of the Salzburg Law School on Int. Criminal Law, Faculty of Law, University of Salzburg (Austria).

Among the academic institutions in which he gave presentations and lectures, it is noteworthy to mention the University of Botswana in Gaborone, the Brazilian Institute of Criminal Sciences (IBCCRIM) in Sao Paulo, the Royal Institute for Foreign Affairs "Chatham House" in London, Frei Univ. and Humboldt Univ. in Berlin (Germany), the Italian Society of International Organisation (SIOI), the TMC Asser Institute for International Law in The Hague and the Hague Academy of International Law (The Netherlands), the Faculty of Law of Cambridge University, the City University of New York and NYU School of Law. He has been heard as expert-witness on the ICC and its impact on conflicts in Africa by the German Bundestag, Committee on Human Rights and Humanitarian Affairs (Sept. 2007) and on the situation in Darfur by the Italian Chamber of Deputies, Sub-Committee on Human Rights (Dec. 2008 and Feb. 2009). He also intervened on the ICC and the fight against impunity and on the Kampala Amendments in the European Parliament, Sub-Committee on Human Rights (April 2010 and February 2015 respectively) and in the plenary of the Africa-Caribbean-Pacific—European Union Joint Parliamentary Assembly (March 2008).

Dr. Donat Cattin has been interviewed in a number of international media on international criminal justice issues. These media include: BBC World Service, Reuters, Al-Jazeera (Eng), Deutsche Welle, Radio Netherlands Worldwide (RNW), Sky TG 24, Radiotelevisione Svizzera Italiana (RSI), Inter-Press Service, Institute for War and Peace Reporting, WBS (Uganda).

Prof. Benjamin Ferencz

Ben Ferencz, born in Transylvania in 1920, attended public schools in New York. He won a scholarship to Harvard Law School where he worked as a researcher for a professor doing a book on war crimes. He received his degree in 1943 and promptly joined the US army as a private in the artillery. He was awarded five battle stars for not being killed or wounded at Normandy Beach and every major campaign in Europe. As the war was ending, he was transferred to General Patton's HQ to serve as a war crimes investigator. He entered many Nazi concentration camps as they were liberated. The horrors made an indelible impression. He returned home and was promptly recruited by General Telford Taylor to return to Germany to help in the additional war crimes trials. He was appointed Chief Prosecutor in what was aptly described as the biggest murder trial in history - the "Einsatzgruppen case". All 22 defendants, including six SS Generals, were convicted of murdering over a million innocent men, women and children. 13 defendants were sentenced to death. Ferencz was then 27 years old and it was his first case.

Almost all of his life since then has been spent trying to obtain compensation for victims and trying to prevent illegal war-making. He became a self-appointed personal lobbyist for peace, with countless lectures, publications and speeches in many universities and countries. For several years he was an Adjunct Professor at Pace Law School where he taught "The International Law of Peace". He lives in New Rochelle, New York, and has been married to his wife, Gertrude, for over 69 years. They have four grown children. <http://www.benferencz.org>



Prof. Don Ferencz

Donald Ferencz is a lawyer, an educator, and a proponent of the rule of law. He was born in Nuremberg, Germany in 1952, where his father, Benjamin Ferencz, had, only a few years earlier, served as the Chief Prosecutor at one of the trials that the American government held subsequent to the completion of the International Military Tribunal. It was at Nuremberg that the top leaders of the Nazi high command had been held to account for war crimes, crimes against peace, and crimes against humanity, and it was there that Don was, quite literally, born into an awareness that law is better than war. As an undergraduate, Don earned a Baccalaureate Degree in Peace Studies at Colgate University in New York, and undertook coursework at the Canadian Peace Research Institute in Ontario, Canada. He went on to pursue graduate degrees in education, law, business, and taxation, which combination led to an eclectic career, encompassing five years as a tenured school teacher, a term as an adjunct professor of law at Pace University Law School in New York, and two decades working as a consultant and senior international tax executive for several publicly-traded multinational companies. In 1996, Don and his father established The Planethood Foundation to help educate toward replacing the law of force with the force of law. Beginning in 2005, Don served as a non-governmental advisor to the Assembly of States Parties' working group on the crime of aggression, up to and including the ICC Review Conference in Kampala, Uganda, where provisions regarding the crime of aggression were adopted by consensus in 2010. Don is the Convenor of the Global Institute for the Prevention of Aggression (please see <http://crimeofaggression.info/the-campaign/the-global-institute-for-the-prevention-of-aggression>), which was formally launched at an international law symposium convened at St. Anne's College, Oxford in 2011. Don is currently a Visiting Professor at Middlesex University School of Law in London and a Research Associate at the Oxford University Faculty of Law Centre for Criminology. His work focuses primarily on strengthening the rule of law through universalization of the core crimes of the International Criminal Court, both internationally and within national criminal codes. He resides in the U.K. and may be contacted at donferencz@aol.com.



Mr. Orchlon Narantsetseg

Orchlon Narantsetseg is an international lawyer practicing at the ICC. He has fifteen years of professional experience stretching from criminal investigations and representation of accused persons in national jurisdictions, to representing victims before the ICC. For the last ten years, he has been working as a Legal Officer at the Office of Public Counsel for Victims of the ICC. In collaboration with his colleagues, Mr. Narantsetseg represented thousands of victims of atrocities in cases from Democratic Republic of the Congo, Uganda, Central African Republic, and Kenya. Currently, he is the victims' counsel, appearing on behalf of the victims' legal representative in The Prosecutor vs Ruto and Sang case at the ICC. Apart from his daily professional duties, since 2006, he has also been serving the Court's Internship/Visiting Professional Selection Committee, overseeing the selection of interns and visiting professionals.



Before coming to The Hague, Mr. Narantsetseg represented both victims and accused persons in several high profile cases in Mongolia. For example, in 2004 - 2005, he represented a well-known lawyer who was charged with high treason for exposing criminal acts committed by intelligence agents. In this case, he worked in collaboration with Mr. Manfred Nowak, the former UN Special Rapporteur on Torture. (This case was the subject of the Special Rapporteur's report UN Doc. E/CN.4/2006/6/Add.4).

Prior to his legal studies in the US, Mr. Narantsetseg worked as a criminal investigator in Mongolia and investigated scores of serious crimes such as bribery, racketeering, rape, and murder, involving recidivist offenders and organized criminal networks.

Dr. Rod Rastan

Rod Rastan serves as Legal Advisor in the Office of the Prosecutor at the International Criminal Court, where he deals with international law issues, in particular in relation to jurisdiction, admissibility and judicial assistance. Prior to joining the ICC, he worked for several years in the area of human rights, rule of law, and mediation with United Nations missions in Bosnia and Herzegovina, East Timor and Cyprus as well as with field presences of the European Union and the Organisation for Security and Cooperation in Europe. He also participated in the negotiation of the ICC Statute and Rules of Procedure and Evidence. He holds a PhD in Law from the London School of Economics and has published and lectured on international criminal law.



Dr. Astrid Reisinger Coracini

Astrid Reisinger Coracini is a Lecturer at the University of Salzburg, Austria, and Director of the Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law (www.salzburglawschool.com). Previously, she was a Visiting Researcher at the New York University, Assistant Professor at the Institute of International Law and International Relations of the University of Graz, Austria, and Research Assistant for international and comparative criminal law at the University of Salzburg (Prof. Otto Triffterer). Ms. Reisinger Coracini was also responsible for the development of an international and interdisciplinary master programme in anti-corruption studies at the International Anti-Corruption Academy and served as Legal Officer at the Austrian Federal Ministry for Foreign Affairs. She holds a master and a doctorate degree in law from the University of Graz.



Ms. Reisinger Coracini participated in the negotiations of the Special Working Group on the Crime of Aggression as an individual expert and was a member of the Austrian delegation at the first Review Conference of the Rome Statute of the International Criminal Court in Kampala. Her research focuses on theory and sources of international law, the use of force, and international criminal law.

Prof. William A. Schabas OC MRIA

Professor William A. Schabas is professor of international law at Middlesex University in London. He is also professor of international criminal law and human rights at Leiden University, emeritus professor of human rights law at the National University of Ireland Galway and honorary chairman of the Irish Centre for Human Rights.

Professor Schabas holds BA and MA degrees in history from the University of Toronto and LLB, LLM and LLD degrees from the University of Montreal, as well as several honorary doctorates. He is the author of more than twenty books dealing in whole or in part with international human rights law, including *The Universal*



Declaration of Human Rights: The travaux préparatoires (Cambridge 2013), *Unimaginable Atrocities* (Oxford, 2012), *The International Criminal Court: A Commentary on the Rome Statute* (Oxford, 2010), *Introduction to the International Criminal Court* (Cambridge, 2011), *Genocide in International Law* (Cambridge, 2009) and *The Abolition of the Death Penalty in International Law* (Cambridge, 2003). Professor Schabas drafted the 2010 report of the Secretary-General on the status of the death penalty (UN Doc. E/2010/10).

Professor Schabas was named an Officer of the Order of Canada in 2006. He was elected a member of the Royal Irish Academy in 2007.

Mr. David Tolbert

David Tolbert was appointed president of the International Center for Transitional Justice in March of 2010. Previously he served as registrar (assistant secretary-general) of the Special Tribunal for Lebanon and prior to that was assistant secretary-general and special expert to the United Nations secretary-general on United Nations Assistance to the Khmer Rouge Trials.



From 2004 to 2008 Mr. Tolbert served as deputy chief prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY). He had previously been the deputy registrar of the ICTY and at an earlier time served at the ICTY as chef de cabinet to President Gabrielle Kirk McDonald and Senior Legal Adviser, Registry, serving a total of 9 years at the ICTY.

From 2000 to 2003 Mr. Tolbert held the position of executive director of the American Bar Association's Central European and Eurasian Law Initiative, which manages rule-of-law development programs throughout Eastern Europe and the former Soviet Union. He also held the position of chief, General Legal Division of the United Nations Relief Works Agency in Vienna, Austria, and Gaza. In addition Mr. Tolbert taught international law and human rights at the post-graduate level in the United Kingdom and practiced law for many years in the United States.

David Tolbert was Jennings Randolph Senior Fellow at the United States Institute of Peace and served as a member of the American Society of International Law Task Force on United States Policy Toward the International Criminal Court (ICC) during 2008 and 2009. He has a number of publications on international criminal justice, the ICTY, and the ICC, in the Harvard Human Rights Journal, The Fletcher Forum of World Affairs, and other journals and books. Mr. Tolbert frequently lectures and makes public appearances on international justice issues. He also represented the ICTY in the discussions leading up to the creation of the ICC and the Rome Conference and served as an expert to the ICC Preparatory Committee Inter-Sessional meetings. Mr. Tolbert is a member of the Council on Foreign Relations.

Prof. Jennifer Trahan

Jennifer Trahan is Associate Clinical Professor of Global Affairs at N.Y.U. She teaches: International Law; Human Rights in Theory & Practice; International Justice; Transitional Justice; U.S. Use of Force & the "Global War on Terror"; and a field intensive on "War Crimes Prosecutions in the Former Yugoslavia" that travels to The Hague, Bosnia and Serbia. She has served as counsel and of counsel to the International Justice Program of Human Rights Watch; served as Iraq Prosecutions Consultant to the International Center of Transitional Justice; and worked on cases before the Special Court for Sierra Leone and the International Criminal



Tribunal for Rwanda. She is the author of “Genocide, War Crimes and Crimes Against Humanity: A Digest of the Case Law of the International Criminal Tribunal for Rwanda” (HRW 2010), and “Genocide, War Crimes and Crimes Against Humanity: A Topical Digest of the Case Law of the International Criminal Tribunal for the former Yugoslavia.” (HRW 2006). The latter book was released by Universidad Iberoamericana in Spanish, and her earlier books have been translated by the U.N.D.P. into Bosnian-Croatian-Serbian, and by Human Rights Watch into French. She is also the author of numerous law reviews, including “Why the Killing in Darfur is Genocide,” “The Rome Statute’s Amendment on the Crime of Aggression: Negotiations at the Kampala Review Conference,” as well as several articles about the work of the Iraqi High Tribunal, including “A Critical Guide To The Iraqi High Tribunal’s Anfal Judgment: Genocide Against The Kurds.” She has also served as an observer for the Association of the Bar of the City of New York to Meetings of the International Criminal Court’s Special Working Group on the Crime of Aggression, as Chairperson of the American Branch of the International Law Association’s International Criminal Court Committee, as a member of the American Bar Association 2010 ICC Task Force, and as a member of the New York City Bar Association’s Task Force on National Security and the Rule of Law. She was an NGO observer at the ICC Review Conference in Kampala, Uganda. She has also taught at Columbia University, Fordham Law School, Brooklyn Law School, and The New School. Earlier in her career, she spent 10 years in private practice as a litigator at a large New York City law firm. She holds an A.B. from Amherst College, a J.D. from N.Y.U. School of Law, and an LL.M from Columbia Law School, specializing in international law.

Mr. Thomas Unger

Thomas Unger is currently working as a researcher on transitional justice and as an adviser to the UN Special Rapporteur on Truth, Justice, Reparation and Guarantees of Non-Recurrence. Thomas Unger has worked before as a legal adviser to the Austrian Foreign Ministry on human rights and international humanitarian law. He was also engaged as a senior associate with the International Center for Transitional Justice. He has been working as a legal system monitor with the OSCE Mission in Kosovo, as well as a legal clerk with the Office of the Prosecutor of the ICTY.



Thomas Unger holds a university degree in law from the Faculty of Law, University of Vienna, as well as an LL.M in international legal studies from NYU Law School and a Masters in Human Rights and Democratization from the European Inter-University Centre for Human Rights and Democratization (Venice).

We would like to **thank our Sponsors** for their financial contribution to the Seventeenth Summer Session of Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law without which this Summer Session could not have been realized. Your support is very much appreciated!

Paris-Lodron-University, Salzburg

Law Faculty of the Paris-Lodron-University, Salzburg

Planethood Foundation

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