



Nineteenth Summer Session of  
Salzburg Law School on International Criminal Law,  
Humanitarian Law and Human Rights Law  
Sunday 30 July – Wednesday 9 August 2017

**Nineteenth Summer Session,  
Sunday 30 July – Wednesday 9 August 2017**

Academic Programme: Astrid Reisinger Coracini  
Executive Team: Anna Blumauer, Bernhard Zwein

**Between Codification and Progressive Development:  
International Criminal Law after Rome and Kampala**

**Points of contact and venues**

SLS Hotline

xxxx Anna Blumauer  
xxxx Bernhard Zwein

Accommodation

Hotel Kolpinghaus, Adolf-Kolping-Straße 10, 5020 Salzburg, Phone: xxxx.  
Europa Kolleg, Robert-Preußler-Straße 28 / Franz von Sales Kolleg, Robert-Preußler-Straße 11,  
5020 Salzburg, Phone xxxx.

Opening Ceremony

'Alte Aula', Library of the University of Salzburg, Hofstallgasse 2-4 (just across the 'Festspielhaus'),  
Monday, 31 July at 10.00.

Lectures

Law Faculty, Churfürststraße 1, Toskanatrakt, second floor, room HS 209 or HS 208.

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 chart outside the lecture room 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, 30 July 2017**

**Welcome, registration & dinner 18.00**, Restaurant II Sole, Gstättengasse 15, 5020 Salzburg

**First Session:**

- ***International criminal law deliberations of the International Law Commission at its sixty-ninth session***

**Prof. Dire Tladi**, Professor of International Law, University of Pretoria; Member of the  
International Law Commission; Special Advisor to the South African Minister of International  
Relations and Cooperation

## **MONDAY, 31 July 2017**

### **10.00 Opening Ceremony**

**Welcome:**     **Prof. Rudolf Feik**, Vice-Rector of the University of Salzburg  
                  **Prof. Kurt Schmoller**, Head of the Department of Criminal Law and  
                  Criminal Procedure at the University Salzburg

### **10.30 Keynote address**

- ***Current developments of international criminal law and future challenges faced by the International Criminal Court***

**Judge Silvia Fernández de Gurmendi**, President of the International Criminal Court

### **12.00 Introduction to the academic programme of SLS 2017**

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

### **12.30 Reception**

**Lunch:** 13.00 - 14.15, Cafeteria

## **Second Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)**

- ***The doctrinal concept of international criminal law, its legal foundation and contemporary relevance***

**Prof. Albin Eser**, Director emeritus of the Max Planck Institute for Foreign and International Criminal Law, Freiburg; Former Judge at the International Criminal Tribunal for the former Yugoslavia

- ***Existing and developing crimes under international law: customary international law and possible amendments to the Statute***

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

## **TUESDAY, 1 August 2017**

### **Third Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)**

- ***Perpetration and modes of participation***

**Prof. Albin Eser**

- ***In defence of Article 27: ‘Irrelevance of official capacity’ as a rule of customary international law and an indispensable pillar of the Rome Statute***

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

**Lunch:** 13.00 - 14.15, Cafeteria

#### **Fourth Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)**

- ***The prohibition of the use of force and the concept of aggression under international law***

**Prof. Gerhard Hafner**, Emeritus Professor of International Law, University of Vienna

- ***Historic dimensions of accountability for aggression***

**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

#### **WEDNESDAY, 2 August 2017**

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

- ***Elements of the crime of aggression (A case study)***

**Prof. Roger Clark**

- ***A revival of the concept of humanitarian intervention? Questions of legality and criminality under the Kampala definition of the crime of aggression***

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

Lunch: 13.00 - 14.00, Cafeteria

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

#### **THURSDAY, 3 August 2017**

##### **Sixth Session: 9.30 – 13.00, HS 209 (with coffee break and discussion)**

- ***Adoption, entry into force, and activation: Law and politics on the long and winding road towards the ICC's exercise of its jurisdiction over the crime of aggression***

**Dr. Astrid Reisinger Coracini**

- ***Scenarios for the future of the field of international criminal justice***

**Prof. Jennifer Trahan**

Lunch: 13.00 - 14.15, Cafeteria

##### **Seventh Session: 14.15 – 18.00, HS 209 (with coffee break and discussion)**

- ***The Court at 15 and the politics of international criminal justice***
  - (i) *The Africa-ICC 'crisis', withdrawals & the withdrawals of withdrawals.*
  - (ii) *Efforts of prominent alleged perpetrators to politicize the Court: Why should African victims be discriminated?*
  - (iii) *The impunity-gap and the relevance of universality for the effective functioning of the Court.*

**Dr. David Donat Cattin**

- **Screening of 'The Uncondemned', A film by Michele Mitchell and Nick Louvel (2016)**  
Salzburger Filmkulturzentrum DAS KINO, Giselakai 11, 5020 Salzburg

## **FRIDAY, 4 August 2017**

### **Eighth 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**

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

- **The origins of genocide and crimes against humanity and the continued significance of customary law**

**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

**Lunch:** 13.00 - 14.15, Cafeteria

### **Ninth Session: 14.15 – 17.30, HS 209 (with coffee break and discussion)**

- **Film and the Nuremberg trial**

**Prof. William A. Schabas**

- **Treaty interpretation and the establishment of customary law by the International Criminal Court**

**Ms. Eleni Chaitidou**, Legal Officer at the Pre-Trial and Trial Divisions, ICC

## **SATURDAY, 5 August 2017**

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

- **Workshop on recent jurisprudence of the International Criminal Court**

**Mr. Gilbert Bitti**

**Ms. Eleni Chaitidou**

**Lunch:** 13.15 - 14.30, Restaurant Stieglkeller, Festungsgasse 10

**Afternoon: FREE** time at the disposal of participants

## **SUNDAY, 6 August 2017**

**FREE** time at the disposal of participants

## MONDAY, 7 August 2017

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

- ***IS propaganda and the borderlines between incitement to genocide and hate crimes***  
Dr. Mohamed Elewa Badar, Reader in Comparative and International Criminal Law and Islamic Law, Northumbria University
- ***Sexual and gender-based crimes (I): Developments in the law***  
Dr. Yassin Brunger, Lecturer in Human Rights Law, Queens University of Belfast

Lunch: 13.00 - 14.15, Cafeteria

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

- ***Doctrinal confusion or methodological flexibility? Progressive development of international criminal law by international criminal tribunals***  
Dr. Thomas Rauter, Lawyer for the regional government of the federal state of Salzburg; formerly Institute of International Law at the University of Salzburg
- ***Exams***

## TUESDAY, 8 August 2017

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

- ***Sexual and gender-based crimes (II): Challenges in policy and practice***  
Dr. Yassin Brunger
- ***Unlawful use of force, aggression and its criminalization under Islamic law***  
Dr. Mohamed Elewa Badar

Lunch: 13.00 - 14.15, Cafeteria

### Fourteenth & Closing Session: 14.15 – 16.00, HS 209

- ***Never give up, always keep trying!***  
Prof. Benjamin Ferencz, A leading Nuremberg Prosecutor with continuous efforts to enhance international criminal law and its enforcement (video message)

Evaluation of the outcome of the Salzburg Law School 2017  
Future plans  
Distribution of Certificates  
Refreshments

**Closing Dinner:** 19.00h, Roof Top Terrace Restaurant 'The Pitter', Crowne Plaza Hotel, Rainerstrasse 6-8

## WEDNESDAY, 9 August 2017

Departure of participants

## SLS 2017 Faculty

### **Dr. Mohamed Elewa Badar**

Dr. Mohamed Elewa Badar joined Northumbria School of Law as a Reader (Associate Professor) in comparative and international criminal law in July 2013. He previously held a position as a Senior Lecturer and Director of Undergraduate Studies at Brunel Law School, London (2007-2013). He has also taught and acted as a convenor of International Law & Islamic Law module at Durham Law School (2011-2013).

Dr. Badar served as Senior Prosecutor and Judge in Egypt from 1997-2006. He is currently a Senior Expert for Euromed Justice IV, a project funded by the European Commission for enhancing Euro-Mediterranean mutual legal assistance on the investigation and prosecution of complex judicial cases i.e. terrorism, money laundering and cybercrime. He also served as a senior Police investigator in Egypt (1991-1997). He was a member (investigator) of the Bahrain Independent Commission of Inquiry to investigate and report on allegations of human rights violations during the civil unrest in Bahrain in February/March 2011.

Dr. Badar holds a Ph.D. in comparative and international criminal law from the National University of Ireland, Galway, a first class honours LL.M. degree in international human rights from the same university, a Bachelor of Law (LL.B.) and a Bachelor of Police Sciences from the Police College, Police Academy, Cairo, and a Diploma in international legal relations from Ain Shams University, Cairo.

Dr. Badar is the author of *The Concept of Mens Rea in International Criminal Law* (Oxford: Hart, 2013) and has published 22 articles in refereed journals as well as 13 chapters in prominent books, such as the Commentary on the Rome Statute of the International Criminal Court. His work was cited and quoted by the International Criminal Tribunal for the Former Yugoslavia, the International Criminal Court, the United Nations Extraordinary Chambers in the Courts of Cambodia, the United Nations International Law Commission, the Supreme Court of Argentina, the Supreme Court of Israel and by distinguished scholars.

Dr. Badar is Member of the Editorial Board and Reviewer for the *International Criminal Law Review*, the *International Human Rights Law Review* and the *Asian Yearbook of Human Rights and Humanitarian Law*. He is an Honorary Fellow at Durham Law School and Brunel Law School. He has acted as a Ph.D. external examiner seven times at Durham, Sussex, Strathclyde and Copenhagen Universities. Dr. Badar is the founder and director of the Northumbria Annual Summer Academy on Contemporary Challenges to International Criminal Justice [www.northumbria.ac.uk/summeracademy](http://www.northumbria.ac.uk/summeracademy)



### **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.



### **Dr. Yassin Brunger**

Dr. Brunger is Lecturer in Human Rights Law at Queen's University Belfast. She has held a number of visiting positions including at the Lauterpacht Centre for International Law (University of Cambridge), Lucy Cavendish College (University of Cambridge), Institute of Advanced Legal Studies (University of London), and the United Nations International Law Commission. Her main research and teaching interests include international criminal courts, conflict-related sexual and gender-based violence, transitional justice, human rights, and feminist perspectives on international law. Dr. Brunger's work is inherently socio-legal and examines law in the context of broader conflict and post-conflict dynamics from both a theoretical and empirical perspective. Dr. Brunger is currently completing her book, which is based on extensive research on the relationship between the International Criminal Court and UN Security Council (forthcoming Cambridge University Press 2018) which explores the key intersections between global politics and international criminal justice. She is a member of the International Feminist Judgments Project which brings together a group of feminist socio-legal scholars who have written alternative feminist judgments in a series of significant cases in public international law. She is co-author of the re-written feminist judgment of the International Criminal Court's first trial addressing the matter of child soldiers in the Situation from the Democratic Republic of Congo: Case of Prosecutor v. Thomas Lubanga Dyilo (forthcoming Hart/Bloomsbury 2018).



Dr. Brunger has served as a consultant and provided expert input for various NGOs, the Chair of the UN Committee on Racial Discrimination, and the Ministry for Justice of the Republic of the Gambia, on matters of international criminal justice and human rights. Dr. Brunger has presented her work at numerous national and international forums including at the 15th Session of the Assembly of States Parties to the Rome Statute of the International Criminal Court. Her research focuses on synthesising evidence and applying knowledge to inform policy and practice in the areas of human rights and international criminal justice. Her article on 'Witness Preparation in the ICC: An Opportunity for Principled Pragmatism' has been cited by the Office of the Prosecutor at the International Criminal Court in the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé . Dr. Brunger's Policy Brief for the Institute of Justice and Reconciliation (South Africa) examining "Investigations and Prosecutions of Sexual and Gender Based Violence by the International Criminal Court" has been widely used to inform the practice of a range international organisations and NGOs responding to SGBV in conflict and post-conflict countries.

### **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 International Criminal Court (ICC) where she works as a Legal Officer in the Pre-Trial and Trial Divisions. Ms. Chaitidou regularly lectures and publishes on selected issues of international law and the ICC's case law. She is a member of the editorial board of the Criminal Law Forum and editor with Torkel Opsahl Academic EPublisher.





### **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. He was also a member of the team that represented the Marshall Islands in 2014-16 in its cases against the nuclear powers seeking to enforce their obligations under Article 6 of the Nuclear Non-Proliferation Treaty and the customary law surrounding it. 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.

### **Dr. David Donat Cattin**

David Donat Cattin (Ph.D Law, Italy) is the Secretary General of Parliamentarians for Global Action (PGA). Over the last 17 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 77 out the current 124 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 Côte d'Ivoire (2013) and El Salvador (2016).



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), as well as a post-Ph.D. diploma from the Center for Studies and Research of the Hague Academy of International Law (2002). 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; III ed. 2016) and Lattanzi/Schabas "Essays on the Rome Statute of the ICC" (vol. I, 1999; vol. II, 2004). He recently co-edited "International Law & the Protection of Humanity" (2017 - [www.brill.com/products/book/international-law-and-protection-humanity](http://www.brill.com/products/book/international-law-and-protection-humanity)). 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 Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights 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 São 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, NYU School of Law and Harvard Law School. 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 Foreign Affairs Committee (April 2017), in the plenary of the Africa-Caribbean-Pacific—European Union Joint Parliamentary Assembly (March 2008) and in the Legal Affairs and Human Rights Committee of the Parliamentary Assembly of the Council of Europe (May 2016).

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. Dr. Dr. h.c. mult. Albin Eser**

Professor Eser was born in Leidersbach/Bavaria on January 26, 1935. After graduating from secondary school (Abitur) in Miltenberg/Main, he studied law at the Universities of Würzburg and Tübingen and the Free University of Berlin from 1954 to 1958. He sat the first state bar examination in Würzburg, where he also earned his doctorate (Dr. iur. utr.) in 1962. He holds a Master of Comparative Jurisprudence (M.C.J.) from New York University, where he spent a year at the Institute of Comparative Law. After having worked as a research assistant in the field of civil law at the University of Würzburg before sitting his second state bar examination in 1964, he transferred



to the University of Tübingen, where he earned his qualification as a university lecturer for the subjects criminal law, criminal procedure, and comparative criminal law in 1969 with a Habilitation on penal sanctions involving the deprivation of money or property (Die strafrechtlichen Sanktionen gegen das Eigentum). Following temporary faculty positions at the Universities of Hamburg, Mainz, and Mannheim, he was appointed a full professor at the University of Bielefeld in June of 1970, where he held the positions of dean and vice-president. Professor Eser returned to the University of Tübingen in 1974 before accepting a position at the University of Freiburg in 1982 where, in addition to his professorship, he was appointed director at the Max Planck Institute for Foreign and International Criminal Law. In

addition to his academic positions, he was a higher state court judge from 1971 to 1988, first in Hamm/Westphalia, then in Stuttgart. In 1986/87, he was dean of the law faculty of the University of Freiburg; from 1989 to 1992, he was vice-president of the German Research Foundation (Deutsche Forschungsgemeinschaft); and from 1994 to 1997, he was chairperson of the Humanities Section of the Max Planck Society. In 1981, he was a Visiting Professor at the University of California in Los Angeles, in 1986 and 2003 at Columbia University Law School in New York, and in 2002 at the University of Texas at Galveston. He has been awarded honorary doctorates from Jagiellonian University in Krakow (Poland) in 1991, Universidad Peruana Los Andes in Huancayo (Peru) in 1997, and Waseda University in Tokyo (Japan) in 2001. Since 1993, he has been an honorary member of the Hungarian Academy of Sciences in Budapest. In 2001, Professor Eser was awarded the University Medal of the University of Freiburg; in 2004, he was decorated with the Federal Cross of Merit (Officer's Cross). After retiring from his academic positions in 2003, Professor Eser served on the International Criminal Tribunal for the former Yugoslavia in The Hague as an ad litem judge. As Visiting Professor, he taught in 2008 at Ritsumeikan University in Kyoto/Japan, in 2009 at Saint Louis University in Missouri/US, in 2011 at the University of Tasmania/Australia, and in 2013 at the Hebrew University in Jerusalem/Israel.

### **Judge Silvia Fernández de Gurmendi**

Prior to joining the ICC, Judge Fernández de Gurmendi was the Director General for Human Rights at the Ministry of Foreign Affairs of Argentina, where she acted as a representative of her country in cases before the Inter-American Commission of Human Rights and the Inter-American Court of Justice. She also represented Argentina before other human rights bodies and advised on transitional justice issues related to the prevention of genocide and other international crimes.



She played a leadership role in the creation and setting up of the International Criminal Court as President on the Working Group on Criminal Procedure and Vice-President of the Committee of the Whole at the Rome Conference. She was also instrumental in the negotiations of the complementary instruments of the Rome Statute as chair of the Working Group on Rules of Procedure and Evidence and the Working Group on Aggression.

Judge Fernández de Gurmendi's academic experience includes professorships of international criminal law at the Universities of Buenos Aires and Palermo and as an assistant professor of international law at the University of Buenos Aires. She has published a number of national and international publications related to the ICC including, amongst others, the role of the Prosecutor, criminal procedure, and the definition of victims.

She holds a Law Degree from the University of Córdoba, Argentina, a Masters in Public Law from the University of Limoges, France, and a Ph.D. in Law from the University of Buenos Aires, Argentina.

### **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 writing 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 70 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](mailto:donferencz@aol.com).

### **Prof. Gerhard Hafner**

Gerhard Hafner was born 3 August 1943, received his Dr. iur. 1966 at the Vienna university, further studies at Paris, The Hague, Moscow (1967 – 1968). He became Professor of international law and international economic law at the Vienna Law Faculty in 1990 and has been Visiting Professor in various other universities such as Stanford, Comenius University and Paneurópska vysoká škola in Bratislava or Paris II (IHEI), the Diplomatic Academy Vienna, and the University of Krems. He was Member of the International Law Commission 1997 – 2001.



He is Member of the Permanent Court of Arbitration and worked as arbitrator and counsel in various international cases, Membre de l'Institut du Droit International, Conciliator at the OSCE Court and was 2006 – 2015 Member of the Governing Board of the European Studies Institute (Moscow).

His practical experience results from his activity in the Austrian Ministry for Foreign Affairs, lastly in 1993 – 1995 as Head of the Division of General International Law. where he is still legal consultant, as well as from his function as member and head of the Austrian delegations to various international conferences, including the Rome Conference for the ICC, where he had to act as chair of the European Union. Due to his participation in the entire preparatory process of the Rome conference and his activity at the Rome Conference he became fully involved in the topic of international criminal law. His bibliographical list encompasses books and articles on the most different fields of international law, including international criminal law as well as the law of the sea.

### **Dr. Thomas Rauter**

Dr. Thomas Rauter, LL.M. (Lausanne) works as a lawyer for the regional government of the federal state of Salzburg. Previously he worked as a moot court coach, research and teaching assistant and lecturer for the department of international law at the University of Graz and the University of Salzburg. He holds a master degree in law from the University of Graz, an LL.M. from the University of Lausanne and a Ph.D. from the University of Salzburg. His PhD thesis “Judicial Practice, Customary International Criminal Law and Nullum Crimen Sine Lege”, supervised by Prof. Kirsten Schmalenbach and Prof. Otto Triffterer† and reviewed by Prof. William Schabas, will shortly be published by Springer International Publishing.



### **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 (<http://sls.sbg.ac.at>). 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). Her research focuses on theory and sources of international law, the use of force, and international criminal law. 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 has been a member of the Austrian delegation at sessions of the Assembly of States Parties and at the first Review Conference of the Rome Statute of the International Criminal Court in Kampala. On national level, she was a member of the expert groups for the implementation of crimes under international law in the Austrian criminal code and for the implementation of the crime of aggression in the German code of crimes against international 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 human 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.



### **Prof. Dire Tladi**

Dire Tladi is a professor of International Law at the University of Pretoria and an extraordinary professor at the University of Stellenbosch. He is also a member of the UN International Law Commission and its Special Rapporteur on Jus Cogens. In addition, he serves as co-editor in Chief of the South African Yearbook of International Law. He also serves as the Special Adviser to the Minister of International Relations and Cooperation.



He holds an LLB from the University of Pretoria, an LLM from the University of Connecticut and a PhD from the Erasmus University Rotterdam. He previously served as Principal State Law Adviser for International Law at the South African Foreign Ministry and Legal Counsellor the South African Permanent Mission in New York. He has appeared as counsel and expert on international law before international courts and tribunals.

### **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 and a field intensive to Rwanda. She has served as 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). 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 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.



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