

International Criminal Law in Practice

*a Training Course for
Defence Lawyers, Prosecutors and other Legal Professionals*

17-20 June 2002
The Hague, The Netherlands



in cooperation with:



*International Association
of Prosecutors*



*International Criminal
Defence Attorney Association*



SCIENCE ALLIANCE
Networking in Science, Research & Consultancy

Introduction

With the growing significance of the ICTY and the ICTR and the advent of the ICC, practical and academic expertise in the field of international criminal law needs to be developed. In order to guarantee the appropriate level of professionalism a training course on the highest level is organised.

During this course, international experts will teach their most recent academic and practical knowledge, insights and experiences. Current and future legal professionals in international criminal law are invited to participate in this program, which has been developed in close cooperation with:

Mr. P. Kruger

International Criminal Tribunal for the Former Yugoslavia (ICTY)

Prof. R.S. Lee

Columbia Law School, New York

Mr. H. Marquart Scholtz

International Association of Prosecutors (IAP)

Prof. G. Strijards

High Prosecutorial Office, the Netherlands

Prof. M. Wladimiroff

International Criminal Defence Attorney Association (ICDAA)

Certificate & Educational Credits

All participants who finish this 4-day training course will be awarded a certificate. In addition, members of The Netherlands Bar Association earn 8 educational credits.

Course Location

The training course will take place in the Netherlands Congress Centre, which is situated opposite the ICTY. Participants will have the opportunity to visit trials of the ICTY.



...view on the ICTY from the course room...

Course Program
Monday 17th of June 2002

09:30 *Word of Welcome*

10:00 *Lessons to be learned from the ICTY and the ICTR for the ICC*
C. Del Ponte, Chief Prosecutor ICTY and ICTR

10:30 *Independent Character of the ICC*
E. Bonino, Former European Commissioner
for Humanitarian Affairs, Member of the
European Parliament



11:00 *Break - Tea/Coffee*

11:30 *Similarities and Differences of the ICC with the ICTY and the ICTR*
R. Wedgwood, Professor of International Law, Yale University

12:30 *Lunch*

13:30 *National Sovereignty and International Criminal Law*
A. Eser, Professor in International Criminal Law, Director of the Max
Planck Institute for International Criminal Law, Ad Litem Judge ICTY

14:30 *International Public Law vs. International Criminal Law*
J. Dugard, Professor of International Law, University of Leiden,
Member of the International Law Commission

15:30 *Break - Tea/Coffee*

16:00 *Relationship with the UN and Non-ICC Parties*
R.S. Lee, Executive Secretary of the Rome Conference, Professor of
International Law, Columbia Law School, New York, Special Senior
Fellow UN Institute of Training and Research

17:00 *End of Day 1*

19:30 *Launch Meeting ICLN (location: "De Sociëteit De Witte")*
Hosted by **W. Deetman**, Mayor of the Municipality of The Hague

Course Program
Tuesday 18th of June 2002

09:00 *Penalties and Compulsory Measures*
S. Zappalà, Lecturer of International Law, University of Pisa and Naval Academy of Livorno, Former Legal Assistant ICTY

10:00 *International Terrorism:
a Challenge for International Criminal Law?*
O. Triffterer, Professor of International Criminal Law,
Former Dean of Faculty of Law, Paris-Lodron Universität,
Salzburg

11:00 *Break - Tea/Coffee*

11:30 *Transit, Surrender, Cooperation
and Mutual Assistance*
W.A. Schabas, Professor in Human Rights Law, Director Irish Centre
for Human Rights, University College Galway



12:30 *Lunch*

13:30 *How to Select Cases*
M. Bergsmo, Senior Legal Adviser ICTY

14:30 *Military Commissions and the ICC*
S.A. Williams, Judge ICTY, Professor of International Criminal
Law, Osgoode Hall Law School, Toronto

15:30 *Break - Tea/Coffee*

16:00 *Cross Examinations*
M. Wladimiroff, Lawyer, Amicus Curiae of ICTY in the
Milosevic-case, Former Professor of Economic Criminal Law

17:00 *End of Day 2*

Course Program
Wednesday 19th of June 2002

Participants may choose

<i>Defence Perspective</i>		<i>Prosecution Perspective</i>
<i>Right to a Fair Trial and Defence Independence</i> E. Groulx , President ICDA	09:00	<i>Formal Requirements for Prosecution</i> G. Blewitt , Deputy Prosecutor ICTY
<i>The Defence Attorney as ICC Organ</i> G.A.M. Strijards , Professor of International Criminal Law, University of Groningen, Senior Legal Advisor Dutch High Prosecutorial Office	10:15	<i>Victims and Witness Unit</i> C. Jorda , President ICTY
<i>Break - Tea/Coffee</i>	11:00	<i>Break - Tea/Coffee</i>
<i>Pre-trial Phase</i> B. Swart , Professor of European Cooperation in Criminal Matters, University of Amsterdam, Ad Litem Judge ICTY	11:30	<i>Motu Proprio Principle</i> P. Kruger , Senior Legal Officer ICTY
<i>Lunch</i>	12:45	<i>Lunch</i>
<i>Defences</i> M. Wladimiroff , Lawyer, Amicus Curiae of ICTY in the Milosevic-case, Former Professor of Economic Criminal Law	13:45	<i>The Role of Judges in the Prosecution Process</i> Y. Featherstone , Senior Legal Officer ICTY
<i>Break - Tea/Coffee</i>	15:00	<i>Break - Tea/Coffee</i>
<i>Investigations</i> S. Kay , QC, Barrister, Amicus Curiae of ICTY in the Milosevic-case	15:30	<i>Investigations</i> M. Harmon , Senior Trial Attorney ICTY

19:00 Dinner for Participants in the Kurhaus (optional)

Course Program
Thursday 20th of June 2002

Simulation Exercise

**A Hypothetical Case
Before the International Criminal Court
Developed by Prof. R.S. Lee,
Columbia Law School, New York**



This simulation will be conducted in two phases, first during the confirmation hearing before the *Pre-Trial Chamber* and then before the *Trial Chamber*. Each phase will focus on a number of specific issues, even though the sequence of some of such issues may arguably be placed differently. Participants will be divided into groups and each group will assume a particular role:

Role:

- Judges
- Prosecutors
- Defence counsel
- Counsel for a non-party State
- Counsel for the victims

Chair:

A. Orié (Judge ICTY)
P. Kruger
S. Kay
R.S. Lee
O. Triffterer

Before the Pre-Trial Chamber, participants will make arguments on such issues as admissibility, jurisdiction, and challenges to admissibility and jurisdiction. The focus of the Trial Chamber will be the definition and elements of crimes.

11:00	<i>Break - Tea/Coffee</i>
12:30	<i>Lunch</i>
15:30	<i>Break - Tea/Coffee</i>
17:00	<i>Closing Remarks / Distribution of Certificates</i>

General Information

Date

Monday 17th – Thursday 20th of June 2002

Venue

Netherlands Congress Centre, Churchillplein 10, The Hague

Hotels

For the booking of a hotel in The Hague please check:
www.accomline.com & www.hotels.nl/the-hague



...Joint Dinner in the Kurhaus...

Language

The language of the course will be English.

Registration

All participants who wish to attend the course must register in advance. Participants are requested to complete the enclosed registration form and return it to Science Alliance by fax or mail. Each participant should use a separate form. A letter of confirmation and an invoice will be sent upon receipt of the registration form.

Registration Fee

The registration fee for participation in the course is € 1295. The registration fee for members of ICLN is € 995 and for members of IAP and ICDA € 1150. Registration fee includes admittance to the course as well as extended course documents, lunches and refreshments. The fee must be paid in advance to participate. The capacity of the course is limited. Registration will be handled in order of receipt. All amounts are excluding 19% VAT. All payments must be free of all bank and other charges. Cheques are not accepted. Please see the enclosed form for ICLN membership registration.

Conditions

The registration form constitutes a legally binding agreement. Payment must be received in full prior to the event. The organisation cannot be held responsible for the non-arrival of registration-information. If you have not received a confirmation 14 days prior to the course, please contact the secretariat. Cancellations confirmed in writing by Monday the 3rd of June 2002 will be refunded minus an administration charge of € 95. We regret that no refund can be made after that date, for whatever reason, although substitute-delegates will be accepted if notified in writing before the event. Bookings made after **Monday the 3rd of June 2002** are non-refundable.

Insurance

The organisation does not accept any liability for personal injuries or for loss of and/or damage to the personal belongings of the participants, either during or as a result of the course.

Contact

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SCIENCE ALLIANCE
Networking in Science, Research & Consultancy



Social and Professional Interaction in International Criminal Law

Introduction

With the extension of the ad hoc International Criminal Tribunals to a permanent International Criminal Court, interaction between professionals and academics needs to be structured. Therefore, Science Alliance together with experts from the international law community founded ICLN, the International Criminal Law Network. It organises global interaction between scholars, practitioners and policymakers in international criminal law, with The Hague as its social centre.

Memberships and services

Services for members of ICLN include:

- Discounts on conferences and courses of ICLN and its partners
- Online: monthly newsletter, special interest groups, calendar
- Invitation for *First-Wednesday*, a monthly social event in The Hague
- Reductions on recent literature and publications

People with an interest in international criminal law are warmly invited to become a member of ICLN. Private membership is €95. Institutional membership on request. For more information please check our website: www.ICLN.net

Advisory Board

Prof. Antonio Cassese

Mr. Wim Deetman

Prof. John Dugard

Prof. Roy S. Lee

Prof. Gerard Strijards

Prof. Otto Triffterer

Prof. Michail Wladimiroff

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...ICLN office...