



10th Summer Session, Sunday 3 – Friday 15 August 2008

**Reviewing the Review in Advance – Preparing Amendments
to the Rome Statute, the Elements and the Rules**

Celebrating the 10th Anniversaries:

- **Salzburg Law School on International Criminal Law, Humanitarian Law
and Human Rights Law**
- **Rome Statute of the International Criminal Court**

ACADEMIC PROGRAMME

Due to the availability of some lecturers their presentations had to be anticipated or postponed, regardless whether they fit at the respective day precisely into the systematic content of the Course.

If necessary, additional changes will be announced on a day-to-day basis.

SUNDAY, 3 August 2008

- **Welcome and registration** of participants and lecturers at the Hotel Kolpinghaus, Adolf-Kolping-Straße 10, A- 5020 Salzburg, Ph.: +43/662/46610.
SLS Hotline +43/676/729 46 47, Astrid Reisinger Coracini (Executive Director)

Lectures will take place at the Institute for History of Arts (in the Old Town), Kapitelgasse 5, Room HS 2.04; exact locations and schedule of additional workshops will be announced later.

Please bring your Rome Statute, Elements of Crimes, Rules of Procedure and Evidence and Regulations of the Court!

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

MONDAY, 4 August 2008

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

Welcome: **President of Salzburg University**, o.Univ.-Prof. Dr. Heinrich Schmidinger
Dean of the Faculty of Law, o.Univ.-Prof. Dr. Kurt Schmoller

10.30 a.m. Key note, Tenth Summer Session 2008

The challenge for the next 10 years: Implementing the law

Luis Moreno-Ocampo, Prosecutor of the International Criminal Court

Questions and discussion

11.45 a.m. Introduction into the academic programme

o.Univ.-Prof. **Otto Triffterer em.**, Austria, Professor for Austrian and International Criminal Law and Procedure, University of Salzburg

12.15 a.m. Reception

Lunch: 13.00 - 14.30, Cafeteria

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

- ***The Uganda investigation and issues of admissibility in the sense of Article 17***
Dr. Hans Winkler, Secretary of State, Austrian Federal Ministry of International and European Affairs, Vienna
- ***Possible amendments for the first ICC review conference***
Prof. Roger S. Clark, Board of Governors Professor, Rutgers University School of Law

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 5 August 2008**Second Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***The definition of the crime of aggression and the statutory framework of the Rome Statute***
Prof. Roger S. Clark
- ***Acts of aggression by States and non-state actors? Prerequisites for individual criminal responsibility and mental elements***
Astrid Reisinger Coracini, Lecturer, Institute of International Law and International Relations, University of Graz
- ***Bringing the crime of aggression within the active jurisdiction of the ICC – new proposals***
Prof. Benjamin Ferencz, A former Nuremberg War Crime Prosecutor, author and frequent lecturer on international criminal courts and world peace (www.benferencz.org)

Lunch: 13.00 - 14.30, Cafeteria

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

- ***The Statute tested in practice - first procedural experiences before the pre-trial Chambers (selected issues)***
Gilbert Bitti, Senior Legal Advisor to the Pre-Trial Division, ICC
- ***Workshop: "Situation DRC": background notes and legal challenges***
Christopher Hall, Senior Legal Advisor, International Justice Project, Amnesty International, UK

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

WEDNESDAY, 6 August 2008**Fourth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Positive complementarity***
Christopher Hall
- ***Maximising the impact of the Rome Statute: the deterrent effect of the ICC jurisdiction and connected practise of States, Int'l Organisations and non State actors***
Dr. David Donat Cattin, Director of the International Law and Human Rights Programme, Parliamentarians for Global Action (PGA)

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: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 7 August 2008**Fifth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Are there general principles of criminal procedure in the law of the International Criminal Court?***
Dr. David Donat Cattin
- ***“Just convict everyone” – what about Charles Taylor?***
Prof. William A. Schabas, Professor of Human Rights Law, National University of Ireland Galway,
Director Irish Centre for Human Rights

Lunch: 13.00 - 14.30, Cafeteria

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

- ***Has genocide been committed in Darfur? The State plan or policy element in the crime of genocide***
Prof. William A. Schabas
- ***Defining the Elements of Crimes***
Prof. Roger S. Clark

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

FRIDAY, 8 August 2008

All SLS Participants are cordially invited to attend the

Symposium: The Future on International Criminal Justice

Organized in the context of the
First SLS Alumni Meeting

Time:
10.00 – 18.00

Venue:
'Alte Aula', Library of the University of Salzburg, Hofstallgasse 2-4
(just across the 'Festspielhaus')

Please consult the separate programme folder

Dinner: 19.00 Dinner at the “Festung Hohensalzburg” (Wappensaal), the Fortress of Salzburg

SATURDAY, 9 August 2008

FREE, time at the disposal of participants

SUNDAY, 10 August 2008

FREE, social programme or time at the disposal of participants

MONDAY, 11 August 2008**Seventh Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Abduction to international criminal courts and tribunals***
Prof. Sharon Williams, Professor of Law, Osgoode Hall Law School, Toronto
- ***Gacaca and Mato Oput - evaluating judicial alternatives to counter mass atrocity on the domestic level***
Jennifer Trahan, Visiting Lecturer, Columbia University; Of Counsel, International Justice Program, Human Rights Watch

Lunch: 13.00 - 14.30, Cafeteria

Eighth Session: 14.30 – 18.00, HS 2.04 (with coffee break and discussion)

- ***The international crime of genocide: poorly drafted criminal law, beyond the scope of the Review?***
Morten Bergsmo, Consultant to the ICC responsible for the external development of the Legal Tools, Senior Researcher, International Peace Research Institute Oslo
- ***Information on the ICC Legal Tools Programme***
Morten Bergsmo

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 12 August 2008**Ninth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Extra-ordinary renditions***
Prof. Sharon Williams
- ***The Iraqi High Tribunal: Justice or revenge?***
Jennifer Trahan

Lunch: 13.00 - 14.30, Cafeteria

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

- ***The impact of international courts on domestic procedures in mass atrocity cases***
Thordis Ingadottir, Associate Professor, Reykjavík University
- ***Professor Triffterer's Salzburg Law School, critical discourse and the construction of international criminal justice***
Morten Bergsmo

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

WEDNESDAY, 13 August 2008**Eleventh Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Special issues of the rights to restitution, compensation and rehabilitation***
Thordis Ingadottir
- ***“Irrelevance of official capacity”, Article 27 Rome Statute undermined by obligations under international law or by agreements, Article 98?***
Prof. Otto Triffterer

Lunch: 13.00 - 14.30, Cafeteria

Twelfth Session: 14.30 - 17.30, HS 2.04***Time for exams***

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 14 August 2008**Thirteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Workshop: Means and methods of ad hoc international criminal tribunals to determine customary international law***
Astrid Reisinger Coracini
- ***The court in danger? Future perspectives for international criminal law and its enforcement mechanisms***
Prof. Otto Triffterer

Lunch: 13.00 - 14.30, Cafeteria

Closing Session: 14.30 – 16.00, HS 2.04

Final Discussion with the speakers

Evaluation of the outcome of the SALZBURG LAW SCHOOL 2008

Future plans

Chair: Prof. Otto Triffterer

Distribution of Certificates

Closing reception

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

FRIDAY, 15 August 2008

Departure of participants