



11th Summer Session, Sunday 9 – Friday 21 August 2009

Facing the First Review Conference Right Ahead – Kampala and Beyond

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, 9 August 2009

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 and Rules of Procedure and Evidence to all sessions!

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

MONDAY, 10 August 2009

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, Eleventh Summer Session 2009

From Rome to Kampala: the Review Conference between consolidating and advancing international criminal law

Ambassador Christian Wenaweser, Liechtenstein, President of the Assembly of States Parties of the Rome Statute of the International Criminal Court

Questions and discussion

11.45 a.m. Introduction into the academic programme

em.o. Univ.-Prof. Otto Triffterer, 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)

- ***From Nuremberg to Rome and Kampala: a personal account***
Prof. Benjamin Ferencz, A former Nuremberg War Crime Prosecutor, author and frequent lecturer on international criminal courts and world peace (www.benferencz.org)
- ***Historical landmarks, concept and notion of international criminal law and its enforcement***
Prof. Roger Clark, Board of Governors Professor, Rutgers University School of Law
Prof. Otto Triffterer

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 11 August 2009**Second Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Drafting the Elements of Crimes of the definition of aggression***
Prof. Roger Clark
- ***Conditions for the exercise of jurisdiction over the crime of aggression – options for the review conference***
Astrid Reisinger Coracini, Lecturer, Institute of International Law and International Relations, University of Graz
- ***Comments***
Ambassador Christian Wenaweser
Prof. Benjamin Ferencz

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

WEDNESDAY, 12 August 2009**Third Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***War crimes revisited at the Review Conference: the future of prohibited weapons and article 124 Rome Statute***
Prof. Roger Clark
- ***Proposals to amend the Statute, the Rules of Procedure and Evidence and the Elements of Crimes at the First Review Conference 2010:***
 - ***Crimes within the jurisdiction of the Court***
Dr. David Donat Cattin, Director of the International Law and Human Rights Programme, Parliamentarians for Global Action (PGA)
 - ***Omission, causality and “intent and knowledge”***
 - ***Collateral damages, article 8 para. 2 lit. b (iv)***
Prof. Otto Triffterer

Lunch: 13.00 - 14.30, Cafeteria

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

- ***A Draft Definition and Proposed Standard for Crimes against Future Generations***
Bianca Jagger, President and Founder of the Bianca Jagger Human Rights Foundation, Chair, World Future Council, and Council of Europe Goodwill Ambassador
- ***Domestic implementation of the Rome Statute at the first Review Conference***
Dr. David Donat Cattin

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 13 August 2009**Fifth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Latest developments concerning victims participation and reparations in domestic and international criminal law***
Dr. David Donat Cattin
- ***Judicial review of prosecutorial discretion***
Dr. Carsten Stahn, LL.M., Associate Professor of International Criminal Law, Programme Director, Grotius Centre for International Legal Studies, Leiden University

Lunch: 13.00 - 14.30, Cafeteria

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

- ***Customary international law and the doctrine of joint criminal enterprise***
Prof. Elies van Sliedregt, Professor of Criminal Law and Procedure, University of Amsterdam
- ***Modes of liability in the emerging case-law of the ICC***
Prof. Elies van Sliedregt

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

FRIDAY, 14 August 2009**Seventh Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***How to measure success? The impact of international criminal law on affected societies***
Dr. Carsten Stahn
- ***Current developments regarding the immunity of state officials from foreign jurisdiction***
Prof. Gerhard Hafner, Professor of International Law, University of Vienna; former Member of the ILC; head of the Austrian delegation to the Rome Conference

Lunch: 13.00 - 14.30, Hotel Elefant, Sigmund Haffner Gasse 4

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

- ***The problems of Article 98 ICC Statute and its different interpretations***
Prof. Gerhard Hafner
- ***Appeals before the ICC: the Court's early practice***
Astrid Reisinger Coracini

SATURDAY, 15 August 2009

FREE, time at the disposal of participants

SUNDAY, 16 August 2009

FREE, social programme or time at the disposal of participants

MONDAY, 17 August 2009**Ninth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Making high quality justice out of low quality law: the case of genocide***
Morten Bergsmo, Consultant to the ICC responsible for the external development of the Legal Tools, Senior Researcher, International Peace Research Institute Oslo
- ***Interpretation in international criminal justice: the role of the personal dimension***
Morten Bergsmo

Lunch: 13.00 - 14.30, Cafeteria

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

- ***The role of the defence in international criminal proceedings***
Dr. Guenael Mettraux, Defence Counsel appearing before international criminal tribunals

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

TUESDAY, 18 August 2009**Eleventh Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Africa, regional justice as a new level between domestic jurisdiction and the ICC?***
Prof. Otto Triffterer
- ***Virtopsy – the better solution than autopsy. The Virtopsy Approach: 3D Optical and Radiological Scanning and Reconstruction in Forensic Medicine***
Prof. Dr. Richard Dirnhofer, Former Director of the Institute for Legal Medicine and Professor for Forensic Sciences at the University of Berne, Switzerland

Lunch: 13.00 - 14.30, Cafeteria

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

- ***The qualitative and quantitative dimension of gravity***
Prof. William Schabas, Professor of Human Rights Law, National University of Ireland Galway, Director Irish Centre for Human Rights
- ***Applicable law “adopted” at the Review Conference***
Prof. Otto Triffterer

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

WEDNESDAY, 19 August 2009**Thirteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Confirmation of charges and fairness of proceedings***
Prof. Otto Triffterer
- ***Legal and political issues regarding Pre-Trial Chamber I's Decision on the Prosecution's Application for a Warrant of Arrest against Omar Hassan Ahmad Al Bashir***
Prof. William Schabas

Lunch: 13.00 - 14.30, Cafeteria

Fourteenth Session: 14.30 - 17.30, HS 2.04

- ***Time for exams***

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

THURSDAY, 20 August 2009**Fifteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

- ***Truth and reconciliation commissions, amnesty and the ICC***
Prof. Gudrun Hochmayr, Interim Professor of Criminal Law, University Frankfurt/Oder
- ***Piracy on the High Seas based in Somalia, a revitalisation of a traditional landmark for criminal responsibility directly under international law***
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 2009

Future plans

Chair: Prof. Otto Triffterer

Distribution of Certificates

Closing reception

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

FRIDAY, 21 August 2009

Departure of participants