



**9<sup>th</sup> Summer Session, Sunday 5 – Friday 17 August 2007**

**The Court and Applicable Law under Review (Part 1)**

**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, 5 August 2007**

**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 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, 6 August 2007**

**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, Ninth Summer Session 2007**

***International Humanitarian Law Cases in Asia: From Tokyo to East Timor and Cambodia***

**Prof. Raul C. Pangalangan**, Dean and Professor of Law, University of the Philippines, College of Law

***Questions and discussion***

**11.45 a.m. Introduction into the academic programme**

**Professor 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)*****The hopes of Nuremberg: How far have we come and where are we going?***

**Prof. Benjamin Ferencz**, A former Nuremberg War Crime Prosecutor, author and frequent lecturer on international criminal courts and world peace (website [www.benferencz.org](http://www.benferencz.org))

***The history, notion and concept of international criminal law***

**Prof. Benjamin Ferencz**

**Prof. Otto Triffterer**, Professor for Austrian and International Criminal Law and Procedure, University of Salzburg

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

**TUESDAY, 7 August 2007****Second Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)*****A historical review of the individual responsibility for the crime of aggression***

Address to SLS from **Prof. Muhammad Aziz Shukri**, J.S.D., Emeritus Professor of International Law, University of Damascus, Director General of the Arab Encyclopaedia

***The crime of aggression – possible compromise solutions for the Review Conference***

**Astrid Reisinger Coracini**, Executive Director Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law

***Loopholes, and non satisfying regulations of practical importance***

**Prof. Otto Triffterer**

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, 8 August 2007****Fourth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)*****From state to individual responsibility, from international to hybrid tribunals: recent Asian examples***

**Prof. Raul C. Pangalangan**

***Syria, Lebanon and the assassination of former premier Rafik Hariri "A court of international character"***

**Gillian Higgins**, Barrister UK, former Assigned Counsel to Mr. Slobodan Milosevic at the ICTY

Lunch: 13.00 - 14.30, Cafeteria

**Fifth Session: 14.30 – 17.30, HS 2.04 (with coffee break and discussion)*****The fair expedition of international trials: Securing the rights of the accused***

**Gillian Higgins**

***Reviewing the Rome Statute's amendment mechanism***

**Astrid Reisinger Coracini**

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

**THURSDAY, 9 August 2007**

**Sixth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

***The role and rights of victims under the Rome Statute and first decisions of the Court***

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

***Pre-Trial Chamber I's decision on the confirmation of charges: selected issues***

**Gilbert Bitti**

Lunch: 13.00 - 14.30, Cafeteria

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

***Applicable law, article 21 Rome Statute: The rank order of sources of law***

**Dr. Gudrun Hochmayer**, Assistant Professor for Criminal Law and Procedure, University of Salzburg

***Elements of Crimes proposing to narrow definitions of crimes violate the Statute and support impunity for behaviour falling within the jurisdiction of the Court?***

**Prof. Otto Triffterer**

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

**FRIDAY, 10 August 2007**

**Eighth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

***To The Hague and back: complementarity and national preparedness***

**Morten Bergsmo**, Consultant to the ICC responsible for the external development of the Legal Tools, Senior Researcher, International Peace Research Institute Oslo

***Genocide and the quality of international criminal law***

**Morten Bergsmo**

Lunch: 13.00 - 14.30, Cafeteria

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

***Panel discussion on Guantanamo Bay, military commissions and recent US Supreme Court decisions***

**Don Ferencz**, Attorney, Adjunct Professor of Law at Pace Law School, Director Planethood Foundation

**Prof. Michael Newton**, Associate Professor, Vanderbilt University Law School and Department of Law, United States Military Academy

**Michael Ratner**, President, Center for Constitutional Rights, New York, Lecturer of international human rights litigation at the Yale Law School and the Columbia School of Law

**Chair: Prof. Otto Triffterer**

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

**SATURDAY, 11 August 2007**

FREE, time at the disposal of participants

**SUNDAY, 12 August 2007**

FREE, social programme or time at the disposal of participants

**MONDAY, 13 August 2007**

**Tenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

***The Iraqi special tribunal: an insider's view***  
Prof. Michael Newton

***The Sierra Leone Special Court and the future of international justice***  
Jennifer Trahan, Visiting Scholar, Columbia Law School; Defence Consultant, Sierra Leone Special Court

Lunch: 13.00 - 14.30, Cafeteria

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

***Interactive case study: Do the crimes in Darfur amount to genocide?***  
Jennifer Trahan

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

**TUESDAY, 14 August 2007**

**Twelfth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

***Categories and confusion - new rules for new conflicts?***  
Prof. Charles Garraway, Visiting Professor, King's College, London

***The impact of deterrence of the ICC: From the Preamble of the Rome Statute to the practice of states and international organisations nine years after Rome***  
Dr. David Donat Cattin, Italy, Director of Programmes, Parliamentarians for Global Action; Co-ordinator, Research Project "Law For Just Peace", University Roma Tre

Lunch: 13.00 - 14.30, Cafeteria

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

***Workshop on command responsibility***  
Prof. Charles Garraway

***Analysis of criteria used by the ICC office of the prosecutor for the selection of situations and cases***  
Dr. David Donat Cattin

Dinner: 19.00 - 20.00, Hotel Kolpinghaus

**WEDNESDAY, 15 August 2007**

**Fourteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

***State and individual responsibility drifting apart? The ICJ's ruling on genocide in Srebrenica***

Prof. William Schabas, Professor of Human Rights Law, National University of Ireland Galway, Eire, Director Irish Centre for Human Rights

***The ICC and third states***

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, Restaurant Stiegl-Keller, Festungsgasse 10

**Fifteenth Session: 14.30 - 16.00, HS 2.04 (with coffee break and discussion)**

***Enforcing international criminal law, humanitarian law and human rights***  
**Prof. Gerhard Hafner**

***Time for exams (16.00 – 18.00)***

**Dinner: 19.00 - 20.00, Hotel Kolpinghaus**

**THURSDAY, 16 August 2007**

**Sixteenth Session: 9.00 – 13.00, HS 2.04 (with coffee break and discussion)**

***Time for exams (9.00 – 10.30)***

***Current developments in international criminal law:***

***(a) The Charles Taylor trial***

***(b) The ICC between peace and justice: international criminal justice in Uganda***

**Prof. William Schabas**

**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 2007

Future plans

**Chair: Prof. Otto Triffterer**

Distribution of Certificates

**Dinner: 19.00 - 20.00, Hotel Kolpinghaus**

**Farewell Party**

**FRIDAY, 17 August 2007**

Departure of participants