

## Fostering an EU approach to Serious International Crimes

in collaboration with the Committee on Civil Liberties, Justice and Home Affairs and the Subcommittee on Human Rights

**DAY I – MONDAY, 20 November 2006: EUROPEAN PARLIAMENT, ROOM: ASP 1G-2**

**13.45-14.15 Registration**

**14.15-14.30 Welcoming Address** (Baroness Sarah Ludford, LIBE Committee)

**14.30 – 14.45 Presentation of Project and conference background paper** (Antoine Bernard, Executive Director, FIDH/Carla Ferstman, Director, REDRESS)

**PANEL I: Implementing international law obligations 14.45-15.30**

**Chair:** Luisa Mascia, Europe Coordinator, Coalition for the ICC

- Status of implementation of international law obligations by 25 Member States (Jürgen Schurr, FIDH/REDRESS)
- Obstacles to the implementation of international law obligations: the example of Poland (Agnieszka Dabrowiecka, Ministry of Justice, Poland)

**Panel II: Components of a regular enforcement of international criminal justice 15:30-16:45**

**Chair:** Hervé Ascensio, Professor of International Law, University of Paris

- The complementarity principle of the International Criminal Court (Hakan Friman, Ministry of Justice, Sweden)
- Establishing universal jurisdiction as a key mechanism to ensure global accountability (Christopher Hall, Senior Legal Advisor, Amnesty International )
- Impediments to the collaboration with International Tribunals (Siri Frigaard, Head of International Crimes Office, Oslo)

**Coffee Break 16:45-17:00**

**Panel III: Jurisdiction and admissibility 17.00-18:30**

**Chair:** Judge Van Den Wyngaert, Judge at the International Criminal Tribunal for the former Yugoslavia

- The presence requirement and consequences in practice (Jeanne Sulzer, lawyer and coordination of the FIDH legal action group, Paris)
- The application of Prosecutorial Discretion in the context of International Criminal Law – (Alberto Fabbri, Federal Attorney, Switzerland)
- The principle of subsidiarity in the context of International Criminal Law (Salvatore Zappala, Professor of International Law, University of Catania)
- Immunities in civil cases (Lorna McGregor, International Bar Association)

**18:30-20:00 Reception**

**DAY II – TUESDAY, 21 November 2006: EUROPEAN PARLIAMENT ROOM: ASP 3E-2**

**09:00-11:00 Hearing in the Sub-Committee for Human Rights (DROI)- The International Criminal Court and International Justice**

- Introductory Remarks (Helene Flautre, Chairwoman, DROIT)
- Functioning and Challenges of the ICC (Wilbert van Hövell, Senior External Relations Adviser, ICC)
- Victims' participation at the ICC (Carla Ferstman, Director, REDRESS)
- Victims of International Crimes and their access to justice (Patrick Baudouin, Lawyer and Coordinator of the Legal Action Group, FIDH, Paris)

**Coffee Break 10:30-11:00 in front of ROOM ASP 1E-1**

**PANEL I: Investigation of Serious International Crimes 11:00-12.45**

**Chair:** Chantal Joubert (Legal Counsel, Ministry of Foreign Affairs, Netherlands)

- EU Member States leading the way: establishing expertise in the investigation and prosecution of Serious International Crimes (Geraldine Mattioli, Advocate, HRW)
- The role of victims, their legal representatives and NGOS (Jeanne Sulzer, lawyer and coordination of the FIDH legal action group, Paris, & Carla Ferstman, Director, REDRESS)
- Challenges of an investigation of international crimes committed abroad (Martijn van de Beek, Investigator and Head of War Crimes Unit, Netherlands)
- Requests for mutual legal assistance from third states in universal jurisdiction cases (Juan Garces, Lawyer, Spain)

**Panel II: Prosecuting and defending alleged perpetrators of international crimes 12:45-13:30**

**Chair:** Philip Grant (President, TRIAL, Switzerland)

- Trying perpetrators by Jury (Paul Taylor, Barrister, UK)
- Fair trial issues arising in cases involving universal jurisdiction (Michiel Pestman, Lawyer, Netherlands)

**Lunch 13:30-14:30**

**Panel III National and EU cooperation 14:30 – 16:00**

**Chair:** Hans Nilsson, Head of Judicial Cooperation, Council Secretariat of the EU

- The EU Network of Contact Points in respect of persons responsible for genocide, crimes against humanity and war crimes: ensuring EU assistance in the investigation and prosecution of international crimes (Birgitte Vestberg, Prosecutor and Head of Special International Crimes Office, Denmark)
- Europol, Eurojust and the European Judicial Network and their potential to contribute to a successful investigation and prosecution (Serge de Biolley, Assistant to the Institute for European Studies)
- Complementing EU cooperation: the Interpol working group for Serious International Crimes (Atle Spønnich, Criminal Intelligence Officer, INTERPOL)

**Coffee Break 16:00-16:15**

#### **PANEL IV Unified European Framework 16:15-17:30**

**Chair:** Lorenzo Salazar, European Commission, Cabinet Frattini, DG Justice, Freedom and Security

- Putting International Humanitarian law into practice: the implementation of the ‘EU Guidelines on promoting compliance with International Humanitarian Law’ (Stephane Kolanowski, ICRC)
- The Cooperation and Assistance Agreement between the EU and the ICC (Diego Canga Fano, Legal Advisor, External Relations, Council Secretariat of the EU)
- Exemplary cooperation: Cooperation in the context of the fight against terrorism (tbc)

#### **17:30 Concluding Remarks**

Closing the impunity gap in the European Union (FIDH & REDRESS)



REALISED WITH THE FINANCIAL SUPPORT OF THE AGIS PROGRAMME OF  
THE EUROPEAN COMMISSION