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THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

and

THE SUBCOMMITTEE ON HUMAN RIGHTS

"Conference on Serious International Crimes"

JOINT HEARING

**Monday, 20 November 2006,
14:00 - 18:30**

European Parliament
Altiero Spinelli Building
Room ASP 1G-2
Rue Wiertz 60 - Brussels

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DRAFT PROGRAMME

DAY I – 20 November 2006:

14.00-14.15 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)

1.1.1. 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)

1.2. Panel II: Components of a regular enforcement of international criminal justice 15:30-16:30

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

- The complementarity principle of the International Criminal Court (Hakan Friman, Judge, 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)

1.3. Coffee Break 16:30-16:45

Panel III: Jurisdiction and admissibility 16.45-18:15

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) (to be confirmed)
- 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)

18:15-19:00 Reception

ANNEX

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Important notice for those wishing to attend the seminar

The seminar is open to the public. However, for security reasons, participants who do not have a European Parliament access badge must obtain a pass in advance. Those wishing to obtain such a pass should contact the seminar secretariat (Ms. Céline Hamacher) before 15 November 2006.



2. Day II - 21 November 2006 : (Room ASP 3E-2)

09:00-10:30 Hearing in the Sub-Committee for Human Rights (DROIT) Committee on the ICC and International Criminal Justice

- Introductory Remarks (Helene Flautre, Chairwoman, DROIT)
- Functioning and Challenges of the ICC (Wilbert van Hövell, Senior External Relations, 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)

2.1.1. Coffee Break 10:30-11:00

2.2. PANEL I: Investigation of Serious International Crimes 11:00-12.45 (Room ASP 1E-1)

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

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

Chair: Hans Nilsson, Head of Judicial Cooperation, Council Secretariat

- 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, Belgian Ministry of Justice)
- Complementing EU cooperation: The Interpol working group for Serious International Crimes (Atle Spønnich, Crime 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: Co-operation in the context of the fight against terrorism.

17:30 Concluding Remarks

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