

LAW TALKS VIII

15TH- 17TH OF MARCH 2012 IN SIHANOUKVILLE

RULE OF LAW: "RELATIONSHIP BETWEEN INTERNATIONAL LAW AND NATIONAL LAW"

Background Information

The support for the development of the legal system in Cambodia has been one of the main priorities of the work of Konrad-Adenauer-Stiftung for many years. One of the essential elements of such a process is a flourishing discussion between different generations on legal topics. Such a discussion has been difficult in Cambodia for many years due to its historical legacy and the legal vacuum during and in the aftermath of the Khmer Rouge regime. Legal discourse is therefore still not well developed in Cambodia today. It seems particularly important to help the emergence of a culture of legal discussion in the spirit of academic freedom, and the Law Talks were designed as one element of such support.

The Law Talks started in 2008, initially in formal cooperation mainly with the Senate, now also with various law faculties. Until today seven law talks have been held. Legal professionals from the Senate and National Assembly, from other government and state institutions, legal academics from universities, legal experts from NGOs and foreign legal experts and students have been included in the group of participants. The purpose has remained to contribute to a culture of open and free discussion on legal issues.

For some of the young academics the Law Talks provides an opportunity to deliver presentations on an academic workshop and to develop confidence to participate in other events of this kind nationally and internationally.

For the next round of Law Talks, conducted in Sihanoukville from the 15th to the 17th of March 2012 the topic "**Relationship between international Law and national law**" has been selected. This topic is of particular importance as international law plays an important role in Cambodia due to its numerous treaty obligations and the cooperation with many international organizations and bilateral partners in the Cambodian development process. It also still needs discussion and clarification as many details regarding the relationship between international and national law are not clearly stipulated in the Constitution or other sources of Cambodian law.

Senior legal experts as well as students will prepare short input statements and will contribute to a lively debate.

“Relationship between International Law and National Law”

15-17 March 2012

At Golden Sand Hotel
Preah Sihanouk Province, Kingdom of Cambodia

Time	Session/Content	Moderator
15 March 2012		
13:00	Departure from Phnom Penh to Sihanoukville	
17:00	Check in at Golden Sand Hotel	
18:30	Welcome Dinner at (TBC)	
Day I: 16 March 2012		
08:00-08:30	Registration	
08:30-08:40	Opening Remarks <ul style="list-style-type: none"> • <u>Mr. Denis Schrey</u>, Country Representative, Konrad-Adenauer-Stiftung, Cambodia 	
	<u>Session I</u> “International/Regional Law and its Implications for National Law”	Marc Spitzkatz , Head of the Rule of Law Program, KAS Asia
08:40-08:55	Introductory Remarks by <ul style="list-style-type: none"> • <u>Dr. Jörg Menzel</u>, Professor of Law, University of Bonn 	
08:55-09:15	“The Hierarchy of Norms in Europe: EU-Law, ECHR, International Law, National Law” <ul style="list-style-type: none"> • <u>Prof. Tanel Kerikmae</u>, Professor of European Law, University of Tallin, Estonia 	
09:15-09:30	“Europeanization of Data Protection and Access to Information Law in Germany”	



	<ul style="list-style-type: none">• <u>Mr. Lukas Gundermann</u>, Senior Advisor, The Senate	
09:30-10:15	Questions and Answers	
10:15	Coffee Break	
10:30-10:45	"Application of the ASEAN Legal Framework in Cambodia" <ul style="list-style-type: none">• <u>Mr. Kong Makara</u>, Student at Paññāsāstra University of Cambodia	
10:45-11:15	Question and Answers and Discussion	
	Session II "International Human Rights and their Application in Cambodia"	Dr. Jörg Menzel , Professor of Law, University of Bonn
11:15-11:30	"The Link between International Human Rights Treaties and Cambodian Land Law" <ul style="list-style-type: none">• <u>Mr. Kit Touch</u>, Senior Program Officer (Legal Officer) of Community Legal Education Centre (CLEC)	
11:30-11:45	Questions and Answers	
11:45-12:00	"Rights Based Approach and Access to Justice" <ul style="list-style-type: none">• <u>Mr. Ya Navuth</u>, Director of Coordination of Action Research on AIDs and Mobility (CARAM)	
12:00-12:15	Questions and Answers	
12:15-14:00	Lunch Break	
14:00-14:15	"Implementation of Children Rights in Cambodia" <ul style="list-style-type: none">• <u>Mr. Ngin Kean</u>, Student of Cambodian University for Specialties	
14:15-15:15	Questions and Answers and Discussion	
	Session III "Current Developments in Administrative Law: Environmental Law and Access to Information Law"	H.E. Yan Vandeluxe , Director of Legal Research Department, Senate of Cambodia
15:15-15:30	"International Environmental Law and its Implications for Cambodian Law"	



	<ul style="list-style-type: none"> • <u>Mr. Soth Sang Bonn</u>, Head of Human Resource Department, The Senate 	
15:15-15:30	Questions and Answers	
15:30-15:45	<p>"Draft Law on Access to Information"</p> <ul style="list-style-type: none"> • <u>Ms. Chan Muy Hong</u> and <u>Mr. Oum Vannak</u>, Students from DMC (Department of Media and Communication) 	
15:45-16:00	Coffee Break	
16:00-17:00	Question and Answers and Discussion	
17:00	End of Day I	
18:00	Joint Dinner	
Day II: 17th March 2012		
	<p><u>Session IV</u></p> <p>"International Criminal Law and its Application in Cambodia"</p>	H.E. Yan Vandeluxe , Director of Legal Research Department, Senate of Cambodia
08:00-08:15	<p>"The Rome Statute and its Implementation in National Law: The Example of War Crimes"</p> <ul style="list-style-type: none"> • <u>Simon Meisenberg</u>, CIM Expert and Legal Advisor at the ECCC 	
08:15-08:30	<p>"The Subsidiarity of the Jurisdiction of the International Criminal Court (ICC)"</p> <ul style="list-style-type: none"> • <u>Claudia Fenz</u>, Judge, Trial Chamber (Re) at the ECCC 	
08:30-09:15	Questions and Answers and Discussion	
	<p><u>Session V</u></p> <p>"International Treaties: Monitoring their Implementation in Cambodia"</p>	Dr. Jörg Menzel , Professor of Law, University of Bonn
09:15-09:30	<p>"The Treaty Making Process in the Royal Government of Cambodia"</p> <ul style="list-style-type: none"> • <u>Mr. Kompoul</u>, Chief of Treaty Bureau Legal and Consular Department Ministry of Foreign Affairs and International Cooperation 	
09:30-09:45	Questions and Answers	
09:45-10:00	"The Application of International Law in National	

	Law in Cambodia” <ul style="list-style-type: none"> • <u>Dr. Meas Bora</u>, Professor of Law, Cambodian University for Specialties 	
10:00-10:45	Questions and Answers and Discussion	
10:45-11:00	Coffee Break	
	<u>Session VI</u> “International Trade Law and its Implications for Cambodia”	Dr. Meas Bora , Professor of Law, Cambodian University for Specialties (TBC)
11:00-11:15	“Cambodia Trade Policy Developments: Challenges and Opportunities to apply International Trade Law and Standards” <ul style="list-style-type: none"> • <u>Mr. Chan Sopha</u>, President of Cambodian Economic Association 	
11:15-11:30	“Protection of Foreign Investment through International and National Law” <ul style="list-style-type: none"> • <u>Mr. Chhean Sokhom</u>, Student of the National University of Management (NUM) 	
11:30-12:00	Questions and Answers	
12:00-12:20	Final Student Presentations “Application of International Law in Cambodia from 4 Universities” Progress made and Reasons for the Application of International Law (two students present, 10 min) Obstacles and Limits to the Application of International Law (two students present, 10 min)	Dr. Jörg Menzel , Professor of Law, University of Bonn
12:20-12:50	Final Discussion	
12:50	Conclusions by Jörg Menzel and Denis Schrey	
13:00	<i>End of the Workshop</i>	
13:00	<i>Joint Lunch</i>	

***** General Information for speakers:**

- **The whole workshop will be in English**
- **Generally, each presentation shall be max. 15 minutes (!!!) and be followed by 15 minutes Q&A. Occasionally, we might proceed with two presentations and discuss them together.**
- **Equipment for power point presentation will be available in the workshop venue.**