

## **PUBLIC CONFERENCE**

**on the topic**

# **Power and Prosecution – The Challenges of International Criminal Justice**

**Monday, 26<sup>th</sup> September 2011**

**10.00 h - 13.00 h**

Conference venue

**Residence Palace**

(Polak conference room)

155, rue de la loi

1040 Brussels

*(Conference languages: English, French)*

### **Context**

The African Expert Study Group<sup>1</sup> on International Criminal Law, which has been established under the auspices of Konrad-Adenauer-Stiftung in 2010, will host its first Annual Meeting from 23<sup>rd</sup> - 26<sup>th</sup> September 2011 in Brussels.

On Monday, 26<sup>th</sup> September the judicial experts, who focus their research on the implementation of the Rome Statute and who are equally practitioners in the field, will discuss with an interested public on two important aspects: the continuous relevance of special crime tribunals for international justice as well as the perceived politicisation of international criminal justice.

The arrest of Radko Mladic has brought the International Criminal Tribunal for the former Yugoslavia (ICTY), a special court that was already in the process of wrapping-up, to the limelight again. It has become a milestone in the fight against impunity. The trial against Mladic will benefit from previous experiences of the ICTY as well as from the further development of the international justice system during the last decades. Hybrid courts, such as the Extraordinary Chambers in the Court of Cambodia (ECCC), or the Special tribunal of Lebanon, have equally given new impetus to the fight against impunity but have also alluded to the problems international criminal justice faces in the constant search for equilibrium between peace and reconciliation on the one hand and justice on the other.

Due to the investigations, warrants of arrest and indictments against various African leaders by the ICC, the Rome Statute is now perceived by the broader African public as being biased against African states. The comparatively quick and unprecedented warrant of arrest against Colonel Ghaddafi contributed to this perception but also underlined not only the close nexus of international justice and politics but also the constraints the latter faces when international justice moves at its own speed.

## PROGRAMME

### Power and Prosecution – The Challenges of International Criminal Justice

**10.00 h**      **Welcome Remarks**

*Andrea E. Ostheimer*, Director of the Multinational Development Policy Dialogue, KAS European Office Brussels

**10.10 h**      **Panel I: Special crimes tribunals and their relevance for international justice**

*Moderator: Otilia Maunganidze*, International Crime in Africa Programme, ISS, South Africa

- Lessons to learn from the International Criminal Tribunal for the former Yugoslavia/ICTY:  
*Chris Engels*, Regional Coordinator of War Crimes Justice Project, Sarajevo
- Extraordinary Chambers in the Court of Cambodia/ECCC and their contribution to national justice and reconciliation:  
*Jeudy Oeung*, Cambodian Human Rights Action Committee
- The Rome Statute and the Special Court for Sierra Leone:  
*Augustine S. Marrah*, High Court Sierra Leone
- Experiences from the International Criminal Tribunal for Rwanda/ICTR:  
*Wilfred Nderitu*, Co-Defence Counsel ICTR  
*Christian Garuka Nsabimana*, Kigali-Rwanda

#### Discussion and exchange with the audience

**11.30 h**      **Panel II: Towards a politicisation of international criminal justice?**

*Moderator: Peter Wendoh*, KAS Rule-of-Law Programme Sub-Sahara Africa, Nairobi

- *Otilia Maunganidze*, International Crime in Africa Programme, ISS, South Africa
- *Franck Mulenda*, Council of the ICC, Member of the Law Reform Commission, RD Congo
- *Gerhard Kemp*, Professor of Criminal and International Criminal Law at the Stellenbosch University, South Africa
- *Christopher Gevers*, Lecturer at University of KwaZulu-Natal, Durban
- *Ngozi Chuma-Umeh*, Lecturer of Law at Madonna University, Nigeria
- *Evelyne Owiye Asaala*, Lecturer of Law at Nazarene University, Kenya

#### Discussion and exchange with audience

**12.50 h**      **Summary and concluding remarks**

*Dr. Hein Lubbe*, Faculty of Law, North-West University and acting coordinator of the African Expert Study Group

**13.00 h**      **Lunch** at the restaurant 'New Concept', Residence Palace

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**For more information, please contact:**

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