



DEVELOPMENTS IN INTERNATIONAL CRIMINAL JUSTICE IN AFRICA

INSTITUTE FOR SECURITY STUDIES
19 AND 20 MARCH 2008
VILLA VIA HOTEL (www.villa-via.com) CAPE TOWN

PROVISIONAL AGENDA

WEDNESDAY 19 MARCH: INTERNATIONAL CRIMINAL JUSTICE IN AN AFRICAN CONTEXT

8h30 – 9h00: Registration

Morning session: Introduction, orientation and overview

9h00 – 9h15: Welcome (Jakkie Cilliers, Executive Director, ISS)

9h15 – 9h30: Overview of the International Crimes in Africa Programme (Anton du Plessis, Head, ICAP, ISS)

Chair: Judge Navi Pillay (ICC)

9h30 – 10h00: Why is international criminal law important for Africa?; An overview of the existing international criminal institutions at work in Africa and what they aim to achieve (Geoffrey Robertson QC, Doughty Street Chambers, Judge, Sierra Leone Special Court; alternate Bongani Majola; Deputy Prosecutor, ICTR)

10h00 – 10h30: The challenges facing international criminal justice today: the ICC, Africa and the importance of stamping out impunity for international crimes (Judge Akua Kuenyehia, Vice President of the ICC)

10h30 – 10h45: Tea break

10h45 – 11h15: An overview of International Criminal Justice *and* Africa: the AU and the fight against impunity (Ben Kioko, Director, Legal Affairs, Commission of the African Union)

11h15 – 12h30: Discussion

Lunch: 12h30 – 13h30

Afternoon session: The fight against impunity: the current work of the International Criminal Court in Africa

Chair: Bongani Majola (Deputy Prosecutor, ICTR)

13h30 – 14h10: A snapshot of the ICC's current docket: Uganda, the DRC, Central African Republic, and the Sudan (Hans Bevers, Legal Advisory Section, OTP, ICC)

14h10 – 14h40: Bringing the experiences together: the challenges of complementarity, amnesties, show trials and political intransigence (Vesselin Popovsky, United Nations University)

14h40 – 15h15: A friendly but critical view of the ICC's work in Africa (Dr Alhagi Marong, ICTR)

15h15 – 15h40: Tea break

15h40 – 16h10: War crimes trials: A reappraisal (Dr Gerry Simpson, London School of Economics)

16h10 – 17h00: Discussion

18h00 – 19h00: Welcome address by Judge Daniel Nsereko (Judge of the ICC) followed by wine tasting and dinner at Lourensford Wine Estate, Somerset West (www.lourensford.co.za)

THURSDAY 20 MARCH: BUILDING SUPPORT FOR THE WORK OF INTERNATIONAL CRIMINAL JUSTICE IN AFRICA

Morning session: Showing support through the examples of domestic prosecution of international crimes

Chair: Judge Justice Moloto (ICTY)

9h00 – 9h35: The African Experience: from Habre to Mengistu via Charles Taylor (Salim Nakhjavani, UCT, Formerly Legal Advisory Section, OTP, ICC)

9h35 – 10h10: Unwilling or Unable? Lessons from a five-country African study of domestication of the ICC Statute (Max du Plessis, ISS, Associate Professor, University of KwaZulu-Natal)

10h10 – 10h30: Tea break

10h30 – 11h05: Considering the UK experience (Elizabeth Wilmshurst, formerly deputy legal adviser to the Foreign Office)

11h05 – 11h40: Some reflections on complementarity from the perspective of an ICC judge: (Judge Navi Pillay, ICC)

11h40 – 12h30: Discussion

Lunch 12h30 – 13h30

Afternoon session 1: The mechanics of international criminal justice: politics, implementation and lessons to be learnt

Chair: Arvinder Sambei (Commonwealth Secretariat)

13h30 – 14h00: A view from the ICC – how the work of the ICC depends on the support of international, regional and domestic institutions and actors (Fatou Bensouda, Deputy Prosecutor, ICC)

14h00 – 14h30: The European Union and the ICC: lessons to be learnt? (Hakan Friman, University College London)

14h30 – 14h45: Tea break

14h45 – 15h30: Lessons from another field: working with African-based organisations and institutions in the fight against terrorism (Anton du Plessis, ISS and Martin Polaine, Commonwealth Secretariat)

15h30 – 15h45: Discussion

Afternoon session 2: Taking stock: identifying key areas for action

Facilitator: Judge Kimberly Prost (ICTY)

15h45 – 16h15: Looking back at objectives agreed on at first Zewenvacht symposium and identifying current concerns and priorities (Admore Kambudzi, Secretary to the Peace and Security Council, AU Commission)

16h15 – 16h50: Strengthening Africa's fight against impunity: agreeing on key areas for action (Anton du Plessis, ISS)

16h50 – 17h00: Closing (Jakkie Cilliers, ISS)