



*Geoffrey Nice Foundation on*  
**Law, History, Politics, and Society**  
**in the context of Mass Atrocities**

## **REPORT**

### **2018 Master Class 2-13 July 2018 in Dubrovnik**

The 5<sup>th</sup> Geoffrey Nice Foundation Master Class took place from 2 to 13 July 2018 in Dubrovnik, Croatia.

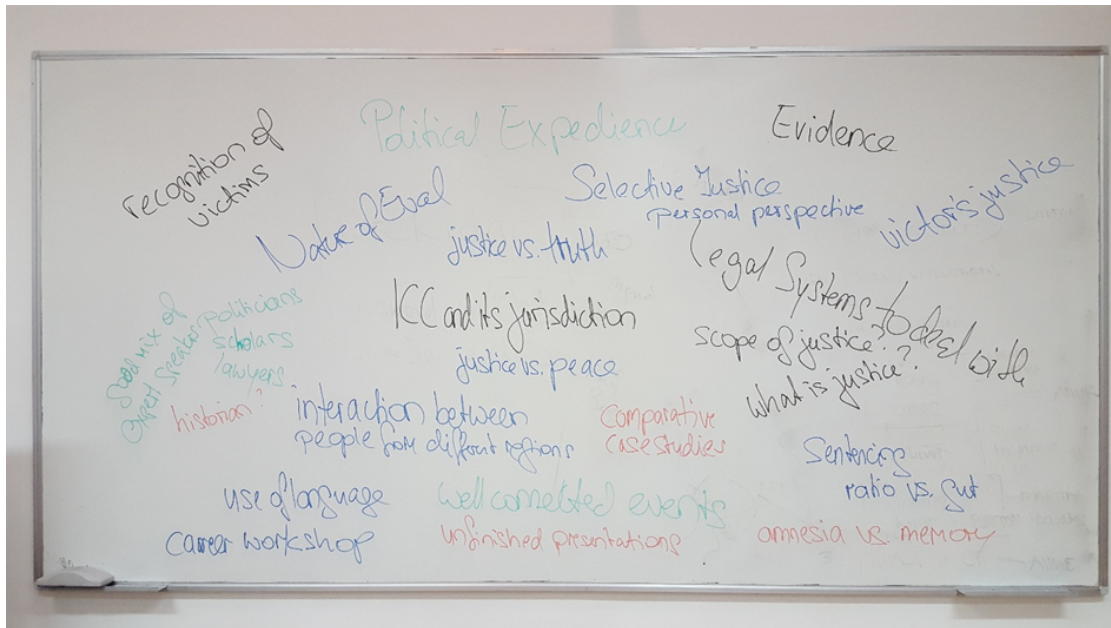
Over the 11 days of the Master Class 39 participants enjoyed and actively participated in a rich program of presentations and discussions as well as group work on the topic of **Political Expediency behind International Criminal Courts**. Hosted by the Inter University Centre for Post-Graduate Studies (IUC) in Dubrovnik, the historic centre of Dubrovnik provided the perfect setting for interesting debates and exchanges between academics, politicians and practitioners.

**Dr. Nevenka Tromp** opened the course on Monday 2 July 2018 introducing the concept of the GN Foundation Master Class especially the aspect of interdisciplinary work (legal, political, historical and sociological aspects) starting from the case of Prosecutor v. Slobodan Milošević. **Sir Geoffrey Nice** then spoke about Trials of Imperfection, starting with a historical overview leading up to the 1990s with the creation of the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda by the UN Security Council and the Rome Statute through which the International Criminal Court (ICC) was founded.

In the course of the following days, the participants enjoyed a diverse series of lectures by senior academics and practitioners including Prof. Dr. Gerry Simpson, Prof. Dr. Ejup Ganić, Ass. Prof. Dr. Sunčana Roksandić Vidlička, Lord Bony, Sir Nick Parker, HE Atifete Jahjaga, Frederik Harhoff, Benjamin Ferencz, Donald Ferencz, Andrew Cayley, Regina Paulose, Hamid Sabi, Nick Vetch and Marie-Ursula Kind as well as Geoffrey Nice Foundation Alumnis Aarif Abraham, Sabina Garahan, Sophie Howard and Rabah Kerbane. These

lectures invited discussions on principles and theories of criminal justice, politics and economy in general as well as very concrete case studies including in addition to the ICTY and the ICC also the Nüremberg Tribunal, the Extraordinary Chambers in the Courts of Cambodia, the Iran People's Tribunal, the Specialist Chambers and Specialist Prosecutor's Office for Kosovo, the Extraordinary African Chambers in the Senegalese court system where Hissène Habré was tried.

Chatham House rules apply to content of the discussions and debates.



Divided into six working groups before the start of the Master Class, all participants worked autonomously throughout the Master Class in their respective working groups.

On Thursday 12 July 2018, each group presented the key issues of their assigned case study covering aspects including political and historical background of the conflict that led to the creation of the court, founding authorities and statute (legal framework, purpose / competence of the court, who provides the funding and where the court is located, composition of prosecution and chambers (local and/or international), who has been indicted and tried, which law applies, political and historical context in which the court operates, the legal basis for cooperation with national institutions, the impact of the court's work on the peace process and/or transitional justice process.

Group 1: Case Study - Iran People's Tribunal

Group 2: Case Study - Kosovo Specialist Chambers and Prosecutor's Office

Group 3: Case Study - Extraordinary Chambers in the Courts of Cambodia

Group 4: Case Study - International Criminal Tribunal for the former Yugoslavia

Group 5: Case Study - International Criminal Court

Group 6: Case Study - The trial of Hissène Habré

On Friday 13 July 2018, the participants were additionally challenged to experiment in groups with a case scenario that asked for a response to an act of violence in a society divided by conflict, where the society had no legal system to deal with such acts. Each group dealt with the problem successfully using elements of transitional justice processes.

## **PROGRAMME (02 July to 13 July 2018)**

### **Arrival, Sunday, 01 July 2018**

#### **Monday, 02 July 2018**

09:00-10:00	<b>Opening lecture and Introduction:</b> Nevenka Tromp and Geoffrey Nice
10:00-11:00	Geoffrey Nice – Trials of Imperfection
11:00-11:30	<b>Break</b>
11:30-13:00	Nevenka Tromp – Echoes of Justice
13:00-14:00	<b>Welcome Lunch</b>
14:00-16:00	<b>Working Break</b>
16:00-17:30	Gerry Simpson – One Hundred Years of Turpitude: a Retrospective
17:30-18.00	<b>Introduction to Group Projects</b>
18:00-19:00	Film Seminar “Billy Budd – Part I”

#### **Tuesday, 03 July 2018**

09:00-11:00	Gerry Simpson – The Politics of International Criminal Justice
11:00-11:30	<b>Break</b>
11:30-13:00	Sabina Garahan - ICC: UN Security Council and Referral Practice
13:00-16:00	<b>Working Lunch</b>
16:00-17:30	Regina Paulose - Stateless People and the need for (or lack of) Judicial Mechanisms
18:00-19:00	Film Seminar “Billy Budd – Part II”

### **Wednesday, 04 July 2018**

09:00-11:00	Frederik Harhoff - ICTY: A Judge's Perspective
11:00-11:30	<b>Break</b>
11:30-13:00	Iain Bonomy – ICTY: Writing a Judgement
13:00-16:00	<b>Working Lunch</b>
16:00-17:30	Sophie Howard - Sentencing at International Criminal Courts
17:30-18:00	<b>Break</b>
18:00-18:30	Panel Discussion

### **Thursday, 05 July 2018**

09:00-11:00	Iain Bonomy – Continuation of ICTY: Writing a Judgement followed by a presentation on JCE
11:00-11:30	<b>Break</b>
11:30-13:00	Rabah Kherbane – Genocide: The Duty to Prosecute
13:00-16:00	<b>Working Lunch with Faculty (Group 4)</b>
16:00-17:30	Aarif Abraham – Genocide: A Call for Rewriting the Law
17:30-18:00	<b>Break</b>
18:00-19:00	Film Seminar “Conspiracy”

### **Friday, 06 July 2018**

09:00-11:00	Ejup Ganić – Transitional Justice in Bosnia and Herzegovina
11:00-11:30	<b>Break</b>
11:30-12:30	Benjamin Ferencz video lecture
13:00-16:00	<b>Working Lunch with Faculty (Group 5)</b>
16:00-17:30	Don Ferencz - The Crime of Aggression: A Political Crime?
17:30-19:00	<b>Break</b>

**19:00-21:00      Book Launch – Sir Geoffrey Nice: “Justice for All and How to Achieve It”**

### **Saturday, 07 July 2018**

10:00-12:00	Atifete Jahjaga – Kosovo's Legal and Political Challenges as an Independent State
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**Afternoon free**

### **Sunday, 8 July 2018**

**Morning free**

17:30 - Sightseeing Tour

### **Monday, 9 July 2018**

09:00-10:00	Marie-Ursula Kind - Recap Session Week I and Introduction to Transitional Justice concepts on the example of Kosovo
11:00-11:30	<b>Break</b>
11:30-13:00	Andrew Cayley – ICTY: Politics of Indictments
13:00-16:00	<b>Working Lunch with Faculty (Group 3)</b>
16:00-17:30	Nick Parker - The Use of Military Force to Address Contemporary Security Challenges
17:30-18:00	<b>Break</b>
18:00-18:30	Panel Discussion

### **Tuesday, 10 July 2018**

09:00-11:00	Andrew Cayley (ECCC)
11:00-11:30	<b>Break</b>
11:30-13:00	Hamid Sabi - The process of Iran Tribunal: A True People's Tribunal
13:00-16:00	<b>Working Lunch with Faculty (Group 1)</b>
16:00-17:30	Nicholas Vetch - Business and its Impact on Politics
17:30-18:00	<b>Break</b>
18:00-18:30	Panel Discussion

### **Wednesday, 11 July 2018**

09:00-11:00	Geoffrey Nice – The Kosovo Specialist Chambers
11:00-11:30	<b>Break</b>
11:30-13:00	Sunčana Roksandić - Transitional Justice and Economic Crimes
13:00-16:00	<b>Working Lunch with Faculty (Group 2)</b>
16:00-17:30	Input on North Korea
17:30-18:00	<b>Break</b>
18:00-19:00	Film seminar (“Snow”)

### **Thursday, 12 July 2018**

09:00-11:00	Group Presentations
11:00-11:15	<b>Break</b>
11:15-13:30	Group Presentations
13:30-16:30	<b>Working Lunch with Faculty (Group 6)</b>
16:30-19:00	Group Presentations

### **Friday, 13 July 2018**

09:00-11:00	<b>Experimental Group Exercise</b>
11:00-12:00	<b>Evaluation</b>
12:00-14:00	<b>Farewell Lunch (for all participants)</b>

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**Geoffrey Nice Foundation Course Directors:**

**Nevenka Tromp**, University of Amsterdam, Netherlands

**Geoffrey Nice**, Inner Temple Inn, London, UK

**Geoffrey Nice Foundation Programme Director:**

**Marie Ursula Kind**, Zurich, Switzerland

**Organising Universities and Professional Institutions:**

University of Amsterdam (UvA); Inter-University Centre Dubrovnik, Croatia; Honourable Society of the Inner Temple, London; Honourable Society of Lincoln's Inn London.

**Faculty:**

1. Aarif Abraham, UK
2. Lord Iain Bony, Scotland
3. Andrew Cayley CMG QC, UK
4. Donald Ferencz, US/UK
5. Benjamin Ferencz, USA
6. Judge Frederik Harhoff, Denmark
7. Prof. Dr. Ejup Ganić, Bosnia and Herzegovina
8. Sabina Garahan, UK
9. Sophie Howard, UK
10. HE Atifete Jahjaga, Kosova
11. Rabah Kherbane, UK
12. Marie-Ursula Kind, Switzerland
13. Sir Geoffrey Nice QC, UK
14. Sir Nick Parker, UK
15. Regina Paulose, US
16. Ass. Prof. Dr. Sunčana Roksandić, Croatia

17. Hamid Sabi, UK
18. Prof. Dr. Gerry Simpson, UK
19. Dr. Nevenka Tromp, The Netherlands
20. Nicholas Vetch, UK

**Participants (37 participants from 12 countries)**

1. Imsuk HA, South Korea
2. Eve-Anne Travers, Scotland
3. Edin Hadzihafizbegovic, BiH
4. Lahira Durakovic, Montenegro
5. Tamara Blagojevic, Serbia
6. Christine Ofosu-Ampadu, UK
7. Yunhee Lee, South Korea
8. Vilson Haxholli, Kosovo
9. Darko Rashajkovski, Macedonia
10. Sven Dekleva, Croatia
11. Adele Akers, UK
12. Niusha Gashemi, Netherlands
13. Ana Marija Apostoloska, Macedonia
14. Irista Cevra, BiH
15. Stuart Clark, UK
16. Ana Stefanovic, Serbia
17. Tatiana Sundquist, UK
18. Adetokunbo Hussain, UK
19. Theresa Singh, Australia
20. Azra Krivic, BiH
21. Elena Stojanova, Macedonia
22. Janica Rakoci, Croatia
23. Dainyah Mason, UK
24. Shereen Akhtar, UK
25. Capt. Joanna Shipley, UK
26. Aime Saba, BiH
27. Martina Gligorova, Macedonia
28. Renata Benko, Croatia
29. Bojan Petrovic, Serbia
30. Ece Oztürk, Turkey
31. Ruth McGuinness, UK
32. Anis Krivic, BiH
33. Dushka Kuzmanovska, Macedonia
34. Filip Lukic, Serbia
35. Tessa van den Bongaardt, Netherlands
36. Shina Animashaun, UK
37. Neil Sturman, UK