Integrity in International Justice

co-organised by
the Centre for International Law Research and Policy
and the International Nuremberg Principles Academy,

in the Peace Palace, The Hague,
1-2 December 2018.

Programme

Saturday, 1 December 2018

09:00 Opening Session:
Remarks by Conference Chair, Klaus Rackwitz¹

1. Fatou Bensouda:²
   The Legal Requirement of Individual Integrity and the Prosecution of International Crimes

2. Erik Møse:³
   Reflections on Integrity in International Criminal Justice and Regional Human Rights Courts

3. Marc Perrin de Brichambaut:⁴
   The Importance of Integrity in International Justice

4. Morten Bergsmo:⁵
   Integrity as Safeguard Against the Vicissitudes of Common Justice Institutions

¹ Klaus Rackwitz is Director of the International Nuremberg Principles Academy. He has formerly worked for the International Criminal Court, Eurojust, and the German judiciary.
² Fatou Bensouda is Prosecutor of the International Criminal Court, where she previously served as Deputy Prosecutor.
³ Erik Møse is Judge of the Supreme Court of Norway. He was previously Judge of the European Court of Human Rights, and President of the International Criminal Tribunal for Rwanda.
⁴ Marc Perrin de Brichambaut is Vice President of the International Criminal Court. He was previously Secretary-General of the Organisation for Cooperation and Security in Europe, and Legal Adviser of the Foreign Ministry of France.
⁵ Morten Bergsmo is Director of the Centre for International Law Research and Policy (CILRAP).

https://www.cilrap.org/events/181201-02-the-hague/
#IntegrityinJustice
10:50  Tea and coffee

11:20  **Part I: Meaning of Integrity**

*Chair: Martin Sørby*

5.  Emiliano J. Buis: *Greek and Roman Pre-Christian Notions of ‘Integrity’*

6.  Hanne Sophie Greve: *Christian Sources and Reflections on Integrity in Justice*

7.  Adel Maged: *Primary Islamic Sources on Integrity in Justice*

8.  Gunnar M. Ekeløve-Slydal: *Sir Thomas More and Integrity in Justice*

9.  Hans A.V. Corell: *The Dag Hammarskjöld Legacy and Integrity in International Civil Service*

12:45  Lunch

13:45  **Part I continues:**

10.  Juan Carlos Botero Navia: *Towards a Global Understanding of Integrity in Justice*

11.  Olympia Bekou: *Integrity Standards in the Statutes of International Criminal Jurisdictions*

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6 There will be 60 minutes for discussion at the end of Part I.

7 **Martin Sørby** is Ambassador of Norway to the Netherlands. He was previously director for international criminal and humanitarian law at the Norwegian Foreign Ministry.

8 **Emiliano J. Buis** is Professor at the Facultad de Derecho and the Facultad de Filosofía y Letras, Universidad de Buenos Aires, and holds several teaching and research positions at other academic institutions in Argentina.

9 **Hanne Sophie Greve** is Vice President of the Gulating Court of Appeal, Norway, and a member of the International Commission against the Death Penalty. She was formerly Judge at the European Court of Human Rights, and a member of the UN Commission of Experts for the Former Yugoslavia established pursuant to UN Security Council Resolution 780 (1992).

10 **Adel Maged** is Vice President of the Court of Cassation of Egypt and Honorary Professor of Law, Durham University.

11 **Gunnar M. Ekeløve-Slydal** is Lecturer at the University of South East Norway and Deputy Secretary General, Norwegian Helsinki Committee.

12 **Hans A.V. Corell** is the former Under-Secretary-General for Legal Affairs and the Legal Counsel of the United Nations, Ambassador and Under-Secretary for Legal and Consular Affairs in the Swedish Ministry for Foreign Affairs, Chief Legal Officer of the Swedish Ministry of Justice, and a judge in Sweden.

13 **Juan Carlos Botero Navia** is Associate Professor at the Pontificia Universidad Javeriana School of Law in Bogota, Colombia. He was formerly the World Justice Project’s Executive Director and Rule of Law Index Director, and Chief International Legal Counsel at the Colombian Ministry of Commerce.

14 **Olympia Bekou** is Professor at the University of Nottingham and Deputy-Director of the Case Matrix Network (CILRAP).
15:15  Tea and coffee

15:45  **Part II: Awareness and Culture of Integrity**

*Chair: Hanne Sophie Greve*

12. Brigid Inder: \(^{16}\)  
*Conformity, Leadership and the Culture of Integrity*

13. Christopher B. Mahony: \(^{17}\)  
*Integrity, Indebtedness and Great Power Instrumentalization of International Criminal Justice Personnel*

14. William H. Wiley: \(^{18}\)  
*Truthful Communication as a Precondition to Integrity in International Justice*

15. Andrew T. Cayley: \(^{19}\)  
*Decency as a Prerequisite of Integrity in International Justice*

16. Payam Akhavan: \(^{20}\)  
*From Empathy to Equity: Reflections on Integrity and Institution-Building*

17:00  Tea and coffee

17:30  **Part II continues:**

17. Marina Aksenova: \(^{21}\)  
*The Role of Aesthetics in Furthering Integrity*

18. Julija Bogoeva: \(^{22}\)  
*Only the Best Should Prosecute and Judge in International Justice*

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\(^{15}\) There will be 60 minutes for discussion at the end of Part II.

\(^{16}\) Brigid Inder OBE, currently Advisor and Senior Consultant, was formerly Founding Executive Director of the Women’s Initiatives for Gender Justice and Special Advisor on Gender to the Prosecutor of the International Criminal Court.

\(^{17}\) Christopher B. Mahony is CILRAP Research Fellow and Senior Political Economy Specialist at the Finance, Competitiveness, and Innovation Group at the World Bank.


\(^{19}\) Andrew T. Cayley CMG QC FRSA is Director of Service Prosecutions of the United Kingdom. He was International Co-Prosecutor of the ECCC from 2009 to 2013; Senior Prosecuting Counsel at the ICC from 2005 to 2007; Senior Prosecuting Counsel and Prosecuting Counsel at the ICTY from 1996 to 2005; and Defence Counsel at the ICTY and SCSL from 2007 to 2009.

\(^{20}\) Payam Akhavan is Professor of International Law at McGill University in Montreal, Canada, and a Member of the Permanent Court of Arbitration at The Hague. He previously served the ICTY and the UNHCHR, and has appeared as counsel before the International Criminal Court, the International Court of Justice, the European Court of Human Rights, and the Supreme Courts of Canada and the United States.

\(^{21}\) Marina Aksenova is Professor of Comparative and International Criminal Law at IE University, Madrid, CILRAP Research Fellow, and Director of the new Art and International Justice Initiative.

\(^{22}\) Julija Bogoeva is a former Research Officer at the ICTY Office of the Prosecutor, and one of the founders of an independent news agency in Belgrade. For a number of years, she was the leading journalist on the ICTY for readers in the former Yugoslavia. She holds a law degree *(summa cum laude)* from the University of Belgrade.
19:00 The conference ends for the day, and the speakers proceed to the nearby residence of the Norwegian Ambassador for dinner.

**Sunday, 2 December 2018**

09:00 **Part III: The Role of States**

*Chair: Viviane Dittrich*

19. Karl Theodor Paschke: On the Efforts to Uphold Standards of Integrity Through the Work of the United Nations Internal Oversight Services

20. Dieneke de Vos: Recent Developments in Ethics Standard-Setting and Mechanisms in the UN


10:30 Tea and coffee

10:45 **Part IV: The Role of International Justice Institutions**

*Chair: Klaus Rackwitz*

23. Jan Fougner: On Whistle-Blowing and Inquiry in Public Institutions

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23 There will be 30 minutes for discussion at the end of Part III.

24 **Viviane Dittrich** is Deputy Director of the International Nuremberg Principles Academy. She is Visiting Fellow at the Centre for International Studies at the London School of Economics and Political Science (LSE), and an Honorary Research Associate at Royal Holloway, University of London.

25 **Karl Theodor Paschke** is a former Under-Secretary-General for Internal Oversight Services, Director General for Personnel and Management of the German Foreign Office, and Ambassador-at-Large of that Office.

26 **Dieneke de Vos** is Integrity Lead with Oxfam Novib (as of December 2018). She was formerly Ethics Officer with the UN Ethics Office (until November 2018), and has worked for the International Criminal Court, the Women's Initiatives for Gender Justice, the International Federation for Human Rights, and the UN Development Programme.

27 **Marta Hirsch-Ziembinska** is Head of Complaints and Inquiries Unit, Head of ICT and the Principal Legal Adviser of the European Ombudsman. Formerly, she worked in the Polish Diplomatic Service for ten years.

28 **Devasheesh Bais** is Advocate at the High Court of Madhya Pradesh, India, and Fellow at the Centre for International Law Research and Policy (CILRAP).

29 There will be 30 minutes for discussion at the end Part IV.

30 **Jan Fougner** is Partner in the Norwegian law firm Wiersholm (whose employment practice he leads), and Professor at BI Norwegian Business School. He has led a number of high-profile inquiries involving problems of integrity (including in the police) and is an expert on whistle-blowing.
24. Salim A. Nakhjavani: Code of Ethics and Ethics Charter

25. FAN Yuwen: Reconstructing Integrity Standards in International Criminal Justice: From Common Minimum Standards to a Proposal on Model Code of Conduct

26. Matthias Neuner: International Jurisprudence on Sexual Harassment

27. Karim A.A. Khan: Integrity and the Limits of Internal Oversight Mechanisms


29. Shannon E. Fyfe: Integrity and Prosecutorial Ethics in International Criminal Justice

13:00 Lunch

14:00 Part V: Integrity and the Lens of Cases

Chair: Karim A.A. Khan

30. Teresa McHenry: Reflections on Integrity in the Prosecution of Cases

31. Mohamed Salah Eleiwa A. Badar: The Disqualification of Judge Frederik Harhoff

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Salim A. Nakhjavani is Professor at the School of Law of the University of the Witwatersrand, Advocate of the High Court of South Africa, and a member of the Johannesburg Bar. He has previously worked for the ECCC and the ICC (where he wrote the Draft Code of Conduct of the Office of the Prosecutor).

FAN Yuwen is Research Fellow within the Research Group "The International Rule of Law – Rise or Decline?" based in Humboldt-Universität zu Berlin, and CILRAP Research Fellow.

Matthias Neuner is Trial Counsel, Office of the Prosecutor, Special Tribunal for Lebanon. Previously, he was Trial Attorney at the Office of the Prosecutor, International Criminal Tribunal for the Former Yugoslavia for almost ten years.

Karim A.A. Khan QC, Assistant Secretary-General, is Special Advisor and Head of the UN Investigative Team for Accountability of Da’esh/ISIL (UNITAD). Previously, he has been engaged as counsel in cases before the ICC, ICTY, ICTR, Special Court for Sierra Leone, Extraordinary Chambers in the Courts of Cambodia, and the Special Tribunal for Lebanon. He has worked for the ICTY, ICTR and the Crown Prosecution Service of England and Wales.

Cyril Laucci was Legal Advisor in the Registry of the International Criminal Court from 2009 to 2015.

Shannon E. Fyfe is Assistant Professor at the Institute for Philosophy and Public Policy, Philosophy Department, George Mason University.

There will be 30 minutes for discussion at the end of Part V.

Teresa McHenry is the head of the Human Rights and Special Prosecutions Section within the Criminal Division of the U.S. Department of Justice. She was formerly Senior Trial Attorney at the ICTY.

Mohamed Salah Eleiwa A. Badar is Professor at Northumbria University, Newcastle, UK. He served as Senior Prosecutor and Judge in Egypt from 1997 to 2006. He recently served as Senior Expert for Euromed Justice IV.
32. Gregory S. Gordon: \textsuperscript{40}
   \textit{Measuring Integrity in Post-Conviction Proceedings}

33. Antonio Angotti, Basil Saen and Shan Patel: \textsuperscript{41}
   \textit{Individual Integrity and Independence of Judges: The Case of Judge Akay}

15:30  Tea and coffee

15:45  \textbf{Part VI: Independence and Integrity}\textsuperscript{42}

\textit{Chair: Ivana Hrdličková}\textsuperscript{43}

34. Richard J. Goldstone: \textsuperscript{44}
   \textit{Prosecutorial Language, Integrity and Independence}

35. Christopher Staker: \textsuperscript{45}
   \textit{Integrity and the Inevitably Political Exposure of International Criminal Justice}

36. David Donat-Cattin: \textsuperscript{46}
   \textit{Integrity and the Maintenance of Independence in International Criminal Justice}

37. Adedeji Adekunle: \textsuperscript{47}
   \textit{Integrity and Independence: Common Standards and Uneven Cost of Implementation}


18:00  The conference ends.

\textsuperscript{40} Gregory S. Gordon is Professor at the Faculty of Law of the Chinese University of Hong Kong, and CILRAP Research Fellow.

\textsuperscript{41} Antonio Angotti is Attorney in Florence, Italy, and Fellow of the Centre for International Law Research and Policy (CILRAP). Basil Saen is with Allen & Overy LLP in Brussels. Shan Patel is an M.Sc. candidate at the LSE.

\textsuperscript{42} There will be 30 minutes for discussion at the end of Part VI.

\textsuperscript{43} Ivana Hrdličková is President of the Special Tribunal for Lebanon.

\textsuperscript{44} Richard J. Goldstone is a retired Justice of the Constitutional Court of South Africa. He served as the first Chief Prosecutor of the International Criminal Tribunals for the Former Yugoslavia and Rwanda.

\textsuperscript{45} Christopher Staker is Barrister at 39 Essex Chambers, and has been counsel in cases before the International Court of Justice, International Tribunal for the Law of the Sea, ICTY, Special Court for Sierra Leone, and European Court of Human Rights. Previously, he has been Principal Legal Secretary at the International Court of Justice; Deputy Prosecutor of the Special Court for Sierra Leone; Senior Appeals Counsel at the ICTY; and Counsel Assisting the Solicitor-General of Australia. He originally trained as a diplomat with the Australian Department of Foreign Affairs.

\textsuperscript{46} David Donat-Cattin is Secretary-General of Parliamentarians for Global Action (PGA), and Adjunct Assistant Professor of International Law at New York University (NYU) Center for Global Affairs.

\textsuperscript{47} Adedeji Adekunle is Senior Advocate of Nigeria, and Director General and Professor of the Nigerian Institute of Advanced Legal Studies. He has previously served the Federal Government expert delegate, and Special Adviser to Nigeria’s Attorney General and Minister of Justice. He also served as Secretary of the 2004 Law Revision Committee.
You may address queries about the conference to events@cilrap.org and register to attend by sending an e-mail to registration@cilrap.org.