

XII. LAW TALK

“International Criminal Law and Human Rights Implications for Cambodia”

01.-03.08.2014

Venue:

Sokha Beach Resort

Street 2 Thnou, Sihanouk Ville, Cambodia

Participant:

Scholars from the USA, Germany and Legal Experts/Scholars from Cambodia

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 in Cambodia for many years. One of the essential elements of such a process is a flourishing discussion between different generations and experts on legal topics. Such discussion has been difficult in Cambodia for many years due to its historical legacy and the legal vacuum during the Khmer Rouge regime. It seems particularly important to continue to cultivate a culture of legal discussion in the spirit of academic freedom and freedom of expression. The Law Talks were designed as one element of such support.

For the **12th Law Talk**, KAS scholars from the US, Germany and Cambodia will discuss recent developments of International Criminal Law and Human Rights”.

This LAW TALK follows a two weeks “Summer School on International Human Rights Law and International Criminal Law” organised by the University of Cologne in cooperation with the ASEAN Human Rights Resource Centre” in Phnom Penh.

The specific theoretic expertise of International Scholars from the US and Germany will meet Cambodian Legal Experts/Practitioners/Scholars who work in their respective positions towards the development of Human Rights in International Criminal Law and on the enforcement of International and National HR Legislation in Cambodia. This mix of participants will hopefully lead to new insights for the foreign scholars but as well for the Cambodian experts.

Draft Program (as by 02.07.2014)

Time	Session/Content	Comments
DAY I, 01.08.2014, Developments in International Criminal Law		
07:30	Departure of the bus from KAS Office Konrad-Adenauer-Stiftung / Cambodia Office House Nr. 4, Street 462, Chamkar Mon, Phnom Penh.	
12:30	Welcome Lunch At: Sokha hotel restaurant	
14:00	Check in at hotel room	
Afternoon Session I: The International Criminal Court: Evaluation and Situations		
14:15	Registration	
14:30	Welcome Remarks Mr. Denis Schrey , Country Representative, Konrad-Adenauer-Stiftung, Cambodia	
14:45-15:15	Key Note Speech <i>"Germany's Commitment to the ICC and ECCC"</i> H.E. Dr. Joachim Freiherr von Marshall , German Ambassador to the Kingdom of Cambodia	
15:15-15:45	Questions and Answers	
15:45-16:00	Coffee Break	
16:00-17:30	Session I The International Criminal Court <u>Moderator</u> Dr. Elisa Hoven , Post Doc Researcher, University of Cologne <u>Panelists</u> <i>"The International Criminal Court: Model of a Global Criminal Court?"</i> . Professor Dr. Thomas Weigend , Institute for International Criminal Law,	

	<p>University of Cologne</p> <p><i>"Cambodia's Commitment to the ICC and ECCC – an independent assessment"</i></p> <p>Mr. Hisham Moussar, Legal Expert</p> <p><u>Followed by moderated discussions</u></p>	
17:30	<u>End of Day I</u>	
18:30	<u>Joint Dinner</u>	
Day II, 02.08.14 Evaluation of ECCC Work and its Legacy		
Morning Session I: Evaluation of the Work of the ECCC – For what will the ECCC be remembered?		
08:15-09:45	<p><u>Moderator</u></p> <p>Mr. Heng Monychenda, Director, Buddhism for Development</p> <p><u>Panellists</u></p> <p><u>Political Perspective</u></p> <p>Dr. Kem Ley, Independent Analyst</p> <p><u>NGO Perspective (Cambodian Expert)</u></p> <p>Mr. Jeudy Oeung, Member of the Board Director of Kdei Karuna organization, NGO</p> <p><u>Academic Perspective (Cambodian Expert)</u></p> <p>Mr. Sim Sorya, Analyst Team Leader of the Office of the Co-Investigating Judges</p> <p><u>Followed by moderated discussions</u></p>	
09:45-10:00	<u>Coffee break</u>	
Morning Session II: ECCC Legacy for International Criminal Law and the Cambodian Judiciary		
10:00-12:00	<p>"ECCC Legacy for International Criminal Law and Cambodian Courts"</p> <p><u>Moderator</u></p> <p>Dr. Meas Bora, Vice-President of Law Faculty, Cambodian University of Specialties</p> <p><u>Panellists</u></p> <p><u>Legacy of the ECCC (I)</u></p> <p><i>"ECCC contributions to the Development of</i></p>	

	<p><i>International Criminal Justice”</i> Mr. Russel Hopkins, CIM Expert Legal Advisor to the Trial Chamber of the ECCC</p> <p><u>Legacy of the ECCC (II)</u> <i>“Contribution/Practices and Initiatives to the Improvement of the National Justice/Court System (Court procedures and Case Management)”</i> Mr. Ny Chandy, Legal Director of Legal Aid of Cambodia (LAC)</p> <p><u>Legacy of the ECCC (III)</u> <i>Lessons from the ECCC for Criminal Procedure Law</i> Ms. Katrina Natale, Lawyer for Civil Party, ECCC</p> <p><u>Legacy of ECCC (IV)</u> <i>“Contribution to the Development of new forms of victims representation and reparation”</i> Mr. Pich Ang, National Lead Co-Lawyer of Civil Parties at the ECCC</p> <p><u>Followed by moderated discussions</u></p>	
12:00-13:30		
Afternoon Session I: PHD Project Presentations and Discussions		
13:30 – 15:00	<p><i>Short Presentation of PHD Studies</i></p> <p><i>Scholars have 10 Minutes to present their research main hypothesis in a thought provoking way to the plenum and direct questions can be asked for another 15 minutes on each presentation.</i></p> <p><u>Moderator</u></p> <p>Mr. Jeudy Oeung, Legal Reform and Human Rights Officer in Sweden Embassy Cambodia</p> <p><u>Inputs from Scholars</u></p> <p><i>„Effective prosecution of gender-based crimes and sexual violence at international criminal tribunals”</i></p> <p>Alexander Schwarz, PhD candidate University of Göttingen</p>	

	<p><i>„Forced Marriage under the Khmer Rouge“</i></p> <p>Farrah Tek, PhD candidate University of Minnesota</p> <p><i>"The Evaluation of the Legality of Amnesties for Core Crimes according to international law"</i></p> <p>Stephanie Schlickewei, PhD candidate University of Kiel</p> <p>Followed by moderated discussions</p>	
15:00-15:15	Coffee Break	
International Human Rights Law and Implications for Cambodia		
Afternoon Session II: Development of International , Regional and National Human Rights Mechanisms		
15:15-16:30	<p>Prof. Kong Phallack, Dean of Law Faculty, Panasastra University</p> <p><u>Panellists</u></p> <p><i>"Human Rights in International Law"</i></p> <p>Dr. Daniel Heilmann, Senior Expert, The Cambodian Senate</p> <p><i>"Human Rights in the ASEAN Region - Achievements and Shortcomings"</i></p> <p>PhD. Jörg Menzel, Associate Professor of LAW, University of Bonn</p> <p><i>"Human Rights, the Cambodian Constitution and Cambodian Law"</i></p> <p>Dr. Lao Mong Hay, independent analyst</p> <p>Followed by discussions</p>	
18:30	Joint Dinner	
DAY III, 03.08.2014		
International Human Rights Law and Implications for Cambodia		
Morning Session I: Key HR Issues /Dimensions in Cambodia with international and regional implications		
08:15-10:00	<p><u>Moderator</u></p> <p>PhD. Jörg Menzel, Associate Professor of LAW, University of Bonn</p>	

	<p><u>Panellists</u></p> <p><i>"Extraterritorial Application of Human Rights Law and Refugee Law"</i></p> <p>Charlotte Lülff PhD candidate of University Bochum</p> <p><i>"Social and Cultural Rights for indigenous People"</i></p> <p>Mr. Soth Sang Bonn, Senior Researcher, Parliamentary Institute of Cambodia (PIC)</p> <p><i>"Human Rights Situation of Khmer Krom and Vietnamese in Cambodia"</i></p> <p>Mr. Ang Chanrith, Executive Director, Society for Threatened Peoples, MIRO</p> <p><i>"Protection of Minorities in International Criminal Law"</i></p> <p>Wenke Brückner, PhD Candidate at University of Cologne</p> <p>Followed by discussions</p>	
10:00-10:30	Coffee Break	
Morning Session II: HR Issues /Dimensions with international and regional implications		
10:30 -12:00	<p><u>Moderator</u></p> <p>Mr. Russel Hopkins, CIM Expert Legal Advisor to the Trial Chamber of the ECCC</p> <p><u>Panellists</u></p> <p><i>"Labour Right Protection In Cambodia: Law and Practice"</i></p> <p>Prof. Kong Phallack, Arbitrator, Dean of Law Faculty, Pannasastra University</p> <p><i>„Corporate Criminal Liability under International Crimina Law"</i></p> <p>Franziska Oehm, PhD candidate at Ruhr University of of Erlangen Nuremberg</p>	

	<p><i>"Protection of Cambodian Migrant Workers Abroad"</i></p> <p>Ms. Ly Vichuta, Director, Legal Support for Children and Woman Followed by discussion</p>	
12:00-12:15	<p>Conclusion of the XII. Law Talk</p> <p>Mr. Denis Schrey, Country Representative KAS Cambodia</p>	
12:30	Joint Lunch	
14:00	Departure to Phnom Penh	

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

- The whole workshop will be in English
- Generally, each presentation shall be max. 15-20 minutes (!!!)
- Equipment for PowerPoint presentation will be available at the workshop venue.