Procedural Fairness in International Courts and Tribunals

Workshop Programme

Day 1: 19 September 2014

09:00-09:30  Registration
09:30-09:40  Welcome
09:40-10:10  Opening Speech:
Mr Awn al-Khasawneh, former Judge, International Court of Justice
Title to be confirmed

10:10-11:10  Procedural Fairness and the International Court of Justice
Chair: Ms Jill Barrett, Arthur Watts Senior Research Fellow in Public International Law, British Institute of International and Comparative Law
Panellist 1: Mr James G. Devaney, Ph.D. Candidate, European University Institute
Procedural Fairness and Fact-Finding before the International Court of Justice: How to Restyle the Respected Old Lady
Panellist 2: Professor Dai Tamada, Kobe University Centre for International Law, ‘Case-Law’ of the International Court of Justice: Procedural Fairness or Judicial Law-Making?

11:10-11:30  Coffee Break

11:30-12:45  Procedural Fairness in the WTO
Chair: Dr Filippo Fontanelli, University of Surrey
Panellist 1: Professor Andrew Mitchell, University of Melbourne
Procedural Fairness in WTO Tribunals
Panellist 2: Professor Chi Carmody, University of Western Ontario
What is Fairness in WTO Law?
Panellist 3: Ms Emily Sipiorski, Martin Luther University Halle-Wittenberg
Procedural Fairness and Evidence: Applying the Principle in Good Faith

12:45-13:45  Procedural Fairness in Investment Arbitration
Chair: Dr Ernesto Féliz Jésus, Baker Botts LLP
Panellist 1: Mr N. Jansen Calamita, Senior Research Fellow in International Trade and Investment Law, British Institute of International and Comparative Law
Investment Treaty Arbitration and the Rule of Law: Concerns from a Formalist Perspective

Panellist 2: Dr David A. Collins, City University (London)
Improving the Legitimacy of ICSID Annulment Procedures

13:45-14:30 Lunch

14:30-15:45 Procedural Fairness and International Criminal Tribunals
Chair: Her Hon. Judge Joanna Korner CMG, QC

Panellist 1: Dr Federica Gioia, Università Cattolica del Sacro Cuore
Cost of Fairness: Paradoxes of Procedural Fairness at the International Criminal Court

Panellist 2: Miss Sophie Rigney, Ph.D. Candidate, University of Melbourne
‘To ensure that a trial is fair’: The centrality and uncertainty of fairness in international criminal trials

Panellist 3: Dr Paolo Lobba, Università di Bologna
Redressing Unfairness in International Criminal Justice: Responsibility and Remedy for Violations of the Right to Liberty

15:45-16:00 Coffee Break

16:00-17:15 Fair Trial Principles and International Criminal Law
Chair: Dr Arman Sarvarian, University of Surrey

Panellist 1: Mr Drazan Djukić, Ph.D. Candidate, Tilburg University
The Right to Appeal a Criminal Conviction Imposed on Appeal

Panellist 2: Dr Triestino Mariniello, Edge Hill University
The Legality Principle in International Criminal Justice: Lessons on Fairness from the European Court of Human Rights?

Panellist 3: Miss Francesca Russo, Ph.D. Candidate, Sant’Anna School, Pisa.
Feeding a Trojan Horse for Procedural Fairness in the Dialogue between Strasbourg and The Hague

17:15-17:45 Roundtable Discussion (Panel Chairs)

19:00-23:00 Conference Dinner

21:00-21:30 Dinner Speech:
Professor Philippe Sands QC, University College London and Matrix Chambers
What is Procedural Fairness and is it Important?
Day 2 – 20 September 2014

09:30-10:00  Tea and Coffee

10:00-10:20  Dr John Sorabji, Principal Legal Adviser to the Lord Chief Justice and the Master of the Rolls, University College London
Procedural Fairness in National Jurisdictions

10:20-11:20  Equality of Arms
Chair: Dr Rudy Baker, University of Surrey
Panellist 1: Mr Raymundo Tullio Treves, Permanent Court of Arbitration and IMPRS on Successful Dispute Resolution in International Law, Max Planck Institute (Heidelberg)
Equality of Arms and Inequality of Resources
Panellist 2: Dr M.I. (Masha) Fedorova, Radboud University Nijmegen
Contextualising Fairness in International Criminal Tribunals: Equality of Arms

11:20-11:40  Coffee Break

11:40-13:00  Evidentiary Fairness
Chair: Dr Andraž Zidar, Dorset Senior Research Fellow in Public International Law, British Institute of International and Comparative Law
Panellist 1: Mr Alexandros-Ioannis Kargopoulos, Ph.D. Candidate, Democritus University of Thrace and Judge of the Court of First Instance of Evritania
Evidentiary Rights of the Defence before the International Criminal Court: In Search of Procedural Fairness in between Adversarial and Inquisitorial Perspectives
Panellist 2: Mr Marco Benatar, Vrije Universiteit Brussel
How Fair is the International Law of Evidence?
Panellist 3: Mr Georgios Andriotis, Université de Montréal
Protection of Witnesses vs Rights of the Accused in International Criminal Proceedings: A Comparative Study

13:00-14:00  Lunch

14:00-15:15  Victims' Rights
Chair: Dr Vassilis Tzevelekos, University of Hull
Panellist 1: Ms Anni Henriette Pues, Ph.D. Candidate, University of Glasgow
The Concept of a ‘Fair Trial’ at the International Criminal Court
Panellist 2: Miss Laura Marschner, Ph.D. Candidate, University of Zurich
Victim Participation and the Fairness of International Criminal Trials: A Zero-sum Game?

Panellist 3: Captain Dr Roberta Arnold, Academic Assistant in Strategic Studies, Military Academy of Zurich and Investigating Magistrate, Swiss Army

Procedural Fairness and the Right to Justice for Victims of Juvenile War Criminals

15.15-15.30 Coffee Break

15.30-16:45 Procedural Fairness in International Courts: Views from the Bench
Chair: Mr Awn al-Khasawneh, former Judge, International Court of Justice

Panellist 1: Mr Phillip Weiner, former Judge, Court of Bosnia and Herzegovina and former prosecutor, International Criminal Tribunal for the Former Yugoslavia

Panellist 2: Professor Sir David Edward QC, University of Edinburgh and Blackstone Chambers, former Judge, Court of Justice of the European Union

Panellist 3: His Exc. Judge Paul Mahoney, European Court of Human Rights

16:45-17:15 Roundtable Discussion (Chairs of Panels)