



UNIVERSITY
OF OSLO

Norwegian Centre for Human Rights

Forum for International Criminal Justice Conflict



The University of
Nottingham
Human Rights Law Centre



National law in a global society



International Research and Docu-
mentation Center for
War Crime Trials, Marburg

The ICC Legal Tools Programme of the Norwegian Centre for Human Rights and the broader ICC Legal Tools Project

An international seminar organized in the series of the

Forum for International Criminal Justice and Conflict¹

by the **Norwegian Centre for Human Rights (University of Oslo)**,

in co-operation with PRIO and in association with the Human Rights Law Centre (University of Nottingham), the International Research and Documentation Centre for War Crimes Trials (University of Marburg), the Institute of Informatics and Law (University of Saarland), the Institute of International Law and International Relations (Karl-Franzens University of Graz), and The Hague Institute for the Internationalisation of Law.

Norwegian Centre for Human Rights, Oslo, Thursday 27 September 2007 09:30 – 17:30

The International Criminal Court (ICC) has developed a unique suite of electronic legal services in international criminal law known as the 'Legal Tools Project' (http://www.icc-cpi.int/legal_tools.html). The Project has developed and offers three types of services: (1) raw-data in international criminal law organized in more than ten collections and databases of legal sources such as court decisions, treaties, preparatory works and publications; (2) digestions of such raw-data in three comprehensive commentaries on substantive and procedural international criminal law, as well as means of proof for the legal requirements of core international crimes and modes of liability; and (3) an application tailor-made for the investigation, prosecution, defense and adjudication of serious human rights violations which may amount to core international crimes (the *Case Matrix*). The ICC has outsourced the content development of these resources to different academic institutions, among them the Norwegian Centre for Human Rights (NCHR). The 'ICC Legal Tools Programme' of the Centre is part of the ICC's general 'Legal Tools Project'.

The Legal Tools Project is not a mere collection of computer tools or databases. Rather, it represents a carefully designed system aiming to rationalize over time the way individuals and organizations work with serious human rights violations and core international crimes, to increase the quality of such work processes, and to empower participants at every stage of such processes to perform better. It also seeks to democratize general access to international criminal law information. More than one year has passed since the start of the ICC Legal Tools Programme at the NCHR. It is time for the Centre to bring together key actors in the general Legal Tools Project to consider how one is moving in the direction of the longer-term objectives of the Project, as well as to evaluate the NCHR Programme with a view to (a) analyzing its activities in the broader context of the ICC Project; (b) assessing how the NCHR Programme can benefit from the work of other ICC outsourcing partners; and (c) discussing how the NCHR Programme can become even more cost-effective and well-functioning.

To do so the NCHR has invited the central actors in the overall Legal Tools Project to a one-day seminar in Oslo. The invitees include representatives of the Legal Tools outsourcing partners: the Human Rights Law Centre (University of Nottingham), the International Research and Documentation Centre for War

¹ A debate forum open to individuals interested in issues concerning international criminal justice and conflict, started as an informal initiative under the ENI Programme of PRIO (by its Senior Researcher Morten Bergsmo, in consultation with Dr. Jo Stigen, Department of Public and International Law, University of Oslo). The Forum aims to identify and facilitate debate on key issues in international criminal justice and conflict, including accountability-related measures other than criminal justice, and to bring together practitioners, government officials, NGO representatives, academics, students and others with an interest in this emerging field of practice and research. Information about the Forum can be found at www.prio.no/ficjc/.

Crimes Trials (University of Marburg), the Institute of Informatics and Law (University of Saarland), and the Institute of International Law and International Relations (Karl-Franzens University of Graz). Moreover, the NCHR has invited ICC staff working on the Legal Tools Project, members of the ICC Legal Tools Expert Advisory Group (LTEAG), the technical developer of the *Case Matrix*, users of the Legal Tools, the Norwegian Ministry of Foreign Affairs and The Hague Institute for the Internationalisation of Law. Other persons with a particular interest in the Legal Tools Project and a wish to contribute to it can apply to participate in the seminar.

Registration:

This is a working seminar, which for the first time brings together different actors in the ICC Legal Tools Project on this scale. There is limited seating available in the seminar room. Unless directly invited by the Norwegian Centre for Human Rights, only persons with a distinct interest in the ICC Legal Tools Project are encouraged to apply to attend, with an indication of how they would like to contribute. Applications should be sent via e-mail to ficjc@prio.no by Monday 24 September 2007. Questions concerning the organization of the seminar should be addressed to Marit Vik at marit.vik@nchr.uio.no.

Programme:

- 09:30 ***Opening***, by Christian Ranheim² (Director, ICC Legal Tools Programme, Norwegian Centre for Human Rights).
- 09:40 ***The ICC Legal Tools Project: addressing the weakest link in work processes that respond to serious human rights violations which may amount to core international crimes***, by Morten Bergsmo³ (Senior Researcher, PRIO).
- 10:10 ***The ICC Legal Tools Project in a broader IT and law perspective: users, work processes, cost-efficiency***, by Dr. Maximilian Herberger⁴ (Professor, University of Saarland).
- 10:40 Break
- 11:00 ***The ICC Legal Tools Project and the global information technology strategy of the ICC***, by Klaus Rackwitz⁵ (Senior Administrative Manager, ICC Office of the Prosecutor; Judge, North Rhine-Westphalia).
- 11:30 ***The ICC Legal Tools Advisory Committee: mandate, role and work***, by Gilbert Bitti⁶ (Senior Legal Adviser, ICC Chambers; Chair, Legal Tools Advisory Committee).
- 12:00 Lunch sandwiches served at the seminar premises
- 12:30 ***Remarks on the ICC website as a platform for the Legal Tools and on the functional interaction between the Legal Tools Advisory Committee and the outsourcing partners***, by Enrique Carnero Rojo⁷ (Legal Adviser, ICC Office of the Prosecutor; Secretary, Legal Tools Advisory Committee).

² **Christian Ranheim**, Director of the ICC Legal Tools Programme at the Norwegian Centre for Human Rights (2006-); Legal Adviser at the Indonesia Programme, NCHR (2003-2006); Head of District Office, Sri Lanka Monitoring Mission (2002-03); Co-founder and Director of the Judicial System Monitoring Programme in East Timor (2001-02); Protection Officer, UNHCR, Sarajevo (2000).

³ **Morten Bergsmo**, Senior Researcher, International Peace Research Institute, Oslo (PRIO) (2006-); formerly Senior Legal Adviser and Chief of the Legal Advisory Section, Office of the Prosecutor, ICC (2002-05); Legal Adviser, ICTY (1994-2002); Legal Adviser, UN Commission of Experts for the Former Yugoslavia established pursuant to UNSC resolution 780 (1992) (1993-94); represented the ICTY to the UN negotiation process to establish the ICC (1996-2002). He has advised core international crimes investigation and prosecution processes in several countries, including Bosnia and Herzegovina, Cambodia, Canada, Denmark, Indonesia, Macedonia, the Netherlands and Serbia, and has had several international consultancies in international criminal justice. He has published extensively in international criminal law.

⁴ **Maximilian Herberger**, member of the *ICC Legal Tools Expert Advisory Group*; Professor in Civil Law, Theory of Law and Computing in the Law at the University of Saarland/Germany; Director of the Institute of Informatics and Law (IFRI); President of the German Association for Computing in the Judiciary; Editor of the Internet Journal on Computers and Law "JurPC" (www.jurpc.de); "Professeur associé" at University of Luxembourg; and a member of the Advisory Board of the European Academy of eJustice in Merzig/Germany.

⁵ **Klaus Rackwitz**, Senior Administrative Manager, ICC Office of the Prosecutor (2003-); Senior Information and Evidence Adviser, ICC (2003); Judge, North Rhein-Westphalia, Germany (1990-); Head of Government Division on information technology, Ministry of Justice, State of North Rhine-Westphalia (1996-2003) – Chair, federal and states commission on IT in the German judiciary (a subsidiary body of the conference of ministers of justice of the states and the federal government of Germany); Head of Government Section, Ministry of Justice and European Affairs, State of Brandenburg (1994-96); Judge, Court Administration, Court of Appeals in Düsseldorf (1993-94); Judge, County Court of Krefeld and the City Court of Nettetal (1990-93); University Teacher, Universities of Cologne and Düsseldorf (1990-94).

⁶ **Gilbert Bitti**, Senior Legal Adviser to the Pre-Trial Division, ICC (2005-); Chair, *ICC Legal Tools Advisory Committee* (2005-); Member of the French Delegation during the ICC negotiations in the Ad Hoc Committee (1995), Preparatory Committee (1996-1998), Rome Conference (1998) and Preparatory Commission (1999-2002); Counsel of the French Government before the European Court of Human Rights (1993-2002); former Professor assistant at the Faculty of Law in Paris.

⁷ **Enrique Carnero Rojo**, Legal Adviser, ICC Office of the Prosecutor, Legal Advisory Section. He has been Secretary of the *Legal Tools Advisory Committee* since its inception. He has formerly worked for the ICTY Office of the Prosecutor. He has published a number of articles in international criminal law.

13:00 ***Further developments of the Case Matrix, in particular the evidence management, search and printing functionalities***, by Ralph Hecksteden⁸ (Research Assistant, University of Saarland; technical developer of the *Case Matrix*).

13:30 ***Presentations by ICC Legal Tools outsourcing partners on their programmes (organization of work, human resources, problems encountered, work and funding plans)***:

The Norwegian Centre for Human Rights (University of Oslo), by Christian Ranheim.

Human Rights Law Centre (University of Nottingham), by Emilie Hunter⁹ (Director of International Criminal Justice Unit).

International Research and Documentation Centre for War Crimes Trials (University of Marburg), by Dr. Wolfgang Form¹⁰ (Lecturer, University of Marburg).

Institute of International Law and International Relations (Karl-Franzens University of Graz), by Astrid Reisinger Coracini¹¹ (Lecturer, University of Graz).

15:00 Break

15:20 ***The use of the Case Matrix by the Defence Office during the Ad-Dujayl and Anfal trials before the Iraqi High Tribunal***, by William H. Wiley¹² (International Law Advisor, Iraqi High Tribunal).

15:40 ***The Case Matrix and the national strategy for the prosecution and adjudication of core international crimes in Bosnia and Herzegovina***, by Ilia Utmelidze¹³ (Legal Advisor, OSCE Bosnia and Herzegovina).

16:00 ***The Case Matrix in Africa: building capacity within African states to respond to serious human rights violations which may amount to core international crimes***, by Salim A. Nakhjavani¹⁴ (Lecturer, University of Cape Town).

16:20 ***Remarks on the Case Matrix from the perspective of a Director of Public Prosecutions***, by Johan Kr. Øydegard¹⁵ (Public Prosecutor, Office of the Norwegian Director of Public Prosecutions).

⁸ **Ralph Hecksteden**, lawyer and Research Assistant of the Institute of Informatics and Law (IFRI) at the University of Saarland/Germany; technical developer of the *Case Matrix* Database.

⁹ **Emilie Hunter**, Director of International Criminal Justice Unit and Acting Coordinator of the Human Rights Law Centre, University of Nottingham.

¹⁰ **Wolfgang Form**, Project Coordinator of the International Research and Documentations Center for War Crimes Trials, Marburg; Lecturer, Institute for Political Science and Center for conflict studies at the University of Marburg.

¹¹ **Astrid Reisinger Coracini**, Lecturer, Institute for International Law and International Relations, University of Graz; Executive Director, Salzburg Law School on International Criminal Law, Humanitarian Law and Human Rights Law (Austria).

¹² **William H. Wiley**, Iraqi High Tribunal (2006-); United Nations Assistance Mission for Iraq (2005-06); ICC (2003-05); ICTR (2001-02); ICTY (2000-01, 2002-03); Crimes Against Humanity and War Crimes Office, Department of Justice of Canada (1997-99).

¹³ **Ilia Utmelidze**, Legal Adviser in the Human Rights Department of the OSCE Mission to Bosnia and Herzegovina, advising on institution-building in areas such as domestic war crimes prosecution mechanisms (including the development of a national strategy for war crimes prosecution), specialised investigative commissions for Srebrenica and Sarajevo, establishment of a single state-level ombudsman institution (2004-); Norwegian Refugee Council, Azerbaijan: capacity building of local NGOs in the field of human rights protection and advocacy; consultant on development of human rights education and peace programs within the educational system of Azerbaijan (2001-04); Norwegian Centre for Human Rights: minority policy and law research project (2000-01).

¹⁴ **Salim A. Nakhjavani**, Lecturer, Faculty of Law, University of Cape Town (2006-); Lecturer in Law, King's College (2005-06); Project co-ordinator, St Ethelburg's Centre for Reconciliation and Peace (2005-06); Associate Human Rights Officer, Office of the High Commissioner for Human Rights (2005); and Assistant Legal Adviser, ICC Office of the Prosecutor (2003-04).

¹⁵ **Johan Kr. Øydegard**, Public Prosecutor, Office of the Director of Public Prosecutions (2003-); Attorney at Law, Wiersholm, Mellbye & Bech Lawfirm (1997-2003); Legal Adviser, Parliamentary Ombudsman (1989-1996); Legal Adviser, Ministry of Justice; Deputy Judge and more.

16:30 **Panel on research needs relevant to the ICC Legal Tools Project**, with Dr. Maximilian Herberger, Dr. Ulf Petrusson¹⁶ (Professor, University of Gothenburg), Klaus Rackwitz, Anabela Atanasio¹⁷ (Senior Policy Officer, The Hague Institute for the Internationalisation of Law), and Dr. Olympia Bekou¹⁸ (Lecturer, University of Nottingham).

17:15 **Conclusion**

¹⁶ **Ulf Petrusson**, Professor of Law, University of Gothenburg; Director, Center for Intellectual Property (CIP), Gothenburg School of Business, Economics and Law.

¹⁷ **Anabela Atanásio Alves**, LL.B. (Hons) LL.M. (LSE and SOAS), Senior Policy Officer at the Hague Institute for the Internationalisation of Law; former Legal Adviser to the Presidency and Chambers, ICC; former Legal Adviser to Chambers, ICTY; Ph.D. Candidate (University of Cologne).

¹⁸ **Olympia Bekou**, Expert Legal Advisor to the International Criminal Justice Unit, Human Rights Law Centre, and Lecturer in Law, University of Nottingham.