

‘Quality Control in Fact-Finding’ and Complementarity Online

*A side event to the 12th Session of the ICC Assembly of States Parties,
co-hosted by Colombia, Denmark, Finland, Georgia, Germany, Norway, Switzerland, the
European Commission and the Centre for International Law Research and Policy*

World Forum, The Hague, room Europe 1-2, Monday 25 November 2013, 13:00-15:00.

This is a side event to launch the new book ‘Quality Control in Fact-Finding’ (see reverse page), to give a concise update on the ICC Legal Tools and three new CILRAP online complementarity services, and to present new CILRAP capacity development activities under grants from the European Union and other donors, including on State co-operation issues. Lunch will be served and there will be complimentary copies of the new book for those in attendance.

Programme:

Chair: Mr. **Martin Sørby** (Director, Section for International Humanitarian and Criminal Law, Department of Legal Affairs, Norwegian Ministry of Foreign Affairs)

13:00 *Book launch panel:*

Prosecutor **Serge Brammertz** (ICTY)

Judge **LIU Daqun** (ICTY/ICTR Appeals Chamber)

Judge **David Re** (Special Tribunal for Lebanon)

Professor **Martin Scheinin** (EUI)

Professor **Charles Garraway** (Vice-President, IHFFC)

Assistant Professor **Dov Jacobs** (Leiden University)

Mr. **Wolfgang Kaleck** (European Center for Constitutional and Human Rights)

Dr. **Simon De Smet** (ICC)

Registrar **Herman von Hebel** (ICC)

14:00 *Remarks on online services by:*

Professor **Morten Bergsmo** (Peking University Law School)

Associate Professor **Mark Klamberg** (Uppsala University)

14:10 *Remarks related to new CILRAP-CMN activities under EU grant:*

Ms. **Emilie Hunter** (Deputy Director, CMN): ‘Enhancing National Capacity Through Tools and Texts: The CMN Approach’.

Mr. **Teimuraz Antelava** (Director for Public International Law, Ministry of Justice of Georgia): ‘Formal Structures for Investigation and Co-operation in Georgia’.

Response by Professor **Olympia Bekou** (Deputy Director, CMN): ‘Comparing Co-operation Regimes at Every Stage of the ICC Process’.

Mr. **Alejandro Ramelli** (Head of the Analysis and Context Unit, Colombian Attorney-General’s Office): ‘The Colombian Prioritisation Policy’.

Response by Mr. **Iliia Utmelidze** (Director, CMN): ‘Supporting/Ensuring Efficiency and Fairness in Prioritisation Policies: Mapping Open Case Files’.

Information about the book to be launched at the side event:

Morten Bergsmo (editor):
Quality Control in Fact-Finding
Torkel Opsahl Academic EPublisher
Florence, 2013
ISBN 978-82-93081-78-4
500 pages

This book discusses how fact-finding mechanisms for alleged violations of international human rights, humanitarian and criminal law can be improved. There has been a significant increase in the use of international, internationalised, and domestic fact-finding mechanisms since 1992, including by the United Nations human rights system, international commissions of inquiry, truth and reconciliation commissions, and NGOs. These mechanisms are analysed and assessed in detail by 19 authors, including Richard J. Goldstone, Martin Scheinin, LIU Daqun, Charles Garraway, David Re, Simon De Smet, FAN Yuwen, Isabelle Lassée, WU Xiaodan, Dan Saxon, Chris Mahony, Dov Jacobs, Catherine Harwood, Lyal S. Sunga, Wolfgang Kaleck, Carolijn Terwindt, Ilia Utmelidze, and Marina Aksenova.

The book – which is dedicated to Professor Emeritus Frits Kalshoven who plans to attend the launch – emphasises quality awareness and improvement in non-criminal justice fact-work. This quality control approach recognises, *inter alia*, the importance of leadership in fact-finding mechanisms, the responsibility of individual fact-finders to continuously professionalise, and the need for fact-finders to be mandate-centred. It is an approach that invites the consideration of how the quality of every functional aspect of fact-finding can be improved, including work processes to identify, locate, obtain, verify, analyse, corroborate, summarise, synthesise, structure, organise, present, and disseminate facts. The book also considers regulatory approaches to enhance quality and professionalization, but warns against generalisations.

The book provides, as ICTY Prosecutor Serge Brammertz writes in his preface, “a common ground for reflection and discussion around technical and neutral terms such as quality control and professionalization, [and] makes substantial contributions to the consideration of how fact-finding can be improved. I welcome the innovative conceptualisation of its topic, the composition of an impressive and diverse group of authors, and their texts”.

Complimentary copies of the book will be available at the side event on 25 November 2013 described on the reverse page. It can be freely accessed at <http://www.fichl.org/publication-series/> and bought from distributors such as <http://www.amazon.co.uk>.



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100 Avenue des Saisons

1050 Brussels

Belgium

URL: www.toaep.org

E-mail: info@toaep.org