



The Al-Bashir Arrest Warrant: The World vs Africa or the African Union vs the People of Africa

Luis Moreno-Ocampo, Prosecutor of the International Criminal Court (ICC), will present a Key Note Address on 26 April during Africa Legal Aid's (AFLA) South North Dialogue on The Al-Bashir Arrest Warrant. The meeting will explore the South/North dimensions of the emerging regime of international criminal justice, and discuss the views of both proponents and opponents of the actions of the ICC. Civil societies, legal fraternities and others from African and Northern States will express their views and discuss cutting edge issues on International Justice. Is Africa a Participant or Target of International Justice?

16 April 2010

26 April 2010, Museum voor Communicatie, Zeestraat 82, The Hague

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While many African States have been key contributors to the establishment of the International Criminal Court (ICC), recent developments in Africa demonstrate a growing resistance to the ICC and, more generally, international criminal justice. At the AU Summit held in Sirte, Libya, the AU Assembly issued a Joint

Declaration stating that AU Member States will ignore the ICC arrest warrant for Sudan's President Omar-al-Bashir, and will not take any measures to transfer him to The Hague. AU Chairman Ghadaffi fulminated that the ICC represents 'new world terrorism' and attempted to have all African State Parties to the Rome Statute withdraw from the ICC. This attempt failed, but his stance against the ICC was shared by many African countries and leaders. Only Benin and Botswana, kept their backs straight and openly dissented. Resistance against, and debates on, the South-North dimensions of the emerging regime of international criminal justice is not limited to the ICC. Quite controversial too is the exercise of universal jurisdiction by foreign national courts.

The Africa Legal Aid (AFLA) initiated South North Dialogue will stimulate discussion on unsettling issues on the interface between peace and justice as well as the legitimacy of international criminal justice. The ultimate goal is to contribute to an international justice regime that is truly universal, legitimate and effective. The discussions will contribute to formulation and adoption of the AFLA initiated Policy Agenda for International Justice.

The Galaxy of experts and resource persons participating in the Dialogue include Prof. Tiyanjana Maluwa, Coordinator of Team of Experts of the African Union High Level Panel on Darfur (AUDP) (Mbeki report); Maina Kiai, Immediate past Chair of the Kenyan National Commission on Human Rights; H.E. Mirjam Blaak, Deputy Head of Mission of Uganda in the Benelux, H.E. Paul Wilke, Ambassador of the Dutch ICC Task Force, to mention only a few.

Program:

9:30 – 10:00 OPENING- A Policy Agenda for International Justice

- Evelyn A. Ankumah, Executive Director, Africa Legal Aid (AFLA)

Welcome and Introduction of Theme: A Policy Agenda for International Justice

- Jozias van Aartsen, Mayor of The Hague, the Netherlands

Opening Address

- Maria Silvia Gatta, European Commission Representative to The Hague

Universality of International Justice, Perspectives of the European Union

10:00 – 11:30 Theme I: Africa and International Justice: Realities & Challenges

- Chair: H.E. Paul Wilke, Ambassador of the ICC Task Force of The Netherlands
- Presenter: Prof. Shadrack Gutto, Chair, Centre for African Renaissance Studies & Director of Postgraduate Program, University of South Africa (UNISA), Member of Governing Council of AFLA

Discussants:

- H.E. Mirjam Blaak, Deputy Head of Mission, Embassy of Uganda, the Benelux
- Justice Fatsah Ouguerouz, African Court on Human and Peoples' Rights (ACHPR)

FLOOR DISCUSSION

11:30 – 11:45 Coffee/Tea Break

11:45 – 13:15 Theme II: Africa and International Justice: Participant or Target

- Chair: H.E. Judge Abdul G. Koroma, International Court of Justice (ICJ), The Hague
- Presenter: Charles C. Jalloh, University of Pittsburgh School of Law
The African Union and International Criminal Accountability

Discussant:

- Prof. Vincent Nmehielle, Head Wits Program in Law, Justice and Development in Africa, University of Witwatersrand School of Law, Johannesburg, South Africa
- Prof. Dr. Erika de Wet, University of Amsterdam (UvA)/ University of Pretoria

FLOOR DISCUSSION

13:15 – 14:00 Lunch Break

14.00-15.00 Key Note Address

H.E. Luis Moreno-Ocampo, Prosecutor International Criminal Court (ICC)

Moderator: Dr. Edward Kwakwa, World Intellectual Property Organisation, Chair of Steering Committee on a Policy Agenda for International Justice, Member of Governing Council of AFLA

FLOOR DISCUSSION

**15:00 – 16:30 Theme III: Africa and International Criminal Accountability:
Lessons from the
Mbeki Report on Darfur**

- Chair: Justice Julia Sebutinde, Special Court of Sierra Leone (SCSL)
- Presenter: Prof. Tiyanjana Maluwa, Director, School of International Affairs, Pennsylvania State University; Coordinator of Team of Experts, African Union High Level Panel on Darfur (AUPD).

Discussants:

- Maina Kiai, Immediate Past Chair, Kenyan National Commission on Human Rights
- Dr. Anne Pieter van der Mei, Department of International and European Law, Maastricht University, the Netherlands

FLOOR DISCUSSION

16.30 – 16:45 Coffee/Tea Break

16.45 – 18.00 Final Plenary: Setting Africa's International Justice Agenda

- Chair: Justice Dunstan Mlambo, Supreme Court of Appeal of South Africa, Chair of the South Africa Legal Aid Board, Chair of Governing Council of AFLA
- Panel :

- Gloria Atiba Davies, Head of Gender and Children's Unit, International Criminal Court (ICC), The Hague
- Mainstreaming Gender
- Representative of the Ministry of Foreign Affairs, Name to be confirmed
 - Representative of the European Commission, Name to be confirmed
 - Prof. Adebayo Olukoshi, United Nations African Institute for Economic Development and Planning (UNIDEP)
- Presentation of Points for Policy Agenda

18.00-19.00 Networking Reception

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The African Union vs. the People of Africa



AFRICA AND INTERNATIONAL JUSTICE: PARTICIPANT OR TARGET ?

KEY NOTE ADDRESS:

Luis Moreno-Ocampo, Prosecutor of the International Criminal Court



Date: 26 April 2010

Venue: Museum voor Communicatie,
Zeestraat 82, The Hague

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