

# THE HAGUE

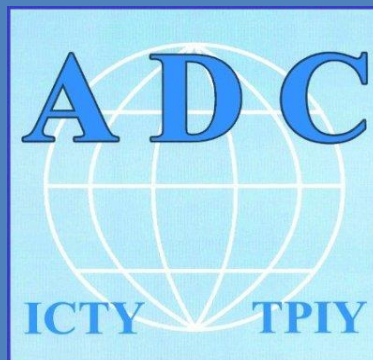
3 DECEMBER 2016

CONFERENCE  
PROGRAMME

ADC-ICTY ANNUAL  
CONFERENCE  
2016

## *Quo Vadis, International Criminal Law? Current Challenges of Implementing International Humanitarian Law and International Criminal Law*

PROGRAMME AND SPEAKER BIOGRAPHIES



The ADC-ICTY represents defence counsel practising before the UN ICTY and MICT. Our members have a wealth of experience in international criminal legal practice across a spectrum of international courts and tribunals, as well as in domestic jurisdictions.

# Conference Programme 2016

## Saturday 3 December

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0840 – 0910 **Registration**

0910 – 0915 **Welcome by Branko Lukić, President of the ADC-ICTY**

0915 – 1045 **Positive Complementarity – National Jurisdictions and Effective Sanctions**

Moderator: Dragan Ivetić, Defence Counsel, ICTY

Speakers: Tamara Buruma, Prakken d'Oliveira, Amsterdam

Dr. Fabricio Guariglia, Director of the Prosecutions Division, ICC

Novak Lukić, Defence Counsel, ICTY and Serbia

Jelena Vladislavljev, Office of the War Crimes Prosecutor, Belgrade

1045 – 1100 **Break**

1100 – 1230 **Transitional Justice: Experience of Implementing ICL and IHL in Ukraine**

Moderator: Jens Dieckmann, ICTY, ICC, Becher & Dieckmann Rechtsanwälte

Speakers: Judge Christoph Flüge, ICTY and MICT

Wayne Jordash QC, MICT, Doughty Street Chambers, GRC

Dr. Anton Korynevych, Taras Shevchenko National University, Kiev

1230 – 1330 **Lunch**

1330 – 1500 **Relocated Justice: The Kosovo Specialist Chambers**

Moderator: Colleen Rohan, ICTY, EULEX, 9 Bedford Row International

Speakers: Dr. Fidelma Donlon, Registrar, Kosovo Specialist Chambers

Tomë Gashi, Defence Counsel, Kosovo

Gregor Guy-Smith, ICTY, EULEX, 9 Bedford Row International

Martin Hackett, former Prosecutor and Head of War Crimes Unit, EULEX

1500 – 1515 **Break**

1515 – 1645 **Non-Judicial Mechanisms as an Alternative or Complementary to International Criminal Proceedings**

Moderator: Marie O'Leary, Office of Public Counsel for Defence, ICC

Speakers: Catherine Harwood, Grotius Centre, Leiden University

Prof. Hector Olasolo, Universidad del Rosario, Bogotá, Colombia

Fleur Ravensbergen, Assistant Director, Dialogue Advisory Group

1645 – 1700 **Closing Remarks**

# Biographies

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## Panel I



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### DRAGAN IVETIĆ

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Dragan Ivetić received a bachelor's degree in philosophy from Northwestern University in 1996 and went on to the University of Illinois College of Law where he received a J.D. in 1999.

After graduation he practiced as an Associate at McBreen & Kopko, a multi-state general practice law firm based in Chicago. He continued his career as a Member Attorney and Partner of Ostojic and Scudder LLC, a Chicago based law firm which handled cases from around the world. His practice at both firms included working on cases before the ICTY, as well as representing persons and corporations before Illinois Courts on matters ranging from Criminal Law, Insurance Law, and Torts. Ivetić is now a solo-practitioner, who since 2006 has been based primarily in The Hague.

Ivetić has been involved in cases at the ICTY since 2001. He is currently a member of the ADC-ICTY Training Committee and is a former Vice-President of the Association. He is currently the Legal Consultant to Ratko Mladić in the ICTY case *Prosecutor v. Mladić*. Ivetić has also been a Co-Counsel in the cases *Prosecutor v. Mejakić et al.*, *Prosecutor v. Milutinović et al* and *Prosecutor v. Milan Lukić & Sredoje Lukić* at the ICTY.



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### TAMARA BURUMA

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Tamara Buruma is a Dutch lawyer focusing on international and domestic criminal cases with a political component, such as genocide, terrorism and piracy, and also non-violent activism during demonstrations and complaints about government actions. Buruma was defence counsel for Yvonne B, a Rwandan-born Dutch citizen prosecuted in the Netherlands for offences related to genocide and war crimes committed in Rwanda in 1994. Buruma is a Member of the foundation Mens en Strafrecht (for a Humane Criminal Justice System), the Dutch Association of Young Criminal Defence Lawyers and the criminal law advisory committee of the Dutch Bar Association.



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### DR. FABRICIO GUARIGLIA

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Dr. Fabricio Guariglia received a law degree from the University of Buenos Aires and a PhD (Summa Cum Laude) in criminal law from the University of Münster (Germany). Dr. Guariglia practiced law as defence counsel and victims' representative in criminal cases in Buenos Aires and was also involved in various

human rights and rule of law projects in post-civil war El Salvador during 1992 and 1993. He was closely involved in the process of negotiation of the Rome Statute including during the Rome Conference as Legal Advisor to the Argentine Ministry of Justice. Dr. Guariglia worked as Legal Officer in the Legal Advisory section of the Office of the Prosecutor of the ICTY and Appeals Counsel in the then shared ICTY/ICTR Appeals Section. He was the Senior Appeals Counsel and Head of the Appeals Section in the Office of the Prosecutor of the ICC and subsequently became Prosecutions Coordinator in the Prosecution Division. He was appointed Director of the Prosecution Division in October 2014.

Dr. Guariglia has published extensively in the areas of international criminal law, comparative criminal law and human rights law, including chapters in leading commentaries to the Rome Statute. He has given lectures and seminars in many universities around the world, and participated as an expert in various international projects and meetings concerning international criminal law-related matters. He was a visiting fellow in the London School of Economics teaching international criminal law and public international law, an adjunct professor of criminal law and criminal procedure at the University of Buenos Aires, and is an external professor at the Di Tella University in Buenos Aires.

Dr. Guariglia has been consultant or advisor on an ad hoc basis of the following organizations: Amnesty International, International Center for Transitional Justice and Open Society Justice Initiative. He has also provided training for prosecution officers in the ad hoc Tribunals and the Extraordinary Chambers of the Courts of Cambodia.



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## JELENA VLADISAVLJEV

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Jelena Vladislavljev works as an adviser-investigator at Office of the War Crimes Prosecutor of the Republic of Serbia since 2010. As she currently holds the position of Liaison officer of Serbian War Crimes Prosecution Office, her job is to facilitate and coordinate cooperation with both ICTY OTP and MICT OTP. Working side by side with the ICTY/MICT staff, Jelena acts as focal point for the national office and handles exchange of information and evidence between the respective organisations.

Jelena gained her initial professional experience by working on legal matters in the NGO sector. Prior to her legal career, she was actively engaged in the promotion and protection rights of marginalized groups across the region of the former Yugoslavia.



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## NOVAK LUKIĆ

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Novak Lukić holds two law degrees from the University of Belgrade and has been working as a lawyer since 1996, registered with the Bar Chamber in Belgrade. He focuses on international criminal law, white collar crime, civil law and litigation. Between 1990 and 1996 he served as a Judge of the First Municipal Court in



Belgrade in the civil law, investigation, criminal and international legal aid departments. He was also President of the Municipal Committee for the Return of the Unjustly Nationalised Land. Lukić acted as Lead Counsel before the ICTY for Miroslav Tadić in the Šamac Case, for Veselin Šljivančanin in the Vukovar hospital case and for Momčilo Perišić. He has been repeatedly elected to both the Executive Committee and the Disciplinary Committee of the ADC-ICTY, and held the Presidency of the Association from 2012 to 2013. He was a member of the Serbian legal team before the ICJ in the case *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia)*. During 2013 he was also a lecturer for the OSCE in Belgrade and Sarajevo.

## Panel II



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### JENS DIECKMANN

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Jens Dieckmann has represented clients in all areas of national and international criminal law and has a varied practice as Counsel in international human rights law (including UN Human Rights Council and European Court of Human Rights) as well as asylum law and immigration law. He has represented and advised private clients from more than 80 different countries and provides consultancy to governments and NGOs in the field of international criminal law and asylum law. His notable international cases include *Prosecutor v. Milan Lukić & Sredoje Lukić*, *Prosecutor v. Sadri Selca*, *Prosecutor v. Astrid Haraqija and Bajrush Morina*, *Prosecutor v. Zdravko Tolimir* and the *Dragomir Pećanac Contempt Case* for the ICTY; *Prosecutor v. Joseph Kony et al.* and *Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus* for the ICC. He is on the list of Counsel at ICC, the ICTY, the ICTR and the STL. He regularly trains and gives key note lectures in asylum and immigration law as well as international criminal law. Dieckmann is a long-standing member of the ADC-ICTY and is currently a Vice-President of the Association.



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### JUDGE CHRISTOPH FLÜGGE

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Judge Christoph Flügge is a judge at the ICTY and the MICT. He is sitting on the case of Ratko Mladić which is currently awaiting final trial judgement. Between 2001 and 2007, Judge Flügge was Secretary of State at the Senate Justice Department in Berlin as Head of the Judiciary including the Courts of Berlin, the General Prosecutor and the Prison Administration of Berlin. He has previously been a Public Prosecutor and also a Criminal Judge at the County Court and the Criminal District Court in Berlin. Since 1996 Judge Flügge has been a member of the Steering Committee of the Council of Europe for the Reform of the Ukrainian Prison System.



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## WAYNE JORDASH QC

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Wayne Jordash QC is a London-based barrister specialising in international crimes and other serious criminal offences. He was called to the Bar of England and Wales in 1995 and has been a Queen's Counsel since 2014.

He is also a founding partner of Global Rights Compliance (GRC) which is an international legal partnership committed to enhancing compliance with internationally recognized human rights and humanitarian law standards. In May 2016, Global Rights Compliance, in conjunction with the British Embassy in Kiev, published a Report on the Domestic Implementation of IHL in Ukraine. This is part of an ongoing project that involves working with the MOD, MOJ, Prosecutor's Office, and civil society to ensure effective promotion and enforcement of IHL in Ukraine.

Jordash has extensive experience in criminal proceedings before international courts, having represented defendants before the ICTY, the International Criminal Tribunal for Rwanda and the Special Court for Sierra Leone. He has also worked at the ECCC as a legal consultant for the Defence Support Section. He was part of the team representing Libya at the ICC in relation to their admissibility challenge. He was also on the team representing Serbia at the ICJ in the Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Croatia v. Serbia) case.

Jordash is currently Lead Counsel for Jovica Stanišić in re-trial proceedings at the MICT and also Foreign Co-Lawyer for IM Chaem in Case 004 at the ECCC. He is also a Vice-President of the ADC-ICTY. Prior to concentrating on international law, Jordash had an extensive criminal defence practice in English courts.

Alongside his criminal defence work, he regularly provides legal advice on international human rights, humanitarian and criminal law to states, international organisations and civil society organisations seeking to reform domestic legal systems or otherwise seek accountability for mass atrocity crimes. He has also lectured and published substantially on these issues.



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## DR. ANTON KORYNEVYCH

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Dr. Anton Korynevych is a Ukrainian lawyer and researcher with 10 years' experience in the field of international humanitarian law, international criminal law, international energy law, and international public law. He holds a PhD in international law and is currently an Associate Professor at the International Law Department of Taras Shevchenko National University.

Korynevych currently teaches master classes in international humanitarian and criminal law to Ukrainian civil society organisations and is currently a member of the Ministry of Justice's Interdepartmental Commission for the Implementation of International Humanitarian Law in Ukraine. Korynevych has published extensively

on matters of international humanitarian law in both national and international law journals and is considered to be one of the foremost Ukrainian researchers in his field.

### Panel III



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#### COLLEEN ROHAN

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Colleen Rohan has been a practicing criminal Defence attorney for over 30 years; specialising in her domestic practice in appellate work in felony and death penalty cases. She began to work in the international courts in 2006 when she served as Counsel at the ICTY in the *Popović et al.* case (Srebrenica). Since then she has also served as Counsel in the *Haradinaj et al.* case (Kosovo), as Legal Consultant to the Standby Counsel team in *Prosecution v. Karadžić* and as Legal Consultant in *Prosecution v. Perišić*. Rohan is a founding member of the International Criminal Law Bureau (ICLB). She is a member of the ADC-ICTY Training Committee and former President of the Association. She was editor of the “Manual on International Criminal Defence ADC-ICTY Developed Practices”, sponsored by the United Nations Interregional Crime and Justice Research Institute (UNICRI), and published in October 2011 as part of the OSCE War Crimes Justice Project. Rohan is a member of the 9 Bedford Row Chambers international practice group in London and maintains her own offices in The Hague. Rohan also works on war crimes cases in Kosovo and is a licensed attorney of the Kosovo Bar.



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#### DR. FIDELMA DONLON

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Dr. Fidelma Donlon is currently Registrar at the Kosovo Specialist Chambers. Dr Donlon was previously the Head of the Specialist Chambers and Registry Court Planning Team where she managed the strategic and organizational establishment of the Kosovo Specialist Chambers during 2015-2016.

From 2010 to 2013, she served as Deputy Registrar of the Special Court for Sierra Leone, overseeing Registry functions for the successful completion of the Charles Taylor trial and several contempt trials. Dr Donlon also has international criminal justice experience specifically related to the Balkans. In 2004, she was appointed Deputy Registrar of the War Crimes, Organized Crime, Economic Crime and Corruption Chambers of the Court of Bosnia and Herzegovina (BiH), where she managed the setup of the Chambers and the successful transfer of cases from the ICTY and the start of trials at the new court. Dr Donlon is a graduate of University College of Dublin and the Law Society of Ireland. She obtained her Doctorate in Law at the Irish Centre for Human Rights at the National University of Ireland with the thesis "The Completion Strategies of the International Criminal Tribunals for the Former Yugoslavia and Rwanda and the Special Court for Sierra Leone – Lessons for Complementarity and the Prosecution of Crimes by National Courts".

She has lectured in International Criminal Law and published widely on the topics of tribunals and international justice and human rights.



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## TOMË GASHI

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Tomë Gashi is a defence lawyer who has been practising in Kosovo for nearly 30 years. Previously he has worked in Prishtina's District Prosecutor's Office and also was a judge in criminal cases at the Municipal Court in Prishtina. He holds a Law degree from the University of Prishtina and was admitted to the Bar in 1987.



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## GREGOR GUY-SMITH

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Gregor Guy-Smith has been involved as defence counsel at the ICTY for over a decade including the first retrial in the history of the ICTY in the case of *Prosecutor v. Haradinaj et al* (Kosovo). He has also represented Momicilo Perišić and Fatmir Limaj before the ICTY. He served as President of the ADC-ICTY between 2006 and 2007 and is former Chairperson the Disciplinary Council and Rules Committee of the Association. He is presently a member of the Advisory Panel to the President and Registrar of the ICTY and the MICT. Guy-Smith currently represents clients before the EULEX Courts in Kosovo.

Guy-Smith is also a founding member of the International Criminal Law Bureau (ICLB) and a member of 9 Bedford Row International, undertaking international legal cases and providing advice, consultancy and training services to governments, international organisations and private clients. He has lectured on international criminal law at universities in the United States and Europe and has provided training to lawyers in the United States and the Balkans, as well as at the ICTY, the STL and the ICC.



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## MARTIN HACKETT

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Martin Hackett is an experienced Criminal Barrister who is a member of Lincoln House Chambers in Manchester. He worked for the European Union Rule of Law Mission in the Special Prosecution Office for the Republic of Kosovo as an International Prosecutor and Head of the War Crimes Unit. He is now a Senior Trial Counsel in The Hague at an international tribunal.

Whilst in Kosovo Hackett prosecuted some of the Missions most sensitive War Crimes Cases.

Prior to working for EULEX, Hackett spent more than 18 years practicing Criminal Law both prosecuting and defending, he has considerable experience in handling sensitive sexual and historic child abuse cases, complex fraud allegations, cases involving serious violence and clients with severe mental health problems. He is an accredited rape and sexual offences Prosecutor.



## Panel IV



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### MARIE O'LEARY

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Marie O'Leary is currently Counsel for the Office of Public Counsel for the Defence (OPCD) at the ICC. She was previously part of the Defence teams of Naser Orić, Vlastimir Đorđević, Milan Lukić (*Lukić & Lukić*) and Dragomir Pećanac at the ICTY. She has also worked for the *Amicus* Prosecutor for contempt proceedings (II) on appeal in the case against Šešelj and as an Associate Legal Officer with ICTY Trial Chamber II. In 2010, O'Leary served as a Legal Consultant for the Defence Office at the STL. She was the Head of Office of the ADC-ICTY between 2006 and 2007 and is currently a Vice-President of the Association and member of the Training Committee.. O'Leary is also a lecturer in the Seminar on International Criminal Defence at the United Nations Interregional Crime and Justice Research Institute and has lectured for the Summer School on International Criminal Law of the Grotius Centre/ Leiden University. O'Leary holds a Bachelor of Arts (Journalism) degree from the University of St. Thomas. She has worked as an editor and as a marketing director prior to attending the University of St. Thomas School of Law. She graduated with a Juris Doctor in 2006, is licensed to practice in Minnesota and possesses experience with both the Minneapolis City Attorney and Minnesota Public Defenders' offices.



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### CATHERINE HARWOOD

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Catherine Harwood is writing her Ph.D. at Leiden University, where her teaching interests include IHL, human rights and international criminal law. Her doctoral research explores how international commissions of inquiry engage with fields of international law, and how their activities interlink with norms and institutions of international criminal justice. Harwood graduated cum laude from Leiden University in 2012 with an LL.M. in Advanced Studies in Public International Law. In 2009, she graduated from Victoria University of Wellington, New Zealand, with an LL.B. (Hons) and a Bachelor of Arts in Sociology, and was admitted as a Barrister and Solicitor of the High Court of New Zealand.

Harwood previously worked as a Judges Clerk at the New Zealand Court of Appeal and has interned at the International Criminal Court and the International Bar Association's Programme on the ICC. Harwood has published various articles relating to international commissions of inquiry.



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## PROF. HÉCTOR OLÁSULO

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Prof. Dr. Héctor Olásolo holds the Chair in International Law at the University of El Rosario (Colombia), and is the Chairman of the Ibero-American Institute of The Hague for Peace, Human Rights and International Justice. His main research interests are International Criminal Law, International Humanitarian Law, and International Human Rights. He is the author of numerous publications in these areas, including ‘Corte Penal Internacional: ‘The Triggering Procedure of the International Criminal Court’ (Brill Publishers, 2005), ‘Unlawful Attacks in Combat Situations’ (Brill Publishers, 2008), The Criminal Liability of Political and Military Leaders as Principals to International Crimes (Hart Publishers, 2009), ‘Essays on International Criminal Justice (Hart Publishers, 2012), ‘Treaty on Modes of Liability in International Criminal Law’ (Tirant lo Blanch, 2013, in Spanish), and ‘International Criminal Law and International Humanitarian Law’ (2016, Tirant lo Blanch, in Spanish). He has served as Legal Officer in Chambers at the ICC (2004-2010). He has also served as a member of the Legal Advisory and Appeals Sections of the Office of the Prosecutor of the ICTY (1999-2002), and as Legal Advisor of the Spanish Delegation to the ICC Preparatory Commission. between 1999 and 2002. He held the Chair in International Criminal Law at Utrecht University (2009-2012).



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## FLEUR RAVENSBERGEN

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Fleur Ravensbergen is Assistant Director and co-founder of the Dialogue Advisory Group (DAG), a Dutch organization that mediates in armed conflict situations. DAG facilitates political dialogue to reduce violence and create advanced political dialogues between armed groups, governments and international organizations in conflict situations. In her work she talks to parties to conflict, with a focus on members of armed groups and with the aim of preventing violence.

She is also coordinator of the International Verification Commission which verifies and monitors the ceasefire of ETA, the Basque separatist group. She has experience as a negotiator in the Democratic Republic of Congo, where she negotiated with a rebel group in a remote area of the jungle, and in Iraq, where she worked on the status of the disputed oil-rich region. In 2010 she was part of a small team in Northern Ireland that negotiated the disarmament of the then largest still active armed group.

*All participants are invited  
to join for the:*

# *ADC-ICTY Annual Party*

Saturday, 3 December 2016

8.00pm onwards

Cafe t'uytje

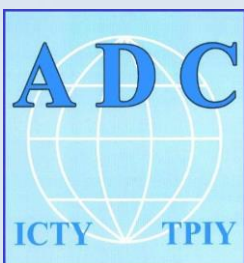
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visit the [ADC-ICTY website](http://www.adc-icty.org) or  
contact: [dkennedy@icty.org](mailto:dkennedy@icty.org)

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## NOTES

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