COURSE OUTLINE

Summer Institute in International Humanitarian Law and Human Rights

Asia Pacific Transitional Justice and Human Rights

Organized by
the Asian International Justice Initiative
a collaboration between the U.C. Berkeley War Crimes Studies Center
and the East-West Center
in partnership with
the Indonesia National Commission on Human Rights (KOMNAS HAM)

June 22- July 3, 2009
Sanur Paradise Plaza Hotel
Bali, Indonesia

Secretariat Room will be located on the fourth floor in the Gianyar Room.

Sunday, June 21, 2009

1:00 PM – 4:00 PM Registration for the Program
Sanur Paradise Plaza Hotel, Lobby Area

WEEK ONE: LOOKING BACK – DEALING WITH LEGACIES OF PAST ABUSE

Monday, June 22, 2009

7.30 AM – 8.45 AM Registration for the Program
Near Tabanan/Amlapura/Bangli Meeting Rooms
Fourth Floor, Sanur Paradise Plaza Hotel

8:45 AM Welcome Address from David Cohen on behalf of the Asian
International Justice Initiative (University of California, Berkeley
War Crimes Studies Center and the East-West Center)

9:00 AM Welcome Address from KOMNAS HAM and I Made Pastike

9:30 AM Introductions from the participants
9:45 AM– 10:00 AM  Introductions from the faculty
10:00 AM – 10:30AM  Morning Coffee Break
10:30AM – 11:00 AM  Keynote address from Dr. Navanethem Pillay, High Commissioner for Human Rights, Office of the High Commissioner for Human Rights (pre-recorded video)
11:00 AM – 12:00 PM  An Introduction to Transitional Justice and Post-Conflict Human Rights
    **Expert:** David Cohen  
    **Facilitator:** Michelle Staggs Kelsall
12:00 PM – 1:30PM  Working Lunch  
    Teras Teratai Brasserie (ground level)
1:30 PM – 3:00 PM  The Categories, Nature and Structure of Core International Crimes  
    **Experts:** Morten Bergsmo and Sangkul Kim  
    **Facilitator:** Michelle Staggs Kelsall
3:00 PM – 3.30 PM  Afternoon Coffee Break
3:30 PM – 5:00 PM  Finding Legal Information on the Core International Crimes: The ICC Legal Tools Website and the Case Matrix  
    **Experts:** Morten Bergsmo and Sangkul Kim  
    **Facilitator:** David Cohen
8:00 PM  Welcome Dinner  
    Café Komodo (ground level near pool)

**Tuesday, June 23, 2009**

9:00 AM – 9:30 AM  An Introduction to the Electives  
    **Facilitator:** Michelle Staggs Kelsall
    **Expert:** David Cohen  
    **Facilitator:** Michelle Staggs Kelsall
10:30 AM – 11:00 AM  Morning Coffee Break
11:00 AM – 12:00 PM  
Transitional Justice Approaches I: Fact-Finding Processes (continued)  
*Experts: David Cohen and Sidney Jones*  
*Facilitator: Michelle Staggs Kelsall*

12:00 PM – 1:30 PM  
Working Lunch  
Teras Teratai Brasserie (ground level)

1:30 PM – 3:00 PM  
*Expert: Sidney Jones*  
*Facilitator: David Cohen*

3:00 PM – 3:30 PM  
Afternoon Coffee Break

3:30 PM – 4:00 PM  
*Expert: Sidney Jones*  
*Facilitator: David Cohen*

4:00 PM – 5:00 PM  
Group Electives: Brainstorming Sessions  
*Facilitator: Michelle Staggs Kelsall*

**Wednesday, June 24, 2009**

9:00 AM - 10:30 AM  
Transitional Justice Approaches II: Post-Conflict Trials  
(International) The International Criminal Tribunal for the former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR) in Historical Perspective  
*Expert: Liu Daqun*  
*Facilitator: David Cohen*

10:30 AM – 11:00 AM  
Morning Coffee Break

11:00 AM – 12:00 PM  
Transitional Justice Approaches II: Post-Conflict Trials and Legacy for Hybrid Courts  
*Experts: Motoo Noguchi, Heather Ryan*  
*Facilitator: Michelle Staggs Kelsall*

12:00 PM – 1:30 PM  
Working Lunch  
Teras Teratai Brasserie (ground level)

1:30 PM – 2:30 PM  
Transitional Justice Approaches II: Post-Conflict Trials – Indonesia’s National Trials and a Domestic Perspective  
*Expert: David Cohen*  
*Facilitator: Michelle Staggs Kelsall*
2:30 PM – 3:00 PM
Group Elective 1 (Transitional Justice Strand): An Introduction to Legacy
Group Elective 2 (Human Rights Strand): An Introduction to Rights-based Approaches
Facilitator: Michelle Staggs Kelsall

3:00 PM – 3:30 PM
Afternoon Coffee Break

3:30 PM – 5:00 PM
Panel Discussion: Trials and Tribulations – Challenges and Successes for the Transitional Justice Project
Experts: Liu Daqun, Motoo Noguchi, David Cohen
Facilitators: Heather Ryan and Michelle Staggs Kelsall

Thursday, June 25, 2009

9:00AM - 10:30 AM
Transitional Justice Approaches III: Truth Commissions – An Overview
Expert: Tim Kelsall
Facilitator: David Cohen

10:30 AM – 11:00 AM
Morning Coffee Break

11:00 AM – 12:00 PM
Transitional Justice Approaches III: Truth Commissions – A Comparative Perspective: Sierra Leone and East Timor
Experts: Tim Kelsall, Leigh-Ashley Lipscomb
Facilitator: Michelle Staggs Kelsall

12:00 PM – 1:30PM
Working Lunch
Teras Teratai Brasserie (ground level)

1:30 PM – 2.30PM
Transitional Justice Approaches III: Truth Commissions – A Comparative Perspective (continued)
Experts: Tim Kelsall, Leigh-Ashley Lipscomb
Facilitator: Michelle Staggs Kelsall

2.30 PM – 3:00 PM
Beyond Conflict: Sustainable Human Rights Strategies
Expert: Asmara Nababan
Facilitator: David Cohen

3:00 PM – 3:30PM
Afternoon Coffee Break

3:30 PM – 4:00 PM
Beyond Conflict: Sustainable Human Rights Strategies
Expert: Asmara Nababan
Facilitator: David Cohen
4:00PM – 5:00 PM  Q&A with Asmara Nababan  
_Facilitator: Michelle Staggs Kelsall_

**Friday, June 26, 2009**

9:00 AM - 10:30AM  Transitional Justice Approaches IV: Victims’ Rights – Victim Participation at International(ized) Criminal Trials  
_Experts: Michelle Staggs Kelsall, Heather Ryan_  
_Facilitator: David Cohen_

10:30 AM – 11:00 AM  Morning Coffee Break

11:00 AM – 12:00 PM  Transitional Justice Approaches IV: Victims’ Rights - Reparations  
_Expert: Motoo Noguchi_  
_Facilitator: Michelle Staggs Kelsall_

12:00 PM – 1:30 PM  Working Lunch  
Teras Teratai Brasserie (ground level)

1:30 PM – 3:00 PM  Panel Discussion & Round-up: Key Challenges for Transitional Justice  
_Experts: Heather Ryan, David Cohen, Motoo Noguchi_  
_Facilitator: Michelle Staggs Kelsall_

3:00 PM – 3:30 PM  Afternoon Coffee Break

3:30 PM – 5:00 PM  Protections for Victims of Armed Conflict: Notes from the Field in Asia  
_Expert: Vincent Nicod, Head of International Committee of the Red Cross (ICRC) Jakarta_  
_Facilitator: Michelle Staggs Kelsall_

**WEEK TWO: LOOKING FORWARD – BUILDING ROBUST RIGHTS-BASED REGIMES**

**Monday, June 29, 2009**

9:00 AM – 10:30 AM  Mapping the Human Rights Framework in Southeast Asia  
_Expert: Homayoun Alizadeh_  
_Facilitator: KOMNAS HAM Representative_

10:30 AM– 11:00 AM  Morning Coffee Break
11:00 AM – 12:00 PM  Challenges in Enforcing Human Rights Instruments  
**Expert:** Harkristuti Harkrisnowo  
**Facilitator:** KOMNAS HAM Representative

12:00 PM – 1:30 PM  Working Lunch  
Teras Teratai Brasserie (ground level)

1:30 PM – 3:00 PM  Challenges in Enforcing Human Rights Instruments  
(continued)  
**Expert:** Harkristuti Harkrisnowo  
**Facilitator:** KOMNAS HAM Representative

3:00 PM – 3:30 PM  Afternoon Coffee Break

3:30 PM – 5:00 PM  Elective Strands Brainstorming Session II  
Group Elective 1 (Transitional Justice Strand): Incorporating Rights-based Analysis into Effective Legacy  
Group Elective 2 (Human Rights Strand): Strategies for Building an Effective Human Rights Commission  
**Facilitator(s):** Sri Yana

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**Tuesday, June 30, 2009**

9:00 AM – 10:30 AM  National Human Rights Commissions: Indonesia  
**Expert:** Ifdhal Kasim  
**Facilitator:** KOMNAS HAM Representative

10:30 AM – 11:00 AM  Morning Coffee Break

11:00 AM – 12:00 PM  National Human Rights Commissions: Malaysia  
**Expert:** Tan Sri Abu Thalib Othman  
**Facilitator:** KOMNAS HAM Representative

12:00 PM – 1:30 PM  Working Lunch  
Teras Teratai Brasserie (ground level)

1:30 PM – 3:00 PM  National Human Rights Commissions: The Philippines  
**Expert:** Leila M. De Lima  
**Facilitator:** KOMNAS HAM Representative

3:00 PM – 3:30 PM  Afternoon Coffee Break

3:30 PM – 5:00 PM  National Human Rights Commissions: Thailand  
**Expert:** Saneh Chamarik  
**Facilitator:** KOMNAS HAM Representative
Wednesday, July 1, 2009

9:00 AM – 10:30 AM  Elective Strands Brainstorming Session III
Group Elective 1 (Transitional Justice Strand): Rights-based Approaches—Re-evaluating their Strengths and Weaknesses for Legacy
Group Elective 2 (Human Rights Strand): Revisiting Strategies for Building an Effective Human Rights Commission
Facilitator: KOMNAS HAM Representative

10:30 AM – 11:00 AM  Morning Coffee Break

11:00 AM -12:00 PM  National Human Rights Commissions: South Korea
Expert: Seonghoon Lee, Director General, Human Rights Policy Bureau
Facilitator: KOMNAS HAM Representative

12:00 PM – 1:30 PM  Working Lunch
Legian Room (second floor)

1:30PM – 3:00 PM  Panel Discussion: South Korea and ASEAN Country Commissions
Expert: South Korean and ASEAN Commission Experts
Facilitator: KOMNAS HAM Representative

3:00 PM – 3:30 PM  Afternoon Coffee Break

3:30 PM – 5:00 PM  Panel Discussion: South Korea and ASEAN Country Commissions (continued)
Expert: South Korean and ASEAN Commission Experts
Facilitator: KOMNAS HAM Representative

Thursday, July 2, 2009

9:00 AM -10:30 AM  Regional Commissions: Africa, Europe and the Americas
Expert: Michelle Staggs Kelsall
Facilitator: David Cohen

10:30 AM – 11:00 AM  Morning Coffee Break

11:00 AM – 12:00 PM  An ASEAN Commission – Prospects and Challenges for the ASEAN Human Rights Body
Experts: Sriprapha Petcheramesree, David Cohen
Facilitator: Michelle Staggs Kelsall

12:00 PM– 1:30PM  Working Lunch
Legian Room (second floor)
1:30 PM – 3:00 PM  Panel Discussion: Challenges for the ASEAN Human Rights Body  
*Experts: Sriprapha Petcheramesree, David Cohen*  
*Facilitator: Michelle Staggs Kelsall*

3:00 PM – 3:30 PM  Afternoon Coffee Break

3:30 PM - 5:00 PM  Q&A: Challenges for the ASEAN Human Rights Body  
*Experts: Sriprapha Petcheramesree, David Cohen*  
*Facilitator: Michelle Staggs Kelsall*

**Friday, July 3, 2008**

9:00 AM - 10:30 AM  Elective Strands  
Group Elective 1 (Transitional Justice Strand): Final Preparation for Submissions to Shamila Unnikrishnan, Legacy Officer, OHCHR Cambodia  
Group Elective 2 (Human Rights Strand): Final Preparation for Submissions to Marzuki Darusman, Eminent Expert, Working Group for an ASEAN Human Rights Mechanism

10:30 AM – 11:00 AM  Morning Coffee Break

11:00 AM – 12:00 PM  Elective Strands  
Group Elective 1 (Transitional Justice Strand): Final Preparation for Submissions to Shamila Unnikrishnan, Legacy Officer, OHCHR Cambodia  
Group Elective 2 (Human Rights Strand): Final Preparation for Submissions to Marzuki Darusman, Eminent Expert, Working Group for an ASEAN Human Rights Mechanism

12:00 PM – 1:30 PM  Working Lunch  
Legian Room (second floor)
1:30 PM-3:00 PM  Participants present their findings:
Group Elective 1 (Transitional Justice Strand): Maximizing the Legacy of the Extraordinary Chambers in the Courts of Cambodia (ECCC)
*Expert: Shamila Unnikrishnan*
*Facilitator: Michelle Staggs Kelsall*

Participants present their findings:
Group Elective 2 (Human Rights Strand): Building a Robust ASEAN Human Rights Body (AHRB)
*Expert: Marzuki Darusman*
*Facilitator: David Cohen*

3:00 PM – 3:30 PM  Afternoon Coffee Break

3.00 PM – 4.00 PM  Presentation of certificates / Final round-up