

PROGRAMME

# WORLD LEGAL FORUM

*'Where the Power of Law meets the Law of Power'*

The Hague, December 10 - 12, 2007

Peace Palace & World Forum Convention Center

*Effective International Dispute Settlement for Public and Private Actors*



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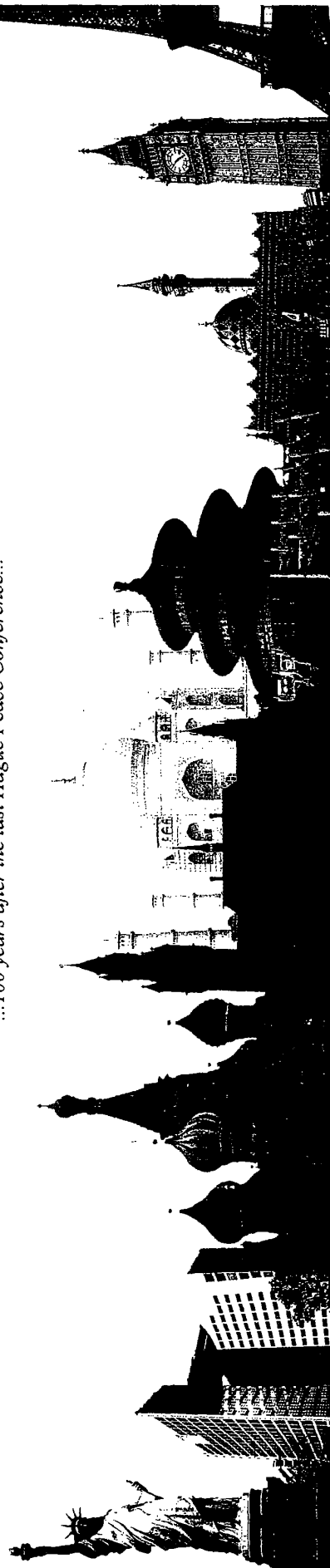


World Forum  
Convention Center



PCA

*...100 years after the last Hague Peace Conference...*



## General Introduction

**Effective international dispute settlement for public and private actors** Since the Hague Peace Conference of 1907, the nature of international law has changed dramatically. Not only has the international balance of power changed substantially, the power of individual countries has been balanced by international law itself. At the same time, companies have developed into new international powerhouses, not only economically but also legally. Moreover, NGOs have become global players and laid the foundation for new international legal structures.

Today, both public and private actors are responsible for managing safe and reliable international interactions. World Legal Forum (WLF) will therefore bring together academics, businessmen and policy makers to discuss 'Effective International Dispute Settlement'. WLF will take place in the Peace Palace and World Forum Convention Centre (WFCC) in The Hague on December 10-12, 2007, in commemoration of the Hague Peace Conference of 1907.

WLF will be an interdisciplinary, intercultural and intersectoral platform where speakers from all over the world will engage in an open and informal debate about dispute settlement. The audience will consist of members of the judiciary, parliamentarians, policymakers, businessmen, legal practitioners and academics working in the field of international law and international relations.

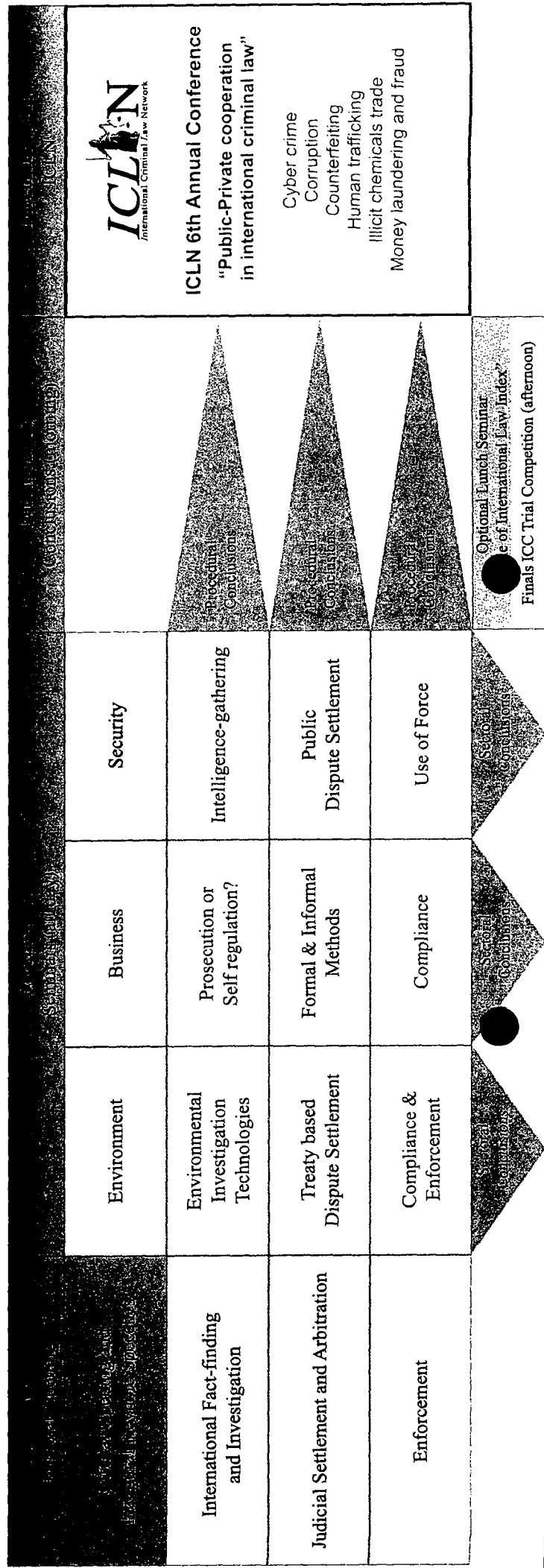
## Structure

The discussion will focus on:

*Developing Intersectoral Recommendations on Effective International Dispute Settlement* International law has been developed over the last hundred years, but the success in different sectors varies strongly. In some sectors totally new structures have been created, but in other sectors there is still no well-functioning international legal framework. The World Legal Forum (WLF) will address the opportunities for the development and strengthening of existing international law as well as in new areas.

*Combining Public and Private Actors to Increase Effectiveness and Legitimacy* Many business organisations have developed soft laws and codes of conduct to regulate their affairs effectively. WLF challenges public and private actors to combine private and public legal structures, making use of the effectiveness and legitimacy of both. WLF will address what international public law can learn from the private sector and how private structures can strengthen the development of international public law. Vice versa, it should be clear were the public sector can or should support private international lawmaking.

*Integrating Intercultural Perspectives on International Law* For effective international law, it has become increasingly important to integrate perspectives from West and East, North and South. The informal character of the forum invites all delegates to enter frank and constructive discussions, plenary as in breakout sessions.



# Introduction Programme

After the political opening, the programme has been designed to stimulate the development of general recommendations on Effective International Dispute Settlement. To formulate these recommendations the three stages of dispute settlement – international fact-finding and investigation, judicial settlement and arbitration, and enforcement – will be discussed in the context of the Environmental, Business and Security sectors.

## December 9, 2007

For early arrivals, WLF will start with pre-registration and welcoming drinks at 6 pm on December 9.

Day 1 (December 10, 2007)  
The day will focus on the political aspects of dispute settlement. Key speakers will give their perspectives on the Effective International Dispute Settlement. There will be a discussion on both the three stages of dispute settlement and the three sectors which will be central in the discussion on December 12.

## Day 2 (December 11, 2007)

The day will focus on the role of International Dispute Settlement from a practical perspective. During this day the country discussion will be on the three stages of dispute settlement in dispute settlement sectoral seminars.

## Day 3 (December 12, 2007)

The day will focus on the final stage of dispute settlement, enforcement. Key speakers will be brought together to discuss general recommendations on Effective International Dispute Settlement.

The implementation of WLF will be discussed on the 'Rule of International Law' index.

On the afternoon of **December 12**, the finals of the International Criminal Court (ICC) Trial Competition, in which students of law schools from all over the world participate, will be held. Admission for attendees of WLF is free. On **December 13 and 14** the sixth annual conference of the International Criminal Law Network will be held in the WFCC. There will be a discount available for those who register for both conferences.

Although all speakers have been confirmed, unless otherwise indicated, the programme can be subject to change, which will be communicated through [www.wordlegalforum.org](http://www.wordlegalforum.org)

# December 10 - Programme

## Official Opening and Introduction of WLF

10:00 - 10:45 Welcome and registration

**Chairman:** Mr Bernard Bot, President Clingendael Institute and Carnegie Foundation, Former Dutch Minister of Foreign Affairs

10:45 - 11:00 Welcoming by Mr Wim Deetman, Mayor of The Hague  
Introduction of World Legal Forum by the Chairman

11:00 - 11:20 Mr Ernst Hirsch Ballin, Dutch Minister of Justice

11:20 - 11:40 Mr Amr Moussa, Secretary-General of the League of Arab States

11:40 - 12:00 Mr Cao Jianmin, President Chinese Society of International Law and Vice-President of the Supreme People's Court

12:00 - 12:20 Mr John Bellinger III, Legal Adviser to Condoleezza Rice, Secretary of State USA

12:30 - 13:30 Lunch Break

13:30 - 13:50 "Fact-Finding and Investigation"

Mr Rogelio Pflüster, Director-General of the Organization for the Prohibition of Chemical Weapons

13:50 - 14:10 "Some Misconceptions about Judicial Settlement of International Disputes"

Ms Rosalyn Higgins, President of the International Court of Justice

14:10 - 14:30 "New Perspectives for Arbitration"

Mr Tjaco van den Hout, Secretary-General of the Permanent Court of Arbitration

14:30 - 15:00 Questions & Answers

15:00 - 15:30 Break

15:30 - 15:50 "Environment"

Ms Margaret Catley-Carlson, Chairman Global Water Partnership

"Business"

Mr Alexander Rinnooy Kan, Chairman of the Dutch Social and Economic Council, former Chairman of the Confederation of Netherlands Industry and Employers, etc.

16:10 - 16:30 "Security"

Mr Claudio Bisogniero, Deputy Secretary General of NATO

16:30 - 17:00 Concluding Debate

17:00 - 19:00 Reception

# December 11 - Environment Seminar

## Effective Avoidance and Settlement of International Disputes

The protection of the Environment is currently one of the highest priorities on the agenda of international policymakers and environmental law is an increasingly important area of public international law. During this seminar avoidance and settlement of environmental disputes, especially those involving fresh water, will be the key issues. The agenda will cover the use of multilateral legal instruments to protect our environment effectively, especially the use of judicial methods, new methods for fact-finding and effective enforcement of agreements.

9:30	<p><b>General Opening</b> Opening remarks by the chair: <b>Mr. Johan Lammers</b>, Former Legal Advisor of the Dutch Ministry of Foreign Affairs</p> <p>- How to avoid or settle international environmental disputes: The case of freshwater disputes by <b>Mr. András Szóllósi-Nagy</b>, Director of the Division of Water and Secretary of the International Hydrological Programme of UNESCO</p>
10:30	<p><b>Fact-finding and Investigation</b></p> <p>- New techniques for fact-finding and investigation by <b>Mr. Gerard Wolters</b>, Co-chair of the International Network for Environmental Compliance and Enforcement, and Inspector General of the Dutch Ministry of Housing, Spatial Planning and the Environment</p> <p>- Developing new legal instruments for transboundary fact-finding by <b>Ms Sheila Abed</b>, IUCN Commission on Environmental Law</p>
11:00	<p><b>Conciliation, Judicial Dispute Settlement and Arbitration in Environmental Disputes</b></p> <p>- Strengthening the existing dispute settlement mechanisms for freshwater disputes: how to bring more parties successful to the court? by <b>Mr. Dane Ratliff</b>, Legal Counsel at the Permanent Court of Arbitration (PCA)</p> <p>- Harmonising environmental dispute settlement mechanisms of different environmental related treaties by <b>Ms Iwona Rummel-Bulska</b>, Principal Legal Officer UNEP</p> <p>- Different methods of dispute settlement by <b>Ms Du Qun</b>, Professor Wuhau University, Deputy Director of Environmental Law Research Center</p>
12:30	<p><b>Promoting compliance with and enforcement of international environmental law</b></p> <p>- International criminal law and environmental disputes; the concept of crime against the environment by <b>Mr. Bill Clark</b>, Vice-Chairman of the Environmental Crimes Committee of Interpol</p> <p>- Developing enforcement mechanisms in environmental law by <b>Ms Malgosia Fitzmaurice</b>, Professor Public International Law, School of Law, Queen Mary University of London</p>
15:15	<p><b>Concluding Session</b> Conclusions and recommendations</p>
16:45	<p><b>Conference Dinner Kurhaus (optional)</b></p>

# December 11 - Business Seminar

## Introduction to International Law and Business Seminar

In the past century the influence of individuals, NGO's and multinational companies on international law has grown substantially. Multinationals have actively participated in creating effective structures of soft law, arbitration and international private law. However, they have been less successful in creating international legal structures for dealing with indiscriminate and illegal acts of governments against companies or amongst companies. In some sectors, state governments may dominate business, or vice versa, resulting in wrongful acts carried out with impunity. Therefore international legal protection against acts that can be objectively deemed 'wrongful or obstructive' can be part of the solution.

9:30	<p><b>General Opening</b> Opening remarks by the chair: <b>Mr Fernando Pombo</b>, President International Bar Association</p> <p>- How international law can organise accountability for companies and governments alike by <b>Mr Kees van der Waal</b>, CEO Unilever the Netherlands</p> <p>- Liability of companies under International Public Law, by <b>Mr Pieter Jan Kuijper</b>, Professor European Union Law, Former Principal Legal Officer European Commission</p>
10:30	<p><b>Guarding soft law principles: Prosecution or self regulation?</b></p> <p>- Developing accountable international standards for international business by <b>Mr Menno Kamminga</b>, Professor of Public International Law, University of Maastricht</p> <p>- Effective International dispute settlement in the financial world by <b>Mr Jeffrey Golden</b>, Chair Section of International Law, American Bar Association</p> <p>- Creating enforceable international legal standards on sectoral level: The chemical industry case on REACH by <b>Mr Jean Claude Lahaut</b>, General Counsel European Chemical Industry Council</p>
11:00	<p><b>Effective dispute settlement: bilateral or multilateral?</b></p> <p>- Effective investment dispute settlement by <b>Mr Ko-Yung Tung</b>, Senior Counsellor at Morrison &amp; Foerster LLP, former Vice President and General Counsel of The World Bank, former Secretary-General of ICSID</p> <p>- WTO and the development of international law by <b>Ms Gabrielle Marceau</b>, Counsellor Director General of the WTO</p> <p>- Effective dispute settlement for business disputes by <b>Mr Pierre Tereier</b>, Chairman of the International Court of Arbitration (ICC World Business Organisation)</p>
15:15	<p><b>Enforcing international law for companies</b></p> <p>- Chinese perspectives on international law for multinationals in a globalised world by <b>Mr Luo Feixin</b>, Professor Commercial Law East China University</p> <p>- Creating multilateral and enforceable legal standards by <b>Mr Renaud Sorieul</b>, Principal Legal Officer IFLD, UNCITRAL</p>
16:45	<p><b>Concluding Session</b> Conclusions and recommendations</p>
19:00	<p><b>Conference Dinner Kurhaus (optional)</b></p>

## December 11 - Security Seminar

### Introduction to Security Seminar

The way states regard the problem of using force has greatly changed over the last 100 years. Today, states mainly justify the use of force on one of two grounds: either as self-defence (including in its pre-emptive and preventive forms) or in response to gross violations of human rights (including in the guise of the responsibility to protect). Both these justifications challenge the established legal prohibition against using force, including the accepted exceptions thereto (self-defence in case of an armed attack; authorization by the UN Security Council). The existing legal framework fails to set clear limits or define the context of using force under these circumstances.

#### General Opening

Opening remarks by the chair, **Mr Ivo Daalder**, Senior Fellow Brookings Institution

- How to enhance the effectiveness of international law on the use of force?

by **Mr Hisashi Owada**, Judge International Court of Justice and

by **Mr Nico Schrijver**, Professor Public International Law at Leiden University

#### Fact-finding and Investigation

The role of fact-finding and intelligence-gathering in legitimising international use of force by **Mr Olli Heinonen**, IAEA Deputy Director General and Head of the Department of Safeguards

Strengthening the legal framework for international fact-finding and investigation by **Ms Carla del Ponte**, Chief Prosecutor of the ICTY

Fact-finding in international criminal law by **Mr Antonio Cassese**, Chairman for the International Commission of Inquiry on Darfur

#### Strengthening the Rule of International Law

- Expanding the rule of international criminal law in the use of force by **Mr Cherif Bassiouni**, Professor of Law at DePaul University

- Enhancing the preventive function of international law on the use of force by **Mr Torben Brylle**, European Union Special Representative for Sudan

#### Enforcing the rules on the use of force

- The responsibility to protect and the enforcement of the use of force rules by **Mr Gareth Evans**, President of the International Crisis Group

- Non-state actors and the legal framework on the international use of force by **Ms Louise Doswald-Beck**, Professor of International Law, Graduate Institute of International Studies (HEI), Director of the University Centre for International Humanitarian Law (UCHIL)

- International law and the use of force from a military perspective by **Mr Patrick Cammaert**, former Force Commander UN-MONUC

#### Concluding Session

Conclusions and recommendations

Conference Dinner Kurhaus (optional)

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## December 12 - Programme

### Sectoral Conclusions and Procedural Recommendations

The international legal order may benefit of new instruments that can provide effective solutions for international disputes. Different sectors may learn from each other about how to organise international fact-finding, dispute settlement and enforcement. During the third day of WLF, recommendations on these matters will be made. This day will start with a plenary introducing both the sectoral conclusions of Day 2 and interdisciplinary procedural perspectives. Roundtables will follow as a way to exchange experiences from different sectors on how to organise effective international dispute settlement. The concluding roundtable reports will lead to recommendations on the procedural aspects of dispute settlement.

Plenary introduction by chairman **Mr. Bernard Bot**

#### Sectoral conclusions

Environment: **Mr. Johan Lammers**, Former Legal Adviser of the Dutch Ministry of Foreign Affairs  
 Business: **Mr. Fernando Pombo**, President of the International Bar Association  
 Security: **Mr. Ivo Daalder**, Senior Fellow Brookings Institution

#### From a sectoral to a procedural perspective: Introduction to the roundtables

Fact-finding: **Mr. Francois Falletti**, President International Association of Prosecutors, National member for France at Eurojust  
 Dispute settlement: **Mr. Peter Kooijmans**, Dutch Minister of State, Former Judge ICJ  
 Enforcement: **Mr. Jeffrey Golden**, Chair Section of International Law, American Bar Association.

#### Moderators Fact-finding:

**Mr. Antonio Cassese**  
 Chairman for the International Commission of Inquiry Darfur, the

**Mr. Richard Bird**  
 ABN Amro Executive Vice President

#### Moderators Dispute Settlement:

**Mr. Antonio Cassese**  
 Chairman for the International Commission of Inquiry Darfur, the

**Mr. Yamin Leliten**  
 Deutsche-Bank-Gesellschaft AG

#### Moderators Enforcement:

**Mr. Rob de Wijk**  
 Defence Expert TNO

**Mr. Jan Eijshouts**  
 Former General-Counsel  
 AKZO NOBEL

#### Break

#### Plenary reporting of the roundtables and interdisciplinary perspectives:

Fact-finding: **Mr. Francois Falletti**, President International Association of Prosecutors, National member for France at Eurojust  
 Dispute settlement: **Mr. Peter Kooijmans**, Dutch Minister of State, Former Judge ICJ  
 Enforcement: **Mr. Jeffrey Golden**, Chair Section of International Law, American Bar Association

Final conclusion by **Mr. Bernard Bot**

## Finals ICC Trial Competition 14:30 - 17:30, 12 December 2007, WFCC The Hague

"Events such as the ICC Trial Competition are key in building awareness and understanding of the ICC and in contributing to the establishment of a culture of accountability for the most serious international crimes."

Judge Philippe Kirsch, President of the International Criminal Court

#### Participating universities:

- Osgoode Hall, York University (Canada)
- Freiburg Universität (Germany)
- Pretoria University (South Africa)
- Universiteit Utrecht (Netherlands)
- Belgrade University (Serbia)
- China University of Political Science and Law - Cairo University (Egypt)
- Nalsar University (India)
- Moscow State University (Russia)
- Universidad de Chile (Chile)
- Melbourne University (Australia)
- China Foreign Affairs University

Participants of WLF have the opportunity to view the finals of the Trial Competition on the afternoon of Wednesday, December 12.

[www.icc-trialcompetition.org](http://www.icc-trialcompetition.org)



## Public-private cooperation in International Criminal Law 13 and 14 December 2007, WFCC The Hague

### International Criminal Law Network 6th Annual Conference

The International Criminal Law Network (ICLN) is holding its 6th Annual Conference in December 2007 in The Hague. This year ICLN has chosen to discuss the current structures and future possibilities of public-private cooperation in international criminal law.

Private actors are becoming more important in coordinated efforts to counter transnational crime. They can possess highly instrumental inside information: in many countries private actors are aware of illegal activities and practices. Better cooperation and coordination with private actors is therefore indispensable. But apart from corporate social responsibility, why would private actors be willing to cooperate and share their information and resources with public institutions? And how should cooperative agreements be shaped, on what conditions can public-private cooperation be effective? What are the public risks of public-private cooperation and how to improve information sharing, in particular with private partners? In the conference we will seek an answer to these and other related questions.

This conference is organised in conjunction with World Legal Forum (WLF) and WLF participants are entitled to a reduced fee.

More detailed information will be announced soon on [www.icln.net](http://www.icln.net). For more information, also on the reduced fee, please contact [secretary@icln.net](mailto:secretary@icln.net)



## Information and Conditions

### Date, Venue & Language

The conference will run from Monday, December 10th until Wednesday, December 12th 2007. The venue will be Peace Palace (December 10) and World Forum Convention Centre (December 11 & 12) in The Hague. The language during the conference, as well as that for all documentation, will be English.

### Hotels

WLF has made arrangements with hotels nearby the World Forum Convention Centre. Upon registration you will receive detailed information concerning hotel accommodation. We advise you to take care of hotel reservations and flight accommodations in time.

### Conference Dinner

Tuesday evening, December 11, we invite you to join the conference dinner at 19:00 in the Kurhaus Hotel. This hotel, established in 1885, is beautifully located at the beach of Scheveningen. You will enjoy a three course dinner in the grand ballroom, where you will have the opportunity to further discuss the topics of the conference. The conference dinner price of €65 is not included in the conference fee.

### Registration procedure

All persons who wish to participate in the conference must register in advance. Participants are requested to complete the enclosed registration form and return it to WLF by fax or regular mail. Participants can also register online at: <http://www.worldlegalforum.org/registration.htm>. Each participant should use a separate form. A letter of confirmation and an invoice will be sent upon receipt of the registration form. Registrations can only be made for the complete conference program. Upon registration participants must indicate their preference with regard to the seminars on December 11.

### Registration

For ICLN members the conference fee is €495 and for non-members €695. IAP Members enjoy the discounted rate of €645 and NGB/ECLA members €556. Academic participants who are employed full-time at an academic institute pay €495. Participants for both WLF and the ICLN annual conference receive of a discounted week fee of €995 for both conferences. For ICLN members the week fee is €795 and for IAP members it is €895. The fee includes admission to the conference(s), the reception, lunches and refreshments as well as extended conference documents (all amounts excluding 19% VAT).

### Conditions of registration and payment

The registration form constitutes a legally binding agreement, which obliges persons who register to pay the stated amounts which include the non-refundable administration fee of €95. Payment must be made and received in full prior to the event. Payment can be made by bank transfer or credit card. Please note that payment by credit card will have an additional charge of 3,5%. The organisation cannot be held responsible for the non-arrival of registration information. If you have not received a confirmation of your registration 14 days after you made the registration, please contact the secretariat. NB: CHEQUES WILL NOT BE ACCEPTED.

### Cancellations and non-attendance

Cancellations will only be accepted if submitted in writing before Monday November 9, 2007. In this case the obligation to pay is lifted, and if payment has already been made, the money will be refunded, albeit minus an administrative charge of € 95 (incl. 19% VAT). Cancellations made after the 9th of November or non-attendance of the event, for whatever reason, DO NOT revoke the obligation to pay the registration fees, hence no refunds will be made. However, WLF welcomes substitute delegates if the secretariat is notified prior to the conference.

### Visa

If you require a visa to visit the Netherlands, we advise you to arrange your visa at least five weeks prior to departure. The organisation does not arrange visas.

### Insurance

The organisation cannot be held liable for personal injuries or for loss and/or damage to the personal belongings of participants either during or as a result of the conference.

## WORLD LEGAL FORUM

### Registration Form

Fax to:

+31 (0)70 362 9768

or send by mail to:

Koninginnegracht 22  
2514 AB The Hague  
The Netherlands



Peace Palace, December 10 Opening Kurhaus, December 11 Conference Dinner

# Registration Form

(please fill out in block letters)

Family Name..... First Name.....  
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World Legal Forum (December 10-12)

- Regular fee €695
- IAP Member €645
- NGB/ECLA Member €556
- ICLN Member €495
- Full-time Academic €495

National ECLA association.....

Academic Institute.....

World Legal Forum & ICLN Annual Conferene (Week of December 10-14)

- Regular Fee €995
- IAP Member €895
- ICLN Member €795

- Conference Dinner (December 11) €65
- Lunch Seminar "Rule of International Law Index" (December 12) €25
- I will attend the Finals of the ICC Trial Competition (December 12, 14:30)

All amounts exclude 19% VAT (according to the Dutch Tax Law)

Date.....  
 Signature.....

Please return the completed form by mail to the WLF Secretariat or fax it to +31 (0)70-362 9768, or register through our website at [www.worldlegalforum.org](http://www.worldlegalforum.org)

# Organisation and Contact

Conference Chair: Bernard Bot  
 President Clingendael Institute and Carnegie Foundation, Former Dutch Minister of Foreign Affairs

## Advisory Board

- Wim Deetman – Mayor of The Hague (Chairman)
- Ivo Daalder – Senior Fellow Brookings Institution Washington D.C.
- Johan Lammers – Former Legal Advisor of the Dutch Ministry of Foreign Affairs
- Marnix Leijten – Lawyer De Brauw Blackstone Westbroek The Hague
- Henk Marquart Scholtz – Secretary-General International Association of Prosecutors
- Hans Nilsson – Head of Unit Judicial Cooperation, General Secretariat of the Council of the EU
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- Rob Visser – Director General International Affairs Dutch Ministry of Justice
- David Vriesendorp – Former Director Amnesty International
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## Organisational Committee

- Esther Wijker – project manager
- Sona Barghi – project assistant
- Tim Siegenbeek van Heukelom – project assistant
- Geerjjan Kampman – conference manager
- Frank Zwetsloot – director

## Acknowledgements

### Partners:

- Dutch Ministry of Foreign Affairs
- Dutch Ministry of Defense
- Dutch Ministry of Justice
- De Brauw Blackstone Westbroek
- Municipality of The Hague

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### Logistic organisation

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