

Summer Programme

Countering Terrorism in the Post-9/11 World: Legal Challenges and Dilemmas

25-29 August 2014

PRELIMINARY PROGRAMME

Monday 25 August (Day 1): Countering Terrorism: Introduction and Legal Frameworks

08.45 – 09.00	Registration
09.00 – 09.15	Opening Summer Programme
09.15 – 09.45	Introduction of the Programme, Assersversity Learning Platform and (Internet) Facilities TMCAI
09.45 – 10.00	Introduction Round Participants
10.00 – 11.30	Defining Terrorism under International and Domestic Laws Examines the various existing definitions of terrorism under international and domestic laws, exploring the reasons for the lack of a universally accepted definition, the usefulness/needlessness of such a definition and ways in which international organisations/governments/international & domestic courts deal with the lack of a universal definition
11.30 – 11.45	Coffee & Tea Break
11.45 – 13.15	Essential Counter-Terrorism Paradigms: The War Paradigm vs the Law Enforcement Paradigm Historically-based introduction to the two major paradigms in counter-terrorism: The war paradigm vs. the law enforcement paradigm. The presentation also includes an assessment of the effectiveness of these paradigms, including ways in which they have been deployed post-9/11.
13.15 – 14.15	Lunch
14.15 – 15.15	The Role of International Humanitarian Law in Countering Terrorism and Its Challenges Explores the applicability of international humanitarian law in the context of terrorism. Which rules apply and is the current legal system still adequate in countering terrorism? Who is the enemy? Should the law be adapted to what some say is a new kind of war that needs new rules?
15.15 – 15.30	Coffee & Tea Break

- 15.30 – 16.30 The Role of International Human Rights Law in Countering Terrorism and Its Challenges**
- Explores the applicability of international human rights law in the context of terrorism. Topics that will be addressed include the (non) derogability of certain rights, states of emergency, the extra-territorial applicability of human rights and also the correlation between human rights law and international humanitarian law in countering terrorism.
- 18.00 – 21.00 Welcome Dinner**

Tuesday 26 August (Day 2): A Closer Look at the Battlefield

- 09.00 – 10.30 The Global War on Terror and Beyond**
- Historical overview leading up to the Global War on Terror (GWOT) and its aftermath. The presentation will also look into the effects of the concept's use and what kind of role it plays in the general counter-terrorism debate.
- 10.30 – 10.45 Coffee & Tea Break**
- 10.45 – 12.15 Wherever War? Whenever War?**
- This presentation will look into the geographic and temporal limitations to armed conflict in countering terrorism. When does an armed conflict start and when does it end? How long can detainees stay in Guantanamo Bay? Is the concept of self-defence stretched in the fight against terrorism? Is an armed conflict related to a "hot battlefield" or does it follow the participants wherever they may go?
- 12.15 – 13.15 Lunch**
- 13.15 – 14.45 Targeted Killings and the Use of Drones in Countering Terrorism: Legal, Moral, Technical and Efficiency Issues**
- This presentation will look at targeted killings in the context of counter-terrorism, both in the war paradigm and the law enforcement paradigm. It will specifically focus on the use of drones in targeted killings. Which legal standards apply, which moral issues play a role, what are the technical features of drones and perhaps most importantly: is the use of drones efficient or counter-productive? The presentation will specifically focus on the situation in Pakistan and Yemen.
- 14.45 – 15.00 Coffee & Tea Break**
- 15:00 – 17:00 Movie: "Five Years (Kurnaz – Fünf Jahre Leben)" and Discussion**

Wednesday 27 August (Day 3): From Investigation to Prosecution: How to Build a Terrorism Case?

- 09.00 – 10.30 The Role of the Police in Countering Terrorism**

In this presentation, the speaker will go into the role of the police in countering terrorism. Issues that will be addressed are the role of the police in investigating terrorism cases (including the collection of evidence), the topic of community policing and the role of the police vis-à-vis the military.

10.30 – 10.45

Coffee & Tea Break

10.45 – 11.45

The Role of Intelligence in Countering Terrorism

In this presentation, the role of the intelligence (gathering) in countering terrorism will be discussed. Is intelligence information being used to start investigations or also used as evidence in court? Which powers do the intelligence services have? To what extent have the Snowden revelations changed anything? In what aspect is the intelligence services' mandate different from the police? Are the intelligence and police services growing more towards each other and is this a good development?

11.45 – 12.00

Coffee & Tea Break

12.00 – 13.00

The Protection and Use of Witnesses in Terrorism Cases

In this presentation, the protection and use of witnesses in terrorism cases will be discussed. What is the importance of using witnesses in terrorism trials? Which types of witnesses and protective measures exist? Can anonymous witnesses be used and if so, how can it be reconciled with a right to a fair trial? How should evidence of anonymous witnesses be weighed and what is the experience of international tribunals on this topic?

13.00 – 14.00

Lunch

15.00 – 17.00

Visit to Correctional Facility

Thursday 28 August (Day 4): Trying Terrorists

09.00 – 10.30

Trying Terrorists Domestically

Examines how terrorists are brought to justice on the national plane. Which kinds of court procedures exist to try them? The presentation will address a number of terrorism cases from the Netherlands from the perspective of a Dutch counter-terrorism prosecutor.

11.00 – 13.30

Visit to the Special Tribunal for Lebanon (STL)

13.30 – 14.30

Lunch

15.00 – 16.30

Trying Terrorists Internationally: Critical Discussion on the STL and the Hariri Trial

During this session, the speaker will critically discuss with the participants what they have just heard at the STL. To what extent is the STL contributing to the fight against terrorism? What can be said of the 16 February 2011 decision? What will be the legacy of this tribunal? These and other fundamental issues will be addressed in detail.

Friday 29 August (Day 5): Pressing Challenges in the Counter-Terrorism World

09.30 – 12.30	Workshop on Several Issues Discussed During the Week Exact topic and format TBD
12.30 – 13.30	Lunch
13.30 – 14.00	Evaluation
14.00 – 14.15	Coffee & Tea Break
14.15 – 15.00	Informal Evaluation Round, Closure and Certificate Ceremony
15.00 – 17.00	High Level Panel Speakers and topic TBD
17.00 – 19.00	Drinks



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