

**A Wiser Century? –  
Judicial Dispute Settlement, Disarmament and the Laws of War 100 Years  
after the Second Hague Peace Conference**

**International Symposium held at Kiel, Germany, 8 – 10 November 2007**

**Thursday, 8 November 2007**

- 19.00 Welcome Reception at the Walther-Schuecking-Institute for International Law, University of Kiel, Westring 400, Kiel
- 19.10 – 19.30 Walther Schuecking's Contribution to the International Rule of Law  
*Prof. Dr. Jost Delbrueck, Walther-Schuecking-Institute for International Law, University of Kiel*
- 19.30 Buffet

**Friday, 9 November 2007**

- 08.30 – 09.00 Registration (Landtag Schleswig-Holstein [Parliament of Schleswig-Holstein], Duesternbrooker Weg 120, Kiel)

**Introduction**

- 09.00 – 09.10 Prevention and Containment of War – Two Missions Unaccomplished  
*Prof. Dr. Thomas Giegerich, Walther-Schuecking-Institute for International Law, University of Kiel*
- 09.10 – 09.40 1907 – 2007: The Fate of the Hague Peace Conferences' Three Pillars  
*Dr. Stephen Neff, The University of Edinburgh School of Law, UK*
- 09.40 – 09.55 Comment: Whither Now? The Future of the Three Pillars  
*Prof. Dr. C.G. Roelofsen, Institute of Public International Law, University of Utrecht, NL*
- 09.55 – 10.25 Discussion
- 10.25 – 10.50 Coffee Break

**Part I: Non-Proliferation and Disarmament**

- 10.50 – 11.20 Weapons of Mass Destruction: Non-Proliferation and Reduction of Stockpiles  
*Dr. Ian Anthony, Project Leader, Nonproliferation and Export Control Project (NEC), Stockholm International Peace Research Institute*

- 11.20 – 11.30 Comment I: Disarmament Obligations of and Assurances of Non-Use by Nuclear Weapons States  
*Prof. Dr. Heike Krieger, Free University of Berlin*
- 11.30 – 11.40 Comment II: Keeping Weapons of Mass Destruction from Terrorists  
*Dr. Christian Schaller, Stiftung Wissenschaft und Politik, Berlin*
- 11.40 – 12.15 Discussion
- 12.15 – 13.30 Lunch
- 13.30 – 14.00 Conventional Disarmament: Nothing New on the Geneva Front?  
*Dr. Knut Dörmann, Legal Division, International Committee of the Red Cross, Geneva*
- 14.00 – 14.10 Comment: The EU Arms Export Code  
*Dr. Christiane Höhn, Council of the European Union, Brussels*
- 14.10 – 14.40 Discussion
- 14.40 – 15.10 Coffee Break
- Part II: The Ups and Downs of International Humanitarian Law**
- 15.10 – 15.40 The *Ius ad bellum* in View of New Security Threats  
*Prof. Sean D. Murphy, George Washington University Law School*
- 15.40 – 15.50 Comment I: The International Community's Responsibility to Protect Populations from International Crimes  
*Professor Christine Gray, Cambridge University, UK*
- 15.50 – 16.00 Comment II: Preventing and Rebuilding Failed States  
*Prof. Dr. Kirsten Schmalenbach, University of Graz, Austria*
- 16.00 – 16.10 Comment III: Outsourcing War – Private Contractors (Re-)Enter the Battlefield  
*Prof. Michael Byers, University of British Columbia, Vancouver BC, Canada*
- 16.10 – 16.50 Discussion
- 16.50 – 17.10 Coffee Break

- 17.10 – 17.40 Humanitarian Law and Human Rights: Intersecting Circles or Separate Spheres?  
*Prof. Dr. Dagmar Richter, University of Bremen/Heidelberg*
- 17.40 – 17.50 Comment: Can Victims of Human Rights Violations Claim Damages?  
*Prof. Dr. Dr. Rainer Hofmann, University of Frankfurt/Main and Co-Rapporteur of the ILA Committee on Compensation for Victims of War*
- 17.50 – 18.30 Discussion
- 20.00 Dinner

**Saturday, 10 November 2007**

**Part II: The Ups and Downs of International Humanitarian Law (continued)**

- 09.00 – 09.30 Belligerent Occupation Revisited: Political and Economic Rights and Duties of Occupying Powers  
*Dr. Ralph Wilde, University College, London*
- 09.30 – 09.40 Comment I: The Art of Ending Prolonged Occupation  
*Prof. Eyal Benvenisti, Tel Aviv University, Faculty of Law, Israel*
- 09.40 – 09.50 Comment II: International Territorial Administration – Back to Trusteeship?  
*Prof. Gregory H. Fox, Wayne State University Law School, Detroit, MI, USA*
- 09.50 – 10.30 Discussion
- 10.30 – 10.50 Coffee Break
- 10.50 – 11.20 The International Committee of the Red Cross in Today's International and Non-International Armed Conflicts  
*Dr. Robert Heinsch, LL.M., International Law and Institutions Department, German Red Cross Headquarters, Berlin*
- 11.20 – 11.30 Comment I: The ICRC's Compilation of the Customary Rules of Humanitarian Law  
*Prof. Dr. Walter Kälin, University of Bern, Switzerland*
- 11.30 – 11.40 Comment II: Terrorism and Asymmetric Conflicts – A Role for the Martens' Clause?  
*PD Dr. Hans-Joachim Heintze, Institute for International Law of Peace and Armed Conflict, University of Bochum*
- 11.40 – 12.30 Discussion

12.30 – 14.00 Lunch

**Part III: Dispute Settlement by International Courts or Arbitral Tribunals**

14.00 – 14.30 Nowhere to Go? – The Obligation to Settle Disputes Peacefully in the Absence of Compulsory Jurisdiction

*Dr. Karin Oellers-Frahm, Max Planck Institute for Comparative Public Law and International Law, Heidelberg*

14.30 – 14.40 Comment I: How Has Art. 36 (2) of the ICJ Statute Fared?

*Judge Prof. Dr. Bruno Simma, Member of the International Court of Justice*

14.40 – 14.50 Comment II: The Aegean Conflict – An Unsettled Dispute on the Eve of Turkey's EU Accession

*Dr. Frank Hoffmeister, European Commission Legal Service*

14.50 – 15.20 Discussion

15.20 – 15.40 Coffee Break

15.40 – 16.10 Compromissory Clauses in Treaties and Optional Protocols on Dispute Settlement: Are They Still Relevant?

*Dr. Christian Tams, Walther-Schuecking-Institute for International Law, University of Kiel*

16.10 – 16.20 Comment: The European Court of Justice Getting in the Way – The Abortive MOX Plant Arbitration

*Prof. Dr. Oliver Dörr, University of Osnabrueck*

16.20 – 16.50 Discussion

16.50 – 17.10 Coffee Break

17.10 – 18.30 Panel-Discussion: Has International Law Civilized Conflicts since 1907?

*Prof. Nathaniel A. Berman, Brooklyn Law School, Brooklyn, NY, U.S.A.; Prof. Christine Chinkin, London School of Economics, UK; Professor Mark L. Entin, University of Moscow; Prof. Natalino Ronzitti, Libera Università Internazionale degli Studi Sociali Guido Carli, Rom; Prof. Christian Tomuschat, Humboldt University, Berlin; Prof. Andreas Zim-*

*mermann, Walther-Schuecking-Institute for International Law, University of Kiel (Chair)*

18.30 – 18.40 Concluding Remarks

*Prof. Dr. Thomas Giegerich, Walther-Schuecking-Institute for International Law, University of Kiel*

20.00 Dinner

**Sunday, 11 November 2007**

Departure