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

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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 Osnabruceck

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-
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