

The Hague Academy of International Law

Advanced Course on International Criminal Law

Special focus: **International Law and Economic Crime**

The Hague, 20 – 24 November 2017



ADVANCED COURSE ON INTERNATIONAL CRIMINAL LAW

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BACKGROUND

International criminal law is typically focused on conflict and atrocity crime. The private and economic dimensions of international crime are less well covered in legal discourse and practice. Economic crimes, i.e. non-violent crimes committed to gain financial or professional advantages, count among some of the fastest growing offences. The financial crisis, with its worldwide effects, has highlighted the importance of tackling corruption and money laundering in all forms. Corruptive practices and terrorism have severe implications for the business world and sustainable development. Cyber-criminality poses unique threats to governments, companies and traditional criminal justice systems. While international instruments, enforcement mechanisms and cooperation strategies have been strengthened over past decades, the legal framework remains fragmented. Systems for recording and preventing economic crime differ greatly from country to country. There are different views across jurisdictions to what extent criminalization and prevention should focus on legal entities or individuals and how network criminality can be targeted most effectively. The role of companies, including their protection and responsibilities under international law, remains understudied.

This course explores the intersection between international law and economic crime. It starts with a discussion of existing global and regional regimes, including lessons from domestic jurisdictions. It then reviews trends and developments regarding criminalization and enforcement in key areas, such as public and private sector corruption, money laundering, financing of terrorism and cyber-crime. It concludes with a discussion on consequences of non-compliance and accountability regimes for economic crimes.



20 November

Economic Crime: State-of-the-art and challenges

Monday morning

First Morning Session

8:30 - 9:00 **Registration and Coffee**

9:00 - 9:30 **Welcome**

*Prof. Jean-Marc Thouvenin, Secretary-General of
The Hague Academy of International Law*

*Prof. Carsten Stahn, Professor of International
Criminal Law and Global Justice, Leiden
University, the Netherlands*

Second Morning Session

9:30 - 10:45 **Opening Keynote, followed by Q&A**

*Ms. Kimberly Prost, ICC, former UN
Ombudsperson to the Security Council's Al-Qaida
Sanctions Committee and ICTY ad litem Judge*

11:00 - 12:30 **Panel Discussion: International
Law and Economic Crime:
Trends and Challenges**

*Mr. Nicola Bonucci, Director for Legal Affairs,
OECD;*
*Mr. David Lorello, Partner, Covington & Burling
LLP, London, United Kingdom*

20 November

Economic Crime: State-of-the-art and challenges

Monday afternoon

First Afternoon Session

13:30 - 14:00 **Introduction Round**

14:15 - 16:15 **International Anti-Corruption
Norms, Including United Nations
Convention against Corruption**

*Dr. Cecily Rose, Assistant Professor of Public
International Law, Leiden University,
the Netherlands*

Second Afternoon Session

16:30 - 17:30 **Experiences from Practice,
Including Non-Prosecution
Agreements**

*Mr. David Lorello, Partner, Covington & Burling
LLP, London, United Kingdom*

17:45 **Welcome drinks**



21 November

Anti-Corruption and Compliance Strategies

Tuesday

Morning Session

9:00 - 11:00 Application and Enforcement of Anti-Corruption Frameworks, Including Monitoring Mechanisms (e.g. OECD Convention, GRECO)

Dr. Cecily Rose, Assistant Professor of Public International Law, Leiden University, the Netherlands

11:15 - 12:45 Corporate Compliance Programmes

Mr. David Schreuders, Partner, Simmons and Simmons Law Firm, Amsterdam, the Netherlands

Afternoon Session

14:00 - 17:00 Anti-Corruption Strategies and Money Laundering: A Perspective from Africa

Prof. Lovell Fernandez, Department of Criminal Justice, University of Western Cape, South Africa

22 November

Countering Money Laundering and Financing of Terrorism

Wednesday

Morning Session

9:00 - 12:00 Transnational Criminalization of Financing Activities

Mr. Pascal Beauvais, Professor of Criminal Law and Vice-Dean of the Faculty of Law at Paris Nanterre University, France

Afternoon Session

13:00 - 16:00 Criminalization and Prosecution of Terrorist Offences, Including Financing of Terrorism

Mr. Elie Renard, National School for the Judiciary, Deputy Director



23 November

Visit to the International Criminal Court/Cyber Crime

Thursday

Morning Session

9:00 - 12:00 **Visit to the International Criminal Court**

- Meeting with Office of the Prosecutor, Investigation Coordinator, Ms. Cristina Ribeiro: *Investigative strategies for network criminality/links between international crime and organized crime*

Afternoon Session

13:00 - 15:00 **The International Legal Framework Governing Cybercrime**

Prof. Dr. Marco Gercke, Director of the Cybercrime Research Institute, University of Cologne, Germany

15:15 - 17:00 **Practical exercise**

Dr. Cecily Rose, Assistant Professor of Public International Law, Leiden University, the Netherlands

24 November

Consequences of Non-Compliance and Accountability Regimes for Economic Crimes

Friday

Morning Session

9:00 - 12:00 **Investigating and Prosecuting Transnational Economic Crimes, Including Extradition and Impediments to Investigation and Prosecution**

Prof. Dr. Dr. h.c. Mark Pieth, Professor of Criminal Law and Criminology, University of Basel, Switzerland

Afternoon Session

14:00 - 16:00 **Corporate Complicity and Legal Accountability**
(e.g. Corporate Responsibility, UN Principles on Business and Human Rights)

Prof. Dr. Larissa van den Herik, Professor of Public International Law, Leiden University, the Netherlands

16:00 - 16:30 **Certificate Ceremony**

17:00 **Farewell Drinks**

