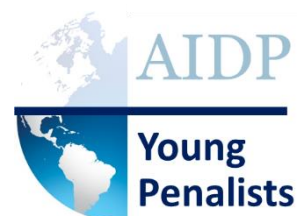


A Symposium presented by the Young Penalist Committee (YPC) of the AIDP
The responsible organizer: Megumi Ochi (Member of the YPC)
Special thanks to Teodora Jugrin for her cooperation with the preparation



International Association of Penal Law (AIDP)

the 6th AIDP Symposium for Young Penalists

“Revisiting the International vs Ordinary Crime Divide: A Turning Point for International Criminal Law?”

22 August 2018

**At the Large Conference Room, 4th Floor, Law and Economics
Building, Main Campus, Kyoto University**



Revisiting the International vs Ordinary Crime Divide: A Turning Point for International Criminal Law?

The demarcation line between international crimes and ordinary crimes is becoming vague.

At the international level and at the International Criminal Court (ICC) specifically, the formal distinction between ordinary and international crimes is being challenged. In 2013, in the context of the situation in Libya, Pre-Trial Chamber I of the ICC confirmed that the ICC Statute does not make a distinction between ordinary and international crimes when it comes to the complementarity regime of the ICC, and domestic investigations for the same conduct are sufficient to make the case inadmissible before the ICC. At the substantive level, the demarcation line between crimes against humanity as a category of international crimes and ordinary offences took center stage in the decision of Pre-Trial Chamber II to authorize an investigation into the situation in Kenya in 2010 and has remained a contentious aspect since. More recently, in 2017, the Appeals Chamber confirmed that members of an armed group are not *per se* excluded as potential victims of war crimes of perpetrators belonging to the same armed forces, which may seem incompatible with the concept of war crimes and international humanitarian law.

At the regional level, the Malabo Protocol adopted by the Assembly of the African Union in 2014 created a new International Criminal Law section in the African Court of Justice and Human Rights and conferred upon it jurisdiction over core international crimes (genocide, crimes against humanity and war crimes) as well as other crimes traditionally considered to be transnational or organized crimes (such as trafficking, terrorism or money laundering). In addition, at the national level, many states have criminalized international crimes in their domestic criminal laws. Furthermore, various internationalized courts and tribunals have been established, and most of them have jurisdiction over both international crimes and crimes under domestic laws.

In light of such developments the question arises: is the distinction between international and ordinary crimes still valid, or has it lost its significance? The symposium aims to revisit and question the traditional concept of international crime, reflecting on recent developments in law and practice.

The Symposium brought together young scholars' works that consider issues such as: the intersection between international, transnational, organized and ordinary crimes; the phenomena behind the possible erosion of the distinction between international crimes and ordinary offences; implications of such an erosion (positive or negative); or the rationale behind this distinction. We have welcomed presentations on these issues as well as other topics that fall under the main theme of the symposium. Presentations will be made utilizing power point slides. In the evening, four speakers present their research via skype.

Dr. Megumi OCHI
Chief of the Organizing Committee
Post-Doctoral Research Fellow SPD of JSPS, Kyoto University
Member of the Young Penalist Committee of the AIDP

Programme

9.00 -9.15

Welcoming addresses

Megumi Ochi

Chief of the Organizing Committee

Member of the Young Penalist Committee of the AIDP

9.15 – 10.00

Keynote Speech

Alejandro Eduardo Chehtman

Associate Professor of Law, Universidad Torcuato Di Tella –
Fellow, Argentine National Research Council/Universidad de
Girona

10.00 – 10.15

Coffee break

Morning Session

10.15 – 10.45

*On the Importance of Demarcating between International and
Domestic Delinquency: the Case of Universal Prosecutions of
'Core' International Crimes*

Lachezar Dimitrov Yanev

Assistant Professor, Tilburg University

10.45 – 11.15

*A Triple Normative Relation: State Law, Indigenous Law and
International Law*

Daniel Andres Kuri García

Professor of Law, Universidad de Especialidades Espiritu Santo

11.15 – 11.45

*Networked Organizations: A Test for the Demarcation Line
between Crimes against Humanity and Ordinary Offences*

Teodora Jugrin

Associate Legal Officer, International Criminal Court, Judicial
Divisions

PhD Candidate, Leiden University

11.45 – 13.30

Lunch break

Afternoon Session

13.30 – 14.00

Implications on the Erosion of the Distinction between International and Domestic Crimes

Yang Xie

PhD Candidate, Leiden University

14.00 – 14.30

The Concept of International Procedural Criminal Law: Internationality of Institution or Jurisdiction Ratione Materiae?

Megumi Ochi

Post-Doctoral Research Fellow SPD of JSPS, Kyoto University

14.30 – 15.00

Righting Wrongs?: Revisiting the Reparation Order Mechanism of the ICC through the Lens of the International/Ordinary Crimes Divide

David Yuga Mansfield

PhD Candidate in International Law, The University of Tokyo
Research Fellow, Japan Society for the Promotion of Science

15.00 – 15.30

Coffee break

Skype Session

15.30 – 16.15

Implementing International Crimes in National Legal Orders: An Appraisal of Asian State Parties to the Rome Statute

Daley J. Birkett

Research Fellow and Ph.D. Candidate, University of Amsterdam
Research Associate, University of Kiel

16.15 – 17.00

African Solutions to African Problems?: Legal Dilemmas Confronting the Special Criminal Court in the Central African Republic

Suhong Yang

S.J.D. Candidate, Georgetown University Law Center

17.00 – 17.45

The Intersection of Transnational and International Criminal Law - Example of Trafficking In Persons

Anna Głogowska-Balcerzak

Assistant Professor, University of Lodz

17.45-18.30

Revisiting international and transnational crimes: perspectives from the proposal for an International Court against Terrorism

Alejandro Sánchez Frías

Doctoral Research Fellow, University of Malaga

Information

Vunue	At the Large Conference Room, E4 th Floor, Faculty of Law and Faculty of Economics Main Bldg, Main Campus, Kyoto University 京都大学法経済学部本館東棟4階大会議室 (in Japanese)
Address & Map	Campus map: https://www.kyoto-u.ac.jp/en/access/main-campus-map.html (The building is No. 4) Address: Yoshidahonmachi, Sakyo-ku, Kyoto-shi, Kyoto, 606 8501 JAPAN
Registration	Registration is not necessary. Please kindly email to the Organizing Committee to inform your attendance if possible.
Travel & Visa	Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate.
Participation fee	Free Donation for coffee and other service is welcomed (500 JPY per peson is suggested)
Language	English
Symposium materials	TBA Please check the website: http://ochmgm.wixsite.com/megumiochi/aidp-ypc-6th-symposium
Contact	Organizing Committee 6thypcsymposium2018@gmail.com

AIDP Young Penalist Committee, <http://ypc.youngpenalists.org/>

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