



**WORKSHOP  
ON ACCESS TO JUSTICE AND RIGHT TO FAIR TRIAL**

*22-23-24 September 2012  
Juba, South Sudan*

**Draft Agenda**

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**Day I, 22 October 2012, Freedom Hall Conference Room, Quality Hotel**

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08:30-09:00	<b>Arrival and Registration of participants</b>
09:00-10:00	<b>Welcome Address:</b> Dong Samuel Luak, SSLS  <b>Welcoming remarks:</b> Judge Charles Mkandawire, Commissioner of the International Commission of Jurists
10:00-10:15	<b>Vote of thanks followed by Group Photo Session</b>
10:15-10:30	<b>Tea break</b>
10:30-12:45	<b><u>Session I: General Fair Trial Standards: What is a Fair Trial? Right to a Trial before an Independent, Impartial and Competent Tribunal established by law</u></b> - Panel involving Judge Charles Mkandawire and Judge Thomas Masuku  <i>Debate and experience sharing</i>
12:45-13:45	<b>Lunch break</b>
13:45-15:45	<b><u>Session II: The Role of Prosecutors in ensuring the respect of Fair Trial Guarantees</u></b> - Panel involving Judge Anaclet Chipeta and Judge Thomas Masuku  <i>Debate and experience sharing</i>
15:45-16:00	<b>Tea break</b>
16:00-18:00	<b><u>Session III: Right to a Fair Trial and Independence of the Legal Profession:</u></b> - Panel involving SSLS, Representative of South Sudan Bar and Judge Anaclet Chipeta  <i>Debate and experience sharing</i>

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Day II, 23 October 2012, Freedom Hall Conference Room, Quality Hotel

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- 08:30-09:00            **Registration of participants and recap**
- 09:00-11:00            **Session IV: Standards applicable to Arrest and Pre-Trial Detention: Access to a Lawyer and Right to Legal Assistance in Criminal Proceedings** - Panel involving Representative of South Sudan Bar, Judge Charles Mkandawire and Judge Thomas Masuku
- Debate and experience sharing*
- 11:00-11:15            **Tea break**
- 11:15-13:00            **Session V: Standards applicable to Arrest and Pre-Trial Detention (cont.): Investigations in Criminal Proceedings and Guarantee of a Fair Trial - Prohibition of Torture and Ill-Treatment, Arbitrary and *incommunicado* Detention and Right to be tried without Undue Delay** - Panel involving Judge Charles Mkandawire and Judge Anaclet Chipeta
- Debate and experience sharing*
- 13:00-14:00            **Lunch break**
- 14:00-16:00            **Session VI: Presumption of Innocence, Principle of Equality of Arms and Right to Defence during Trial Proceedings** - Panel involving Arnold Tsunga and Judge Thomas Masuku
- Debate and experience sharing*
- 16:00-16:15            **Tea break**
- 16:15-18:15            **Session VI: Other Standards applicable to Trial Proceedings: Right to a Public Hearing, Regulation of Criminal Proceedings *in camera*, Right to be Present at the Trial and Language of the Proceedings** - Panel involving Judge Charles Mkandawire and Judge Anaclet Chipeta
- Debate and experience sharing*

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Day III, 24 October 2012, Freedom Hall Conference Room, Quality Hotel

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- 08:30-09:00            **Registration of participants and recap**
- 09:00-11:00            **Session VII: Admission of Evidence and Fair Trial - Right to call and examine Witnesses, Exclusion of Evidence elicited by Torture, Ill-Treatment or other Illegal Means - Panel involving SLS, Judge Anaclet Chipeta and Judge Thomas Masuku**
- Debate and experience sharing*
- 11:00-11:15            **Tea break**
- 11:15-13:15            **Session VIII: Principle of Legality of Criminal Offences, Non-Retroactivity of Criminal Law and Prohibition of Double Jeopardy - Panel involving Judge Charles Mkandawire and Judge Anaclet Chipeta**
- Debate and experience sharing*
- 13:15-14:15            **Lunch break**
- 14:15-16:15            **Session IX: Right to a Public and Motivated Judgment and Exercise of the Right to Appeal. Guarantees of Fair Trial during Appeal Proceedings - Panel involving Representative of South Sudan Bar, Judge Charles Mkandawire and Judge Thomas Masuku**
- Debate and experience sharing*
- 16:15-16:30            **Tea break**
- 16:30-17:30            **Wrap-up and Conclusions: Arnold Tsunga, Director, ICJ Africa Regional Programme**
- 19:00                    *Farewell dinner*