**Geneva Seminar for Lawyers on International Human Rights Law in the Criminal Justice Process 2012**

**MONDAY 5 NOVEMBER**

**DAY 1: INTRODUCTION TO INTERNATIONAL HUMAN RIGHTS LAW: GENERAL PRINCIPLES**

**Moderator: Róisín Pillay**

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<tr>
<td>09.00 – 09.45</td>
<td>Obtaining UN passes</td>
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<td>09.45 – 10.15</td>
<td>Welcome and introduction (Palais des Nations)</td>
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<td>• Introduction to the ICJ, Róisín Pillay</td>
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<td>• Introduction of the participants</td>
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<td>• Overview of seminar programme, Temur Shakirovi</td>
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<td>- IHRL as part of international law;</td>
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<td>- IHRL in national systems;</td>
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<td>- Living nature of IHRL;</td>
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<td>- How to interpret provisions of human rights treaties.</td>
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<td>10.45 – 11.30</td>
<td>International mechanisms and instruments and legal obligations, Róisín Pillay</td>
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<td>- Overview of the UN system of human rights protection;</td>
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<td>- Nature of legal obligations under treaties (the ICCPR; the Optional Protocol; other treaties)</td>
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<td>11.30 – 11.45</td>
<td>Coffee</td>
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<td>11.45 – 12.30</td>
<td>States obligations under human rights treaties (to respect, to ensure, to protect) and right to a remedy, Ian Seiderman</td>
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<td>12.30 – 13.00</td>
<td>Questions and discussion</td>
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<td>14.30 – 15.00</td>
<td>Limitations and derogations in IHRL, Temur Shakirov</td>
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<td>15.00 – 15.30</td>
<td>Questions and discussion</td>
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<td>15.30 – 16.00</td>
<td>Non-refoulement in IHRL, Massimo Frigo</td>
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<td>16.00 – 16.15</td>
<td>Coffee</td>
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<td>16.15 – 16.45</td>
<td>Questions and discussion</td>
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<td>16.45 – 17.30</td>
<td>Using IHRL in Central Asia and CIS (roundtable discussion), Temur Shakirov</td>
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<td>19.30 – 21.00</td>
<td>Welcome dinner</td>
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DAY 2: ARREST AND DETENTION; TORTURE AND ILL-TREATMENT

Moderator: Temur Shakirov

09.30 – 10.15 The right to liberty and security of the person and the prohibition of arbitrary detention, Karinna Moskalenko, Oksana Preobrazhenskaya
- What is deprivation of liberty;
- Prohibition of arbitrary detention, what detention is arbitrary?
- Rights of a person detained (access to a lawyer, incommunicado detention)

10.15 – 11.00 Questions and discussion

11.00 – 11.45 Coffee

11.45 – 12.30 Right to be promptly brought before a judge, Karinna Moskalenko

13.00 – 14.00 Lunch

14.00 – 14.30 Right to regularly challenge lawfulness of detention (habeas corpus), Karinna Moskalenko

14.30 – 15.00 Questions and discussion

15.00 – 15.45 Torture and Cruel, Inhuman or Degrading Treatment or Punishment: Definitions, Oksana Preobrazhenskaya
- torture
- CIDT
- conditions of detention;
- suffering of family members.

15.45 – 16.00 Coffee

16.00 – 16.30 Questions and discussion

16.30 – 17.00 Positive duties, Oksana Preobrazhenskaya
- duty to prevent torture and CIDT
- duty to investigate, prosecute and punish;
- evidence provided under torture;
- effective remedy;
- burden of proof of use of torture before UN treaty bodies.

17.00 – 17.30 Questions and discussion

WEDNESDAY

DAY 3: RIGHT TO LIFE

Moderator: Róisín Pillay

10.00 – 12.00 Consideration of Tajikistan Report (Palais Wilson)

12.00 – 13.00 Lunch

13.00 – 15.00 Meeting with Claudio Grossman, Chair of the UN Committee Against Torture

15.00 – 15.30 Trip to Palais des Nations
15.30 – 16.15 The right to life / arbitrary deprivation of life, Róisín Pillay
- lawful use of firearms (no more than absolutely necessary);
- death in custody;
- obligations to prevent, investigate and provide remedy.

16.15 – 17.00 Questions and Discussion

THURSDAY 8 NOVEMBER

DAY 4: A FAIR AND PUBLIC HEARING

Moderator: Temur Shakirov

9.30 – 10.00 A fair trial by a competent, independent and impartial tribunal established by law, Louise Doswald-Beck
- a competent tribunal;
- an independent and impartial tribunal;
- a fair trial;
- violation of fair trial rights during pre-trial detention.

10.00 – 10.30 Questions and answers

10.30 – 11.00 Trial rights, Louise Doswald-Beck
- public hearing;
- adequate time and facilities for preparation of defense;
- right to communicate with a lawyer;
- equality of arms.

11.00 – 11.15 Coffee break

11.15 – 12.00 Trial rights (cont.), Louise Doswald-Beck
- right to call and examine witnesses;
- right to legal assistance;
- presumption of innocence;
- right not to be compelled to testify against oneself;
- right to an appeal.

12.00 – 13.00 Questions and answers

13.00 – 13.45 Trip to Palais Wilson

14.00 – 15.00 Meeting with the Special Procedures of the UN Human Rights Council:
- Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment
- Working group on arbitrary detention
- Special Rapporteur on the independence of judges and lawyers

15.00 – 18.00 Replies of Tajikistan (Palais Wilson)
**DAY 5: INDIVIDUAL COMMUNICATIONS PROCEDURE (ICCPR)**

*Moderator: Róisín Pillay*

**10.00 – 11.00**  Communications to the Human Rights Committee: Admissibility and procedures  
*Anita Trimaylova*  

**11.00 – 11.15**  Coffee

**11.15 – 1.00**  *Questions and discussion*

**13.00 – 14.00**  *Lunch*

**14.00 – 15.30**  *Round table discussion: Challenges in Applying International Standards against Torture in National Contexts*  
*Wilder Tayler*

**15.30 – 17.00**  Next steps: Strategy discussion on the role of lawyers in protecting human rights.  
*Róisín Pillay, Temur Shakirov*

**17.00 – 18.00**  Closing of the programme, concluding observations, evaluation

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1. Róisín Pillay  
   Director, Europe Programme, ICJ
2. Temur Shakirov  
   Legal Adviser, Europe Programme, ICJ
3. Ian Seiderman  
   Legal and Policy Director, ICJ
4. Massimo Frigo  
   Legal Adviser, Europe Programme, ICJ
5. Karinna Moskalenko  
   Lawyer; Director, International Protection Centre; ICJ Commissioner and ExCo Member
6. Oksana Preobrazhenskaya  
   Lawyer, International Protection Centre, Strasbourg
7. Louise Doswald-Beck  
   Professor, Graduate Institute of International and Development Studies, Geneva; ICJ Commissioner
8. Anita Trimaylova  
   Human Rights Officer, Office of the High Commissioner of Human Rights
9. Wilder Tayler  
   Secretary General, ICJ; Member of the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment