

E-Learning Programme
**UNDERSTANDING MODES OF INDIVIDUAL CRIMINAL
RESPONSIBILITY**

21-23 October 2022

Programme

Friday 21 October

SESSION 1
16.00-16.30 CET
INTRODUCTION – DEMYSTIFYING A COMPLEX BODY OF LAW
Dr Joseph Powderly, Associate Professor of Public International Law, Grotius Centre for International Legal Studies, Leiden University, The Netherlands

SESSION 2
16.30-18.00 CET
KEYNOTE LECTURE
Judge Christine van den Wyngaert, Judge of the Kosovo Specialist Chambers; Special Advisor to ICC Prosecutor, Karim Khan; formerly ICC Judge, ICTY Judge, and Judge *ad hoc* at the ICJ

Saturday 22 October

SESSION 3
10.00-10.30 CET
FORMS OF DIRECT COMMISSION OF CRIMES – PART I
Introduction
Dr Joseph Powderly

10.30-12.00 CET
Joint Commission of Crimes
Dr Lachezar Yanev, Associate Professor, Vrije Universiteit, The Netherlands

12.00-12.15 CET
Break

SESSION 4
12.15-13.30 CET
FORMS OF DIRECT OF COMMISSION OF CRIMES – PART II
Dr Lachezar Yanev

13.30-14.00 CET
Break

SESSION 5
14.00-15.30 CET
PARTICIPATION – AIDING AND ABETTING, ORDERING, AND INSTIGATING
Dr Joseph Powderly

Sunday 23 October

SESSION 6
13.00-15.00 CET
RESPONSIBILITY OF SUPERIORS
Dr Miles Jackson, Associate Professor of Law and Fellow of Jesus College, University of Oxford, UK

15.00-15.15 CET *Break*

SESSION 7 INCHOATE AND RELATED FORMS OF RESPONSIBILITY

15.15-16.15 CET Dr Joseph Powderly

16.15-16.30 CET *Break*

SESSION 8 LITIGATION CHALLENGES – EVIDENCE, LINKAGE AND SPECIFICITY

16.30-17.30 CET Professor Yvonne McDermott Rees, Professor of Law, Hillary Rodham Clinton School of Law, Swansea University, UK

SESSION 9 CONCLUDING REFLECTIONS

17.30-18.00 CET Dr Joseph Powderly

Coordinator

Dr Joseph Powderly, Associate Professor of Public International Law, Grotius Centre for International Legal Studies, Leiden University, The Netherlands

Dr Powderly is the author of *Judges and the Making of International Criminal Law* (Brill/Nijhoff 2020) and many journal articles and chapters on subjects related to international criminal law, international human rights law, and international cultural heritage law. Dr Powderly was formerly Managing Editor of *Criminal Law Forum* and is currently an Editorial Board Member of the *Leiden Journal of International Law*. He is a member of the Management Board of the Grotius Centre for International Legal Studies, and Director of the Grotius Centre PhD Track Programme.

Short description

This course is dedicated to understanding modes of individual criminal responsibility in the context of international criminal litigation. This is a rich, complex, and often controversial area of international criminal law that is an absolutely critical component in securing accountability for international crimes. Establishing the nature of an accused participation in a criminal act beyond all reasonable doubt is the core task and responsibility of the prosecution. However, this task is replete with challenges unique to international crimes such as for example their often vast geographic and temporal scope, the remoteness of the accused from the scene of the crime(s), and the fact that international crimes are rarely if ever committed by a single person acting alone.

This course will bring together some of the leading scholars and practitioners on the subject of modes of individual criminal responsibility and will provide a firm understanding of the current state of the law while also reflecting on how challenges and controversies can be addressed and overcome. To this end, the course will open with a Keynote Lecture from Judge Christine van den Wyngaert former judge at the ICC, the ICTY, and Judge *ad hoc* at the ICJ, and currently judge at the Kosovo Specialist Chambers. Following this opening, the course will proceed to examine over six sessions topics such as forms of direct participation in international crimes, in-direct participation including aiding and abetting, the responsibility of superiors (military and civilian), inchoate forms of responsibility such as incitement, and finally the course will end with a session looking at the evidentiary challenges associated with proving modes of individual criminal responsibility.