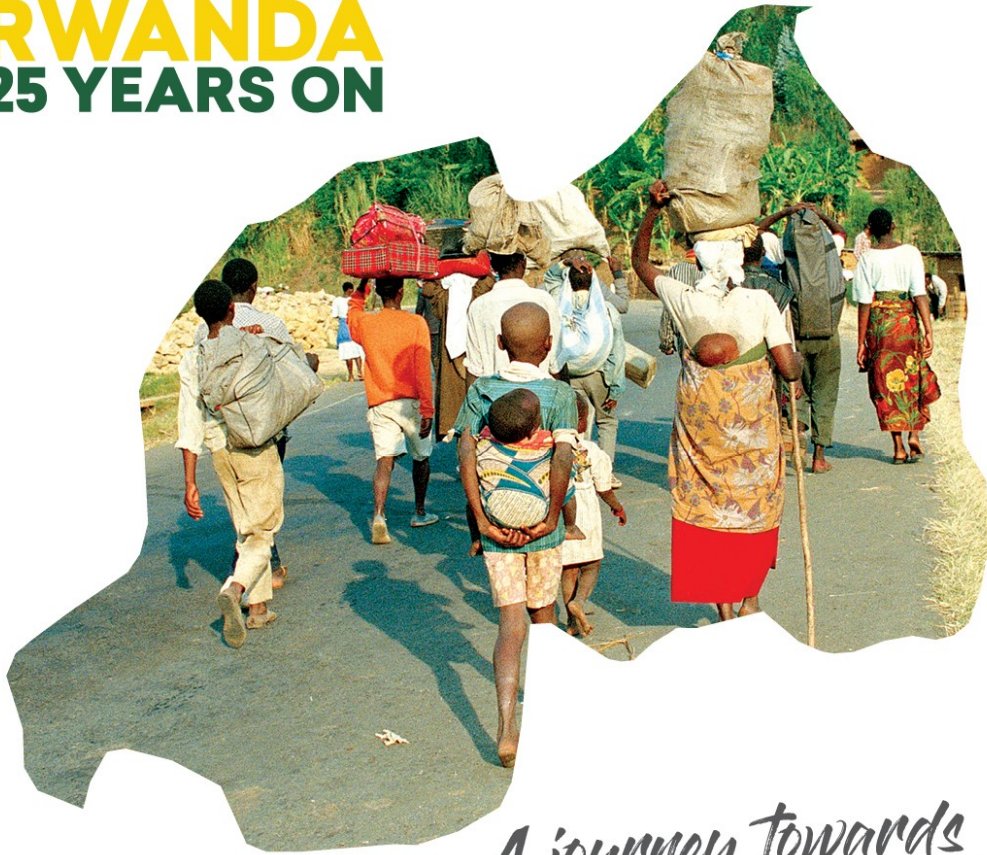



**REMEMBERING
RWANDA
25 YEARS ON**



*A journey towards
justice and reconciliation*

Thursday 13 June

9:00 – 4:30pm

At Hall and Wilcox, 60 Castlereagh Street, Sydney

Presented by



Australian Human Rights Institute

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Program

09:00 – 09:15	Welcome Prof. Louise Chappell
09:15 – 09:45	<i>Reflections on Colonisation and Indigenous Persons in Australia</i> Prof. Megan Davis (20 mins)
09:45– 10:30	<i>Honour, Healing and Renewal</i> Prof. Andrea Durbach in conversation with Noël Zibahamwe (30/35 mins)
10:30-11:00	Break
11:00– 12:00	<i>Panel I: Achievements and Challenges of the ICTR: Legal Perspectives</i>
Moderator	Kirsten Keith
Panellists	Jonathon Moses Nyange Church-Ground Zero Rwanda: The case of Father Athanase Seromba (20 mins) Patricia Sellers The ICTR Gender Jurisprudence and the Return to the Core Doctrine of Genocide (20 mins)
12:00- 13:00	Lunch
13:00– 14:30	<i>Panel II: From Theory into Action: Lessons Learned on the Ground</i>
Moderator	Hollie Johnston
Panellists	Wendy Lobwein Victims and Witnesses: Towards consistent standards (15 mins) Andra Mobberley Experiences of a prosecutor in a new jurisdiction (20 mins) Bob Reid The Importance of Tracking Fugitives at International Tribunals (15 mins)
14:30– 14:45	Break
14:45– 16:15	<i>Panel III: Global Lessons from the ICTR: Relevance for Contemporary Conflicts and Other Accountability Mechanisms</i>
Moderator	Judge Julia Baly SC
Panellists	Prof Louise Chappell The International Criminal Court: Forgetting and Remembering the Lessons from the Ad Hoc tribunals. (15 mins) Dr Rosemary Grey Seeing Gender in Genocide: The ICTR’s lessons for Cambodia (15 mins) Karim Khan QC The quest for ISIL accountability (by video) (10 mins) Rawan Araf A brief look into the opportunity (and challenges) for universal jurisdiction in Australia (15 mins)
16:15 – 16.30	Closing remarks – Amiel Nubaha (10 mins) and Kirsten Keith (5 mins)

Biographies of Participants

Rawan Arraf is founder and director of the Australian Centre for International Justice, a newly established non-profit legal centre providing access to justice and accountability for survivors of serious human rights violations. She is a lawyer based in Sydney with a background in refugee protection, administrative law and international human rights law. Rawan most recently worked as a senior solicitor at Refugee Advice and Casework Service, providing a wide range of protection advice to people seeking asylum in Australia. In 2018 she undertook legal training at ECCHR – the European Centre for Constitutional and Human Rights in Berlin, working closely with the International Crimes and Accountability team on universal jurisdiction matters. She is an arts and law graduate of the University of Sydney and will graduate this year with a Master of Laws from the University of New South Wales.

Judge Julia Baly SC holds a Bachelor of Laws, Masters of Public International Law and a Bachelor of Arts from the University of Sydney. She was admitted as a solicitor in 1987 and a barrister in 1995. Ms Baly commenced her legal career at the Aboriginal Legal Service and was an instructing solicitor in the 1988 Royal Commission into Aboriginal Deaths in Custody. In the 1990s she acted as a criminal defence counsel at Forbes Chambers in Sydney and in 2002 was appointed as a Crown Prosecutor with the NSW Director of Public Prosecutions, later being appointed a Deputy Senior Crown Prosecutor for the whole of country NSW. Internationally, she worked as a prosecuting Trial Attorney at the ICTY, the Special Department for War Crimes at the Bosnian State Prosecutor's office in Sarajevo and the Special Court for Sierra Leone (SCSL), where she worked on the case against Charles Taylor. Ms Baly was sworn in as District Court Judge in 2014.

Professor Louise Chappell is Scientia Professor and Director of the Australian Human Rights Institute, UNSW Sydney. Louise's research focuses on gender, politics and the law, with a particular interest in the International Criminal Court. She has published widely in this area including her recent award-winning book *The Politics of Gender Justice at the ICC: Legacies and Legitimacy* (OUP, 2016) as well as articles on reparations, complementarity and judging at the ICC.

Professor Megan Davis is Pro Vice Chancellor Indigenous and Professor of Law, UNSW. She is also an Acting Commissioner of the NSW Land and Environment Court and is currently an expert member of the United Nations Human Rights Council's Expert Mechanism on the Rights of Indigenous Peoples. Megan is a former Chair and expert member of the United Nations Permanent Forum on Indigenous Issues (2011-2016). Prof Davis is a constitutional lawyer who was a member of the Referendum Council and the Expert Panel on the Recognition of Aboriginal and Torres Strait Islander Peoples in the Constitution. She is also a Fellow of the Australian Academy of Law and the Australian Academy of Social Sciences and a Commissioner on the Australian Rugby League Commission. Megan supports the North Queensland Cowboys and the QLD Maroons.

Professor Andrea Durbach, Professor of Law at UNSW, was born and educated in South Africa and practised as a political trial lawyer representing victims and opponents of apartheid laws. She has conducted research and written extensively on reparations and reconciliation in relation to Australia's 'Stolen Generations', and victims of apartheid South Africa. She was engaged by the Australian Defence Abuse Response Taskforce to design, implement and evaluate a reparative framework to address Defence Force victims of gender abuse, and has

been co-investigator on an Australian Research Council funded project which examined the potential and limitations of 'transformative' reparations to combat sexual violence against women post-conflict.

Dr Rosemary Grey is a University of Sydney Postdoctoral Fellow, based in the Sydney Law School and Sydney Southeast Asia Centre. Her research focuses on gender & international criminal law, particularly the prosecution of gender-based crimes in the International Criminal Court (ICC) and Extraordinary Chambers in the Courts of Cambodia (ECCC). She has consulted and interned for leading organisations in the international criminal justice field, including Amnesty International, Women's Initiatives for Gender Justice, the International Bar Association, and the ICC. Before joining Sydney Law School in 2018, she completed a postdoctoral fellowship at the University of Melbourne. She also spent time as a visiting scholar at the Grotius Centre for International Legal Studies (University of Leiden) and PluriCourts (University of Oslo).

Hollie Johnston is an Adviser in International Humanitarian Law at Australian Red Cross. She holds a Bachelor of International Studies from the University of New South Wales and a Bachelor of Laws (Hons) from Monash University, and is currently studying a Masters of Public and International Law at the University of Melbourne. Hollie was admitted as a Legal Practitioner to the Supreme Court of Victoria in 2012. At Australian Red Cross, Hollie is responsible for public outreach and emblem protection, engaging with volunteers and stakeholders to disseminate international humanitarian law and promote use of the emblem in accordance with international and domestic law. She has previously worked in private legal practice and in-house legal practice in dispute resolution, anti-bribery and anti-corruption and business human rights and has also worked with the Restoring Family Links (Tracing) Program at Australian Red Cross.

Kirsten Keith is a member of the Australian Red Cross, NSW IHL Advisory Committee and a Casual Academic at Southern Cross University. A lawyer with a background in international criminal law, she worked for the Office of the Prosecutor on the case against Charles Taylor at the SCSL. She has also worked at the Special Department for War Crimes at the Bosnian State Prosecutor's Office in Sarajevo and the ICTY and ICTR and served as a Technical Advisor to the Open Society Justice Initiative regarding the establishment of the ECCC. She holds a Bachelor of Development Studies (Hons) from the University of East Anglia, a Bachelor of Laws from London University (External Programme) and a Masters in Public International Law (*cum laude*) from Leiden University.

Karim A. A Khan QC is an Assistant Secretary-General of the United Nations and serves as the Special Adviser and Head of the Investigative Team established pursuant to Security Council resolution 2379 (2017), to promote accountability efforts for committed by Da'esh/ISIL. Karim is a barrister and Queen's Counsel with more than 25 years of professional experience as an international criminal law and human rights lawyer. He has extensive experience as a prosecutor, victim's counsel and defence lawyer in domestic and international criminal tribunals, including, but not limited to, the ICC, the ICTR, the ICTY, the ECCC, the STL and the Special Court for Sierra Leone. He has also represented victims of human rights violations in Africa and Asia. Karim was elected as the second President of the ICC Bar Association in July 2017 and is a worldwide Ambassador of the African Bar Association. He has published a number of leading texts on international criminal law and is the co-author of Archbold 'International Criminal Courts', now in US 5th edition. He holds a Bachelor of Laws degree with Honours from King's College, University of London, and holds various other degrees and qualifications.

Wendy Lobwein is based in Melbourne, leading the innovative AMES Australia Prevention of Violence against Women in culturally and linguistically diverse communities' project. Previously she was responsible for leading the development of services to victims and witnesses as Deputy Chief of the Victims and Witnesses Section at the ICTY in the Netherlands and as Chief of the Witness and Expert Support Unit for the ECCC in Cambodia (2008-2016). Wendy has had a focus on violence against women throughout her career, prior to her international work she was a founding member of the Victorian Foundation for Survivors of Torture (Foundation House) and a Counsellor/Advocate in Victorian Centres against Sexual Assault (CASA House).

Andra Mobberley is a barrister in New Zealand. Andra worked for the Office of the Prosecutor at the ICTR for eight years and was based in Kigali, Rwanda and then in Arusha, Tanzania. Andra was a Crown Counsel at Crown Law, the Office of the Solicitor General, in New Zealand for twelve years. Her current practice involves criminal defence cases, appeals and public law cases. She has recently been working as a consultant for the United Nations Office on Drugs and Crime and is also involved in a case before the European Court of Human Rights. She holds a Masters (*cum laude*) in Public International Law from Leiden University.

Judge Jonathon Moses was admitted to the New Zealand bar in 1985. He was a founding solicitor at the Mangere Community Law Centre, also a former Trustee and Chair of the Mangere Community Law Office Trust. He was a barrister in South Auckland from 1990 to 2000 and a former member of the Refugee Status Appeals Authority and a member of the Crown Prosecution Panel. Jonathan worked for the ICTR from 2001 to 2009 and was the Senior Trial Attorney on the trials of Father Athanase Seroma, a priest from Nyange Parish and Colonel Tharcisse Renzaho, the former préfet of Kigali. Jonathon has been sitting as a District Court Judge based at Manukau in Auckland, NZ since February 2010.

Amiel Nubaha is in his final Trimester of Bachelor of Laws/Bachelor of Criminology and Criminal Justice at Griffith University. He was born and raised up in several refugee camps but spent most of his early teenage years in Tongogara Refugee Camp, Zimbabwe before migrating to Australia, aged 14, through the United Nations High Commissioner for Refugees Resettlement Program in 2009. He is a Youth Member for Woodridge at the Queensland Youth Parliament and currently sits on the Justice and Corrective Services Committee. He is the current President of the Rwandan Association of Queensland Inc., Vice President of the Federation of the Rwandan Communities-Australia, and also a founding member of Rochedale South-East Rotary Club. He was recently been nominated for 2019 Coax- Scholars Program-Switzerland, a non-profit training course offered to young leaders from around the world. He is an active member of Multicultural Youth Council Queensland, a not-for profit organisation that initiates targeted services and programs to improve life outcomes for young people aged between 12 and 30 in Queensland.

Bob Reid was a New South Wales Police Officer from 1974-1994 and worked in areas such as homicide, organised crime, drug enforcement and war crimes, including as lead investigator in the *Polyukhovich* case. In 1994 he took a position as Team Leader at the United Nations International Criminal Tribunal for the former Yugoslavia (ICTY). During his 24 years at the Tribunal he held various positions including Investigations Team Leader, Deputy Chief of Investigations and Chief of Operations. He is now retired and living back in Australia.

Patricia V. Sellers is an international criminal lawyer. She is the Special Advisor for Gender for the Office of the Prosecutor of the International Criminal Court. Ms. Sellers is a Visiting Fellow at Kellogg College of the University of Oxford where she teaches international criminal law and human rights law. She is a Practising Professor at London School of Economics and a Senior Research Fellow at the Human Rights Center of the University of California, Berkeley. She was the Legal Advisor for Gender, Acting Head of the Legal Advisory Section and a prosecutor at the Yugoslav (ICTY) Tribunal from 1994 until February 2007 and the Legal Advisor for Gender at the Rwanda Tribunal (ICTR) from 1995-1999. She developed the legal strategies and was a member of the trial teams of *Akayesu*, *Furundzija*, and *Kunarac*. These landmark decisions remain the pre-imminent legal standards for the interpretation of sexual violence as war crimes, crimes against humanity, genocide, torture and enslavement.

Nöel Zibahamwe is the current President of the Federation of Rwandan Communities and co-author of *One Thousand Hills* (<https://www.bookdepository.com/One-Thousand-Hills-Noel-Zibahamwe/9781742990750>), He works as Community Development Officer assisting migrants and refugees in their resettlement. Nöel holds a Bachelor degree in the fields of social welfare, and an Masters degree in Policy and Applied Social research from Western Sydney University and Macquarie University.

With thanks to Rita Kinsella for the programme graphics.

Cover photo: Rwandan refugees returning from Goma on a road near Gisenyi, 26 July 1994.
UN Photo/John Isaac