



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA  
Faculty of Law



Centre for  
Human Rights  
UNIVERSITY OF PRETORIA

6 - 7 December 2012 • Senate Hall, Conference Centre, University of Pretoria, South Africa



The Centre for Human Rights cordially invites you to a

**CONFERENCE ON ARTICLE 4(H) @ 10:  
HOW TO END MASS ATROCITIES IN AFRICA?**

HOW TO PREVENT AND END MASS ATROCITY CRIMES IN AFRICA

6 - 7 December 2012

Senate Hall, Conference Centre, University of Pretoria, South Africa

Kindly write to [carole.viljoen@up.ac.za](mailto:carole.viljoen@up.ac.za) or [dan.kuwali@up.ac.za](mailto:dan.kuwali@up.ac.za)  
by 28 November 2012 to confirm your attendance

08:00 - 08:30	<b>Arrival and registration</b>	14:00 - 16:30	<b>Session 1B - Institutional perspectives</b>
08:30 - 09:30	<b>Opening session</b>		<b>Chair: Dr Magnus Killander</b> <i>Head of Research, Centre for Human Rights, University of Pretoria</i>
08:30 - 08:45	<b>Welcome: Professor Frans Viljoen</b> <i>Director, Centre for Human Rights, University of Pretoria</i>		<b>Panelists:</b>
08:45 - 09:30	<b>Key Note Address: Whither Article 4(h)?</b> <b>Justice Richard Goldstone</b> <i>Former chief prosecutor of the United Nations International Criminal Tribunal for the former Yugoslavia and Rwanda, South Africa</i>		<ul style="list-style-type: none"> <li>• <b>Dr Tim Murithi</b> <i>Head of Programme, the Institute for Justice and Reconciliation, Cape Town</i> 'The role of the African Peace and Security Architecture in the implementation of Article 4(h)'</li> </ul>
09:30 - 10:30	<b>1. LAW AND POLICY</b> <b>SESSION 1A - CONCEPTUAL ISSUES</b>  <b>Chair: Professor Erika de Wet</b> <i>Co-Director, Institute for International and Comparative Law in Africa; Professor of International Law, University of Pretoria</i>  <b>Panelists:</b> <ul style="list-style-type: none"> <li>• <b>Mr Bright Mando</b> <i>Legal Officer, Office of the Legal Counsel, African Union</i> 'The background, rationale and aim of Article 4(h) and its proposed amendment'</li> <li>• <b>Professor Ademola Abass,</b> <i>Head of Program and Research Fellow, United Nations University</i> 'The role of the UN Security Council in authorizing Article 4(h) intervention'</li> </ul>		<ul style="list-style-type: none"> <li>• <b>Mr Sivuyile Bam</b> <i>Head, Peace Support Operations Division, African Union Commission</i> 'The role of the African Continental Early Warning System in preventing mass atrocities'</li> <li>• <b>Professor Michelo Hansungule</b> <i>Professor of International Human Rights Law, Centre for Human Rights, University of Pretoria</i> 'The role of the African Human Rights System in preventing mass atrocities'</li> <li>• <b>Professor Kithure Kindiki</b> <i>Head of the Department of Public Law, and Senior Lecturer of International Law, School of Law, University of Nairobi</i> 'The role of civil society in the implementation of Article 4(h)'</li> </ul>
10:30 - 11:00	Tea break	19:00	<b>Dinner at Moyo Restaurant, Pretoria</b>
11:00 - 13:00	<b>Session 1 (continued)</b>  <b>Panelists:</b> <ul style="list-style-type: none"> <li>• <b>Professor Francis Kofi Abiew</b> <i>Department of Political Science, Kwantlen Polytechnic University, Canada</i> 'The nature of the decision by the AU Assembly and the role of the AU Peace and Security Council in deciding on Article 4(h) intervention'</li> <li>• <b>Dr Chacha Bhoke Murungu,</b> <i>Senior Lecturer, University of Dodoma</i> 'The nature of the violations that trigger Article 4(h) violations'</li> </ul>		
13:00 - 14:00	<b>Lunch</b>		

08:30 - 11:30

**2. PRACTICE  
SESSION 2A - AFRICAN PRACTICE AND LESSONS LEARNT**

**Chair: Professor Sandy Africa**

*Director, Institute for Strategic and Political Affairs,  
Department of Political Sciences, University of Pretoria.*

**Panelists:**

- **Ms Florence Itheme**  
*Director, Early Warning Directorate, Observation Monitoring Centre,  
Office of the Commissioner, Political Affairs, Peace and Security,  
ECOWAS*  
'Lessons from ECOWAS for applying Article 4(h)'
- **Maj Gen Fred Mugisha**  
*Chief of Staff, Uganda Peoples' Defence Force, Uganda;  
Former Force Commander, AMISOM, Somalia*  
'The experience of AMISOM intervention in Somalia'
- **Dr Noel M. Morada**  
*Director, Regional Diplomacy and Capacity Building, Asia Pacific  
Centre for R2P, University of Queensland St. Lucia, Australia*  
'Lessons from Asia-Pacific for applying Article 4(h)'
- **Mr Martin Kunschak**  
*Referent at Bayerischen Landtag, Germany*  
'African Solutions to African Problems?'

11:00 - 11:15

**Tea break**

11:15 - 13:30

**SESSION 2B - OPERATIONALIZATION**

**Chair: Dr Jakkie Cilliers**

*Executive Director of the Institute for Security Studies; Extraordinary  
Professor, Department of Political Sciences & Centre for Human Rights,  
University of Pretoria*

**Panelists:**

**Dr Kwesi Anning**

*Director of Research, Kofi Annan International Peace Training Centre*  
'The African Standby Force and the implementation of  
Article 4(h) intervention'

- **Professor Frank Chalk**  
*Professor of History and Director of the Montreal Institute for Genocide  
and Human Rights Studies, Concordia University, Canada*  
'How to mobilize the political will to intervene'
- **General Henry Odillo**  
*Commander, Malawi Defence Force, Malawi*  
'Building collective responses to stop mass atrocities in Africa'

- **Dr Rachel Gerber**

*Program Officer for Protection Programming  
Stanley Foundation*  
'Responsibility while protecting'

13:30 - 14:30

**Lunch**

14:30 -16:30

**WRAP-UP SESSION: HOW TO MOVE FROM PROMISE TO PRACTICE**

**Chair: Professor Christof Heyns**

*Professor of Human Rights Law; Co-director of the Institute for  
International & Comparative Law in Africa, University of Pretoria and  
United Nations Special Rapporteur on extrajudicial, summary or  
arbitrary executions*

**Discussants:**

- **Professor Jeremy I. Levitt**  
*Associate Dean for International Programs and Distinguished  
Professor of International Law, Florida A & M  
University College of Law, United States*  
'How can the AU move from promise to practice?'
- **Dr Simon Adams**  
*Executive Director, Global Center for Responsibility to  
Protect, New York*  
'The role of India, Brazil and South Africa (IBSA) and the UN Security  
Council in the implementation of Article 4(h) and R2P'
- **Amb Jan F. Mutton**  
*Research Associate, Department of Political Sciences,  
University of Pretoria*  
'Article 4(h) and the citizen's right to be protected'
- **Professor Brian Lepard**  
*Alumni Professor of Law, University of Nebraska, College of Law*  
'Philosophical and ethical perspectives on Article 4(h)'
- **Ms Jane Connors**  
*Office of the High Commissioner on Human Rights, Geneva*  
'The interaction between international criminal justice and the  
special procedures of the Human Rights Council'

16:30 - 17:00

**Convener/Rapporteur: Lt Col (Dr) Dan Kuwali**

*Post Doctoral Fellow, Centre for Human Rights, University of Pretoria*  
Statement on the role of Article 4(h) in ending mass atrocities in Africa

17:00 - 17:15

**Closing remarks: Professor Frans Viljoen**

*Director, Centre for Human Rights,  
University of Pretoria*