

**XVth  
International  
Congress  
of Social Defence**

**SiDS** SOCIÉTÉ  
INTERNACIONALE  
DE DEFENSE  
SOCIALE  
POUR UNE POLITIQUE CRIMINELLE HUMANISTE

**iSSD** INTERNATIONAL  
SOCIETY  
OF SOCIAL  
DEFENSE  
AND HUMANE CRIMINAL POLICY

société dotée de statut consultatif auprès du Conseil économique et social des Nations Unies  
society in consultative status with the Economic and Social Council of the United Nations

**Criminal law between war and peace:  
Justice and cooperation in criminal matters in  
international military interventions.**

under the auspices of

Ministry of Defence of Spain  
Regional Government of Castilla-La Mancha

**Toledo, Spain, 20-22 September 2007**

The International Society of Social Defence was founded in the aftermath of the Second World War. Its aim was to provide scientific answers – at the international level – to problems linked to criminality and its prevention by means of social analysis and a humane criminal policy. Through the subject it has chosen for its Fifteenth international Congress, the Society is once again bringing into the limelight of the international scene a very important and hitherto little discussed issue.

Within the framework of this general topic, the Congress will be dealing with specific subjects which can be summed up as follows:

1. The modernisation of military criminal justice, giving particular emphasis to the input of the European and Inter-American Courts of Human Rights, including the evolution of the death penalty. The tensions and setbacks resulting from the rising number of conflicts and from the political and judicial debate over the "war against terror" will also be dealt with.
2. The criminal law framework applicable to military interventions abroad, especially as regards the basis and consequences, from a criminal law standpoint, of Status of Forces Agreements (SOFA) and Rules of Engagement (ROE), as well as the ability of military forces abroad to perform criminal investigations.
3. Peace as a value that must be protected also through criminal law. The attention will focus on the definition of the crime of aggression on a national and international scale and particularly in relation to the Statute of the International Criminal Court.
4. Review of the most serious violations of fundamental rights which have occurred during recent conflicts, such as the loss of freedom prohibited by the Geneva Conventions and the international treaties against torture.
5. In order to adequately safeguard peace and to combat the evils of war, it is necessary to provide the public with correct information. For this reason, attention will be given to international tools for the protection under criminal law of journalists and means of mass communication in war-torn areas.
6. The list of threats to peace which involve a criminal law dimension is inexhaustible and includes various other issues, such as the violations of international rules on nuclear weapons or the protection of systems and strategic data bases from attacks.

The Society wishes to contribute – with the subject it has chosen for its 15th Congress – to the development of International Criminal Law, to the prevention of conflicts and to the creation of a global ethical approach.

The Congress will be divided into four sessions:

#### **Thursday 20 September – afternoon: First session**

##### Military criminal law: past and future

*Military and civil jurisdictions: status quo and perspectives; European Court of Human Rights and military criminal justice; Inter-American Court of Human Rights and military criminal justice; Military criminal law and prohibition of the death penalty.*

#### **Friday 21 September – morning: Second session**

##### The criminal law framework of military interventions abroad

*Conflict of jurisdictions: the Status of Forces Agreements (SOFA); Rules of Engagement (ROE) and criminal law; The criminal investigations role of military forces abroad.*

##### Experiences in the field

*Rules of Engagement and SOFA; Substitute penal code.*

#### **Friday 21 September – afternoon: Third session**

##### International criminal law and new conflicts

*Military operations abroad and serious violations of fundamental rights: war crimes and torture; Exemptions from the Geneva Conventions and from international criminal law: status of illegal combatants, rules of detention; The crime of aggression in international and national criminal law; Protection of journalists and mass media.*

##### Relevant judicial cases

*The Couso case; the Abu Omar case; the Rumsfeld case; the Nassirya ambulance case; the Ivory Coast case, etc.*

#### **Saturday 22 September – morning: Fourth session**

Round table discussion

Final report:

*"Criminal law as the ethical base of globalisation"*

#### **Saturday 22 September – afternoon:**

##### General Assembly of ISSD members

---

**President** : Luis ARROYO ZAPATERO

**Secretary General** :Edmondo BRUTI LIBERATI

**ISSD Secretariat**: c/o Centro nazionale di prevenzione e difesa sociale – Piazza Castello, 3 – 20121 Milan, Italie; Phone +39 02 86 46 07 14 – E-mail: [cnpds.ispac@cnpds.it](mailto:cnpds.ispac@cnpds.it)

Milan, March 2007