**Monday, September 16 (4 hours)**

***Introduction***

***9.30 to 11.00***

* *Background: Experience as Litigation Lawyer in Common Law system and International Judge in cases from Civil and Common Law jurisdictions*
* *Key Differences Between* ***Common Law and Civil Law Traditions***
* *History*
* *Role of Judges*
* *Role of Lawyers*
* *Role of Academics*
* *Guiding Principles*
* *Merging Both Traditions: The European Court of Human Rights*

***Fair Trial Requirements in Cases in both Common Law and Civil Law Jurisdictions***

***11.30 – 13.00***

Minimum requirements of a Fair Trial+ core ‘fair trial’ principles

1. When protection commences
2. The presumption of innocence
3. The right of access to a lawyer
4. Guarantees in pre-trial detention
5. Specific Guarantees of an Adversarial Hearing
	* The Right to Silence and the Privilege Against Self-Incrimination
	* The Duty to Disclose Evidence
	* Effective participation/Equality of Arms
	* The Right to Cross Examine Accusers

**Tuesday, September 17 (4 hours)**

***Fair Trial Requirements in Cases in both Common Law and Civil Law Jurisdictions***

 ***(Cont.)***

**15.00 - 16.30**

* Continuation of ‘Fair Trial’ requirements
* Application of principles to specific circumstances

**Case study - Common law**

* Cases: *Al Khawaja v United Kingdom (2011)*

*Rowe and Davis v United Kingdom* (2000)

* Moot Court Study*: Donohoe v Ireland (2013)*

***17.00 – 18.30***

* The right to cross-examine witnesses
* The ‘Exclusionary Rule’
* Protection from lethal force

**Case study – Civil law**

* Civil Law Case *Schatschaswili v Germany* (2015)

*Giuliani and Gaggio v Italy* [GC] § 209

* Moot Court Study: *Gafgen v Germany (2009)*

**Wednesday, September 18 (4 hours)**

***09.30 – 11.00***

***Combining Legal Systems: Exploring European Legal Identity***

* *Exploring our ‘European’ Identity*
* *Challenging Legal Issues in Europe*
* *The treatment of Cultural ‘Outsiders’ (Review of Article 9 principles)*
* *The treatment of Prisoners in Europe (Review of Article 3 principles)*
* *The treatment of Migrants (Review of Articles 3 and Article 8 principles)*

***11.30 – 13.00***

* *The treatment of Migrants (Review of Articles 3 and Article 8 principles) cont.*

**Cases and Moot Court Study**

* *SAS v France*
* *Vinter v United Kingdom*
* *SJ v Belgium*