



The European Law Students' Association

ELSA Copenhagen • Bispstorvet 1-3, DK-1167 Copenhagen K, Denmark

ELSA Copenhagen  
Bispstorvet 1-3  
DK-1167 Copenhagen K  
www.elsa-cph.dk

CVR number  
31358140

Rasmus Niess Olsen  
VP Seminars & Conferences  
E-mail: sc@elsa-cph.dk  
Tel. +45 20 700 107

**Summer Seminar**  
**Maritime Piracy - Legal Perspectives**  
**11th – 13th August 2010**

**Academic Programme**

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All sessions will take place at Alexandersalen, Bispstorvet 1-3, DK-1167 København K

**Wednesday 11<sup>th</sup> August**

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| 09.30 - 10.30 | Piracy - The threat, the Danish and the international response<br><i>Thomas Winkler, Ambassador / Under Secretary for Legal Affairs, Ministry of Foreign Affairs Denmark (1)</i> |
| 10.30 - 10.45 | Coffee break   |
| 10.45 - 11.30 | International law on piracy - an introduction<br><i>Jacob Skude Rasmussen, Senior Adviser, International Law, Ministry of Foreign Affairs Denmark (2)</i>                        |
| 11.30 - 12.30 | Piracy off the coast of Somalia - Legal challenges<br><i>Thomas Winkler (1) &amp; Jacob Skude Rasmussen (2)</i>  |
| 12.30 - 13.30 | Lunch  |
| 13.30 - 14.30 | Use of force and compliance with human rights<br><i>Anders Henriksen, Researcher, Centre for Military Studies, University of Copenhagen (3)</i>                                  |
| 15.15 - 16.30 | Visit at the Danish Supreme Court  |



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**Thursday 12<sup>th</sup> August**

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|---------------|---|
| 09.30 - 10.30 | Piracy Disruption - Practical and Legal Issues<br><i>Jakob Dideriksen, Military Legal Adviser, Admiral Danish Fleet (4)</i>                         |
| 10.30 - 10.45 | Coffee break  |
| 10.45 - 11.30 | Piracy Disruption - Practical and Legal Issues<br><i>Jakob Dideriksen, Military Legal Adviser, Admiral Danish Fleet (4)</i>                         |
| 11.30 – 12.30 | Lunch   |
| 12.30-13.30   | A ship owner's perspective on piracy – The hijacking of CEC Future<br><i>Niels Mathiesen, Manager of Clipper Group (5)</i>                          |
| 13.30 - 13.45 | Coffee break  |
| 13.45 – 15.15 | A ship owner's perspective on piracy – The hijacking of CEC Future<br><i>Niels Mathiesen, Manager of Clipper Group (5)</i>                          |
| 15.15 – 15.30 | Coffee break  |
| 15.30 – 16.30 | The current policy challenges for ship-owners and other stakeholders<br><i>Jan Fritz Hansen, Vice Director of Danish Shipowners Association (6)</i> |



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**Friday 13<sup>th</sup> August**

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|---------------|--|
| 09.30 – 10.30 | State jurisdiction and actual fundamental rights at stake<br><i>Stefano Piedimonte, Senior Lawyer, the European Court of Human Rights (7)</i>                  |
| 10.30 – 10.45 | Coffee break   |
| 10.45 – 11.30 | State jurisdiction and actual fundamental rights at stake<br><i>Stefano Piedimonte, Senior Lawyer, the European Court of Human Rights (7)</i>                  |
| 11.30 - 12.30 | A security policy perspective on the situation in Somalia<br><i>Lars Bangert Struwe, Researcher, Centre for Military Studies, University of Copenhagen (8)</i> |
| 12.30 - 13.30 | Lunch  |
| 13.30 – 14.15 | Somalia – an overview of the political situation<br><i>Stig Jarle Hansen, Associate Professor, University of Ås (9)</i>  |
| 14.15 – 14.30 | Coffee break   |
| 14.30 – 15.30 | Somalia – an overview of the political situation<br><i>Stig Jarle Hansen, Associate Professor, University of Ås (9)</i>  |
| 16.00 – 17.30 | Visit at the Royal Danish Navy - HDMS Absalon  |

## **Presentation of the speakers for the Summer Seminar 2010**

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### **1. Lecture: Thomas Winkler**

**Session:** Piracy - the threat, the Danish and the international response and Piracy off the coast of Somalia - legal challenges.

1988: graduated law faculty University of Copenhagen;

1988-1991: head of section, MFA Denmark;

1991 – 1994: Embassy Secretary, Danish Embassy, Moscow;

1994 –1996: Deputy Head of Mission, Danish Embassy, Kiev;

1994 – 1998: Deputy Head of Department of EU-law, MFA Denmark;

1998 – 2002: Deputy Head of Mission, Danish Embassy Stockholm,

2002 – 2004: Deputy Head of Russia/Balkan Department, MFA Denmark;

2004 – 2008: Head of Department of International Law, MFA Copenhagen.

17.10.2008 – present: Legal Adviser/Head of the Legal Service, MFA Denmark

The Legal Service of the Ministry of Foreign Affairs of Denmark comprises departments of international law and of EU law and a human rights unit. The legal service is responsible for a wide range of issues, including advising other parts of the Foreign Ministry as well as other ministries on issues of EU law and international law, including human rights law, international humanitarian law and law of the sea. The Legal Service is responsible for the Copenhagen Process on the Handling of Detainees in International Military Operations. The Legal Adviser serves as the chairman of the legal working group under the international Contact Group on Piracy off the Coast of Somalia.

2006 – present: Associated professor of International Law, University of Copenhagen.

## 2. Lecture: Jacob Skude Rasmussen

**Session:** International law on piracy - an introduction and Piracy off the coast of Somalia - legal challenges.

2004: LL.M. (EU Law), Lund University

2004: Head of Section, European Policy, MFA Denmark

2004: Head of Section, International Law, MFA Denmark

2005: Candidatus Juris, University of Copenhagen

2006: Deputy Head of Mission, Danish Embassy, Romania

2008: Attorney at law, Gorrissen Federspiel

2009: Senior Adviser, International Law, MFA Denmark

## 3. Lecture: Anders Henriksen

**Session:** Use of force and compliance with human rights

Mr. Anders Henriksen is Research Fellow at the Danish Institute for Military Studies, where he has been working since 2007. His main research focus lies within national security law, international humanitarian law, e.g. the “grey area” between “war” and “peace” in the 21st century, the various aspects of the so-called ‘war on terror’ and the privatization of military services.

Mr. Henriksen has also co-authored the 2008 institute report on the Danish Parliament and Danish Security Policy ‘Vi diskuterer jo ikke politik på den måde’ (with Vibeke Schou Tjalve). Similarly, he authored the 2008 institute reports on ‘Refoulement in Afghanistan’ and the use of private military companies ‘Principper for Pragmatisme’.

Mr. Henriksen holds a Master’s Degree in law from University of Copenhagen, Denmark (2001) and a Ph.D. (2008) from the Faculty of Law (2007).

Furthermore, he is External Lecturer in the course on ‘International Terrorism and National Security Law – Legal Challenges’ at University of Copenhagen.

#### **4. Lecture: Jakob Dideriksen**

**Session:** Piracy Disruption - Practical and Legal Issues

2001 cand. jur., University of Copenhagen

- member of ELSA Copenhagen

2006 Head of Section, Danish Ministry of Defence

2008 Military Legal Adviser

2010 Admiral Danish Fleet (Royal Danish Navy, Head Quarters)

As a military legal adviser the main task is to advise military commanders on the application of the relevant Conventions and various legal issues. This includes giving advice regarding Rules of Engagement in force for the current mission as well as the national directives given by the political and/or military level. Additionally, member of the Danish Government Anti Piracy Task force.

#### **5. Lecture: Niels Mathiesen**

**Session:** The Hijacking of CEC Future 7 November 2008.

Hear the story behind the hijacking of CEC Future. In addition to the story of the hijacking, Niels Mathiesen will give a ship owners perspective on piracy - including the challenges presently faced by the shipping branch trading in the waters around the Horn of Africa.

Manager Niels Mathiesen has been employed in Clipper for 2 years in the "Policy and Standard Setting" department - working with safety and quality in Clipper fleet and now as manager in "Sale and Purchase" department. Niels Mathiesen was a part of the emergency team who handled the hijacking of CEC Future.

Prior to the position as Manager in Clipper Niels Mathiesen served as a Commander in Royal Danish Navy.

## 6. Lecture: Jan Fritz Hansen

**Session:** The current policy challenges for ship-owners and other stakeholders.

Piracy is not only a problem for ship-owners. It has much broader implications for trade and society. JFH will give an overview over the current policy challenges for ship-owners and other stakeholders. Danish ship-owners have more than 5 ships passing Somali waters every day and more than 50 per cent of consumer goods in Danish shops have probably been through this area. What can we do?

JFH is executive vice president of Danish Shipowners Association (DSA) responsible for all the joint economical, political and technical/nautical issues for the Danish shipping companies. JFH is an economist from Copenhagen University and has worked abroad in Brussels starting the DSA permanent representation to the EU. Board member of several national and international trade/shipping organisations. JFH has been with the DSA for almost 30 years.

## 7. Lecture: Stefano Piedimonte

**Session:** State jurisdiction and actual fundamental rights at stake. Focus on *Medvedyev v. France*.

Stefano Piedimonte is a senior lawyer at the Jurisconsult's department and the Research Division of the European Court of Human Rights. Until recently he was the Head of the ECtHR Press Service. Before joining the ECtHR, he worked as a managing director of a privately held real estate investment fund in New York, a lawyer at the Department of the European Social Charter of the Council of Europe and an associate in a prominent US law firm (Paris office). He was educated at the ENA (Paris), the Columbia University School of Law (New York), the University of Strasbourg and served as a Second Lieutenant in the Italian Navy marine corps.

Structure of session:

- Introduction
- Issues under Article 5 of the Convention addressed in *Medvedyev*
- Issues raised under other provisions of the Convention and not addressed in *Medvedyev*
- The question of State jurisdiction

## 8. Lecture: Lars Bangert Struwe

**Session:** A security policy perspective on the situation in Somalia.

1996 – 1998: National Archives section for military archives

1998 – 2000: Defence Command Denmark

2000: MA History and Political science University of Copenhagen

2000 – 2008: Danish National Archives

2008 – present: Danish Institute for Military Studies/Centre for Military Studies University of Copenhagen

2009: PhD. University of Southern Denmark

Lars Bangert Struwe has since 2006 conducted research on armed non-governmental actors including pirates. The research program was originally framed as a historical research program. But the hijacking of the Danish ship Danica White in 2007 changed this. Since then the research has focused on contemporary piracy as a high risk at the open seas. Today Lars Bangert Struwe is working as a researcher at the Centre for Military Studies, University of Copenhagen, where he is working on strategies to fight piracy with.

## 9. Lecture: Stig Jarle Hansen

**Session:** Somalia – an overview of the political situation.

Dr. Stig Jarle Hansen is Associate professor in international relations at the University of Ås, as well as senior analyst in the Danish Based Risk intelligence. He has been used by Nato, the European Commission, and The British parliament as an expert lecturer on East Africa and the Horn of Africa, as well as appearing on Al Jazeera, AFP, CNN and BBC as an expert on Piracy. More important, he is one of the few researchers that systematically have interviewed more than 40 pirates, and have personally visited some of the major pirate cities of Somalia.

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**ELSA Copenhagen**

**Rasmus Niess Olsen**

*Vice President Seminars & Conferences*

**Direct contact**

Email: [sc@elsa-cph.dk](mailto:sc@elsa-cph.dk)

Tel. +45 20 700 107