



FALL SEMESTER IN BERGEN, NORWAY

Fall 2006 Final Edition, December 2006



The Law Faculty University of Bergen

Human Rights and International Law: A European Perspective

On August 14, 2006, fifteen students from the University of Washington began a semester of human rights and international law study at the Law Faculty of the University of Bergen, Norway. The program was sponsored by the Jackson School of International Studies and led by one of its faculty members, Frederick Michael Lorenz, JD, LLM. The program offered students a unique opportunity to earn 21 or more UW credits while living and studying in an exciting city in western Norway. The primary courses met the requirements of the University of Washington Human Rights Minor, including the three credit field practicum.

Norway is home to the Nobel Peace Prize and has played important peace-making and peacekeeping roles in dozens of conflicts around the globe, from Guatemala to Colombia, Cyprus, Sudan and Sri Lanka. Many of Norway's small successes have come through individual efforts, church groups or other Non-Governmental Organizations (NGOs). For

example, the efforts for a cease-fire between the government and rebels in Guatemala came about through the work of Petter Skeuen in Norwegian Church Aid. Norway has historically been a strong US ally through its participation in the North Atlantic Treaty Organization (NATO), and has troops now serving with the NATO force in Afghanistan.

**Historic Downtown Bergen
(Bryggen) photo on right**

Described as the "Gateway to the Fjords", the city of Bergen lies nestled among the coastal mountains in western Norway. Today its international focus is very much in evidence in the thriving maritime industry, as well its education and research institutions. For a look at the city and its attractions, see <http://www.bergen-travel.com/>



Waterway near Bergen

The program was centered at the Law School of the University of Bergen and focuses on international human rights and humanitarian law. You can visit the law school site at <http://www.jur.uib.no/English/default.html> Students are taking a “package” of three of courses at the law school, including Economic and Social Rights, International Humanitarian Law and International Law and the War Against Terror. Although additional elective courses may be taken at the University of Bergen, the three basic courses (21 credits) have proven to be a full course load. On return to Seattle the students will transfer their credits and grades, with the advice of their UW academic advisors, from the University of Bergen system to the University of Washington.



Evening View of Bergen from Mount Floyen

Origin of the Program: In the summer of 2005 the (future) program director was teaching on board the MV Explorer, Semester at Sea program for the University of Pittsburgh (<http://www.semesteratsea.com/>), and a port call was made in Bergen. Looking up from the pier the most noticeable building was the new law school, and without any planning, a contact was made with Professor Husabo who happened to be the only person in the virtually empty building. Discussions began about a possible faculty exchange, based on a mutual interest in international law, human rights, and the “war against terror.” Upon return to the University of Washington, with encouragement from Dean Christine Ingiebritsen, Dean of Undergraduate Education, an exchange program for students began to take form. In the spring of 2006 recruitment began, and the program was confirmed in May with fifteen students signed up.



Our Students: Ben Amundsen, Linda Cerna, Jennifer Chan, Sharat Gauer, Sophia Godinez, Gary Heald, Robert Hendricks, Patrick Lennon, Scott Murray, Rachel Proefke, Richard Johnson, Braden McRae, Kristina Moen, Barret Schulze and Jean-Paul Willynck. They came from a variety of programs at UW, including the Jackson School, the Law School, Law Society and Justice, Political Science, Anthropology and Scandinavian Studies. Three were from UW Tacoma and one was from the Pacific Lutheran University.

Photo left: Scott, Ben, Sophia, Prof. Lorenz, Robert and Linda at the statue of composer Edvard Grieg (Bergen's most famous son) in the garden in front of the Jackson School before departure to Norway.

Academics

Because of the length of the semester, the primary subjects were offered in two phases, with University of Bergen **Economic Social and Cultural Human Rights (Bergen JUS 360)** in two parts, including an introductory phase. UW Jackson School courses **SISME420** and **SIS490** were taught consecutively.

Economic, Social and Cultural Human Rights, 11 UW credits, 5.5 credits for each phase of two phases. The first phase was an introduction to human rights and international law from a European perspective. This was designed to develop a thorough understanding of the principles governing the interpretation of treaties in the Vienna Convention on the law of treaties (1969), and of these principles applied on Human Rights Conventions, especially The UN International Covenant on Economic, Social and Cultural Rights (1966) (ESC) This included the background for ESC, the relationship with national and international law, and also the interpretation of the convention. The course coordinator was **Professor Henriette S. Aasen**, and included participation by **Professor Jørgen Aall** and Professor **Asbjørn Eide**, formerly Director and currently Senior Fellow of the Norwegian Centre of Human Rights (Oslo).

SISME420 (Bergen JUS 361) International Humanitarian Law (IHL) (Lorenz) 5 UW credits. IHL, sometimes called the Law of Armed Conflict, is a branch of Public International Law. The course began with an introduction to the basic principles of international law and the historical development of rules developed by civilized nations to protect the victims of armed conflict, and to limit the destructive consequences of warfare. Key treaties were studied, including the Geneva Conventions of 1949 and the Genocide Convention. The international criminal tribunals were reviewed, as well as the current status of the Yugoslav Tribunal (ICTY), and the other international courts. The International Criminal Court (ICC) was the subject of a discussion: Why are there major differences between Europe and the US in terms of support for the Court? There was an opportunity to explore these questions in an international setting, law students from Germany, France, Italy, the Czeck Republic and Norway participated .

SIS490 (Bergen JUS 362) International Law and the War Against Terror (Husabo and Lorenz) 5 UW credits. The so called “war against terror” is in the news daily, and the current approach of the US is highly controversial. What are the standards of international law applicable to the conflict? Has the US unnecessarily alienated its European partners in pursuing its own policy? Is there a way to balance the need for security against the need to protect human rights? These questions were the central themes of the course, and a series of exercises or student debates were used to aid in student participation. The recent allegations of secret prisons run by the US on European soil was also covered, and the application of the United Nations Convention Against Torture. There was an opportunity to explore these questions in an international setting, law students from Germany, France, Italy, the Czeck Republic and China participated .

The first final exam (JUS 361) was given on October 6 marking the half-way point of the semester, and JUS 362 course began the following week. For the first course 27 students were enrolled, and this included the fifteen Americans (all from our program) and twelve Europeans. The European group includes representatives from Germany, France, Italy, Spain and the Czech Republic. For the second course we had about the same mix of students, including one from China.

In the first course one of the key teaching methods was the “exercise,” giving students the opportunity to research and take a position on some timely subjects. The following list includes the first three exercises and the roles assigned.

- Wed., Sept 20, **Exercise #1** Landmines and the Ottawa Convention. Contrasting European and American views. Discussion of US policy and the need for landmines. This will be a special meeting of the UN High Commissioner on Human Rights to review the status and implementation of the Ottawa Convention
 1. The Bush Administration, US Justice Department (2)
 2. The International Campaign to Ban Landmines (2)
 3. Human Rights Watch (2)
 4. The European Union (2)
 5. Norway (1)
 6. UN High Commissioner for Human Rights (1) will make findings and submit a report to the General Assembly of the UN.
- Wed. Sept 27 **Exercise #2** Israel and Lebanon a. Issues of necessity and proportionality in the conflict that occurred in the summer of 2006. Contrasting European and American views. The UN Security Council has assigned a representative to conduct a hearing and make recommendations to the Security Council
 - a. Israel (2)
 - b. Lebanon (2)
 - c. Hezbollah (1)
 - d. United States (2)
 - e. European Union (1)
 - f. Norway (1)
 - g. United Nations Special Representative (1) will make findings and submit a draft Security Council Resolution.
- Oct 4, Wed. **Exercise #3** International Criminal Court (ICC). Contrasting European and American views. Discussion of the impact of US opposition. The discussion will focus on the use of “Article 98 Agreements” by the US to shield US citizens from prosecution. This will be a special meeting to look at the impact of US policy and its efforts to obtain article 98 agreements in Europe.
 - a. The Bush Administration, US Justice Department (2)
 - b. The Coalition for an International Criminal Court (2)
 - c. Poland (or another country that has entered an agreement with the US) (1)

- d. The European Union Special Representative (1) will make findings and recommend action to the Council of Europe.

For the course **JUS 362**, five additional exercises were conducted, giving the students the opportunity to research, present and defend their position on controversial topics concerning the “war on terror.”

Exercise 1: The concept of “unlawful enemy combatant” as part of US policy towards detainees. Does the new Military Commission Act in the US meet the standards of international law and in particular the Geneva Convention?

Exercise 2: The Convention Against Torture (CAT) and the War Against Terror. Limits on the powers of apprehension, transport and interrogation by police and military forces. The problem of “Extraordinary Rendition” and the alleged use of secret CIA flights through EU airspace.

Exercise 3: A case study: Are the attacks on the Jewish synagogue in Oslo punishable as terrorism? How does Norway implement European standards concerning terrorism and at the same time protect human rights?

Exercise 4: A case study: Can terrorism be prosecuted both under International Criminal Law (the Rome Statute and its national implementation rules) and under ordinary criminal law (the EU Framework Decision and its national implementation rules)?

Exercise 5: Court proceedings before the European Court of Human Rights: Are the British rules on derogation, detention and control orders compatible with the European Convention of Human Rights?

Overall this was a good academic experience for the University of Washington students; with a high level of class participation and an opportunity to hear a wide range of views on some very controversial subjects.

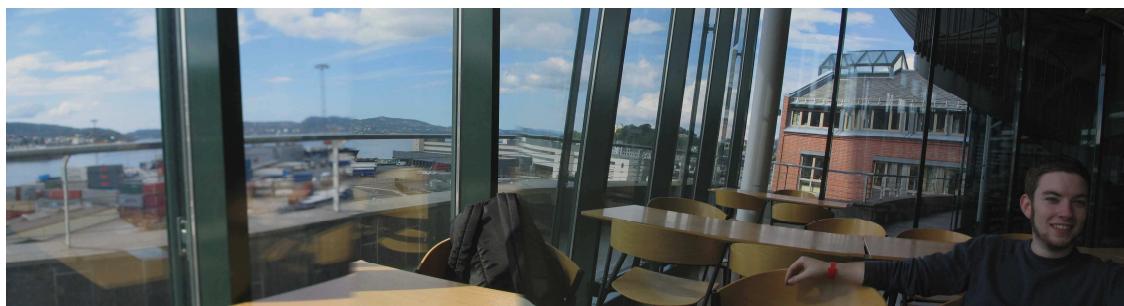
Papers and Independent study: Students had the opportunity in Norway to earn up to three additional UW credits for independent study projects as SIS 499 during the semester. One Jackson School of International Studies student signed up to write a “qualifying paper” to meet graduation requirements. His chosen topic concerns “extraordinary rendition” and the use of secret CIA flights to transport terror suspects through European airspace.

Faculty: The program director was **Frederick Michael Lorenz, JD, LLM** who served twenty-seven years as a US Marine Corps lawyer, his last assignment was Professor of Political Science at the National Defense University. During his military career he served as senior legal advisor in field missions in Somalia and Bosnia, and later worked as a civilian legal affairs officer for the United Nations in Kosovo. Assignments have taken him to conflict zones on three continents, including Cambodia, Somalia, the Former Yugoslavia and Iraq. He currently teaches International Humanitarian Law (SISME 420)

and Water and Security in the Middle East (SISME490) at the University of Washington. He is also an Adjunct Professor of Law at Seattle University School of Law.

Professor dr. juris Erling Johannes Husabø. Research and teaching areas; Criminal Law and Human Rights. Special interest in the interaction between international law, EU law and national law in improving criminal legislation on combating terrorism. He has been a professor at Bergen University Faculty of Law since 1998, doctoral degree 1994, vice dean at the Faculty of law 1999-2001, member of several national committees. Served as a judge in the Court of appeals (Gulating Lagmannsrett) 1998.

Student Life



Fjord trip during Student Orientation: We were fortunate during the first week to have a full day trip boat around the Osterfjord, a vast island just north of Bergen. This was a great chance to see some of the magnificent country in Western Norway as guests

of the University. We were aboard the MS Bruvik, a ship built in the 1930's as an ice breaker and a means of getting to isolated villages at the ends of the fjords. The crew was terrific, with an English speaking guide, and they even turned the ship around when two students were left on the pier at our lunch stop. Fortunately they



were not OUR students. The photo above, from left to right, includes Scott, Jennifer, Sharat and Rachel.

Field Trip to Oslo:

During the first two weeks of the program we conducted a field trip to the Nobel Institute and the new Nobel Peace Center in Oslo. You can visit the web site at <http://www.nobel.no/> The photo on the right was taken at the podium where the recipient of Nobel Peace Prize gives the annual address. We had a wonderful tour of the Institute courtesy of Anne Kjelling, she provided numerous insights into the history and process of selecting the prize winner. Later, plans were made to go back to Oslo for this year's Nobel Weekend in December.



On the second day we had a presentation by a diplomat from the Ministry of Foreign Affairs of Norway, focusing on Norway's special role as a "middle power" in international relations, foreign aid and peace negotiations. The photo below shows Mr. Vebjorn Dysvik addressing the students in a building that was bombed by the British in 1945. Since it no longer houses the Luftwaffe Headquarters, we felt very safe.



We had a special opportunity on our last day in Oslo, having contacted Mr. Petter Skeuen of Norwegian Church Aid (NCA) in advance we hoped for a briefing on the role of Norway's Non-Governmental Organizations (NGO's) in humanitarian issues. This happened to be the last day of a diplomatic level meeting in Oslo between representatives of Haiti and the Dominican Republic sponsored by the Norwegian Foreign Ministry and NCA. It is part of a long standing effort from Norway to promote peace and stability in a troubled region very close to US shores. The parties took time from their busy schedule to give a special briefing to the students on the current state of the negotiations, and

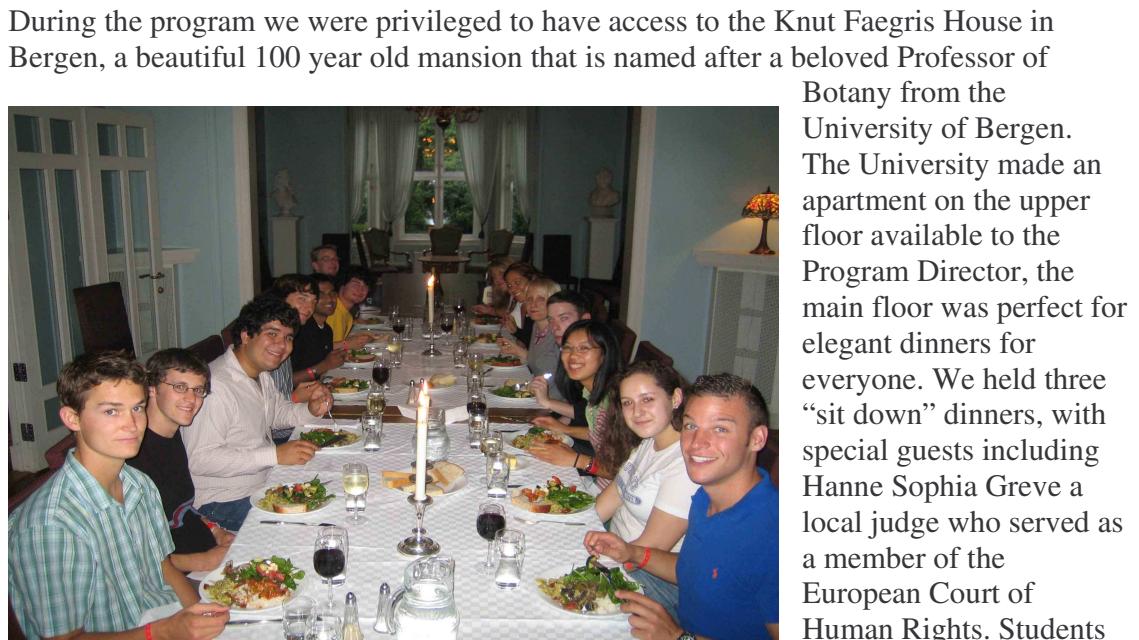
Norway's role. The photo below shows the panel, from left to right, representatives of Haiti, the Dominican Republic, the Foreign Ministry of Norway, and Petter Skeuen of NCA. Our own Sophia Godinez from Tacoma was quickly pressed into the role of Spanish-English translator and she did a fine job.



Life in Bergen

Students were housed in the international Fantoft Student Hostel, with private rooms and access to kitchen facilities. This proved to be a good place to mix with other students from around the world, many strong friendships developed, and there were invitations to visit friends in Germany, Spain and France after the end of the program. The distance to Bergen City, the main campus and the Law School is about three miles, there is prompt and efficient bus service available. Norway is a very expensive place to live, posing a challenge to most Americans living there. One of the favorite activities at Fantoft was planning group dinners with the Spanish students. All the students had to be innovative in finding inexpensive places to buy food, and to socialize. The only disadvantage of the Fantoft was that it seemed to make it more difficult to interact with the Norwegian students who preferred to live closer to the main campus in Bergen.





During the program we were privileged to have access to the Knut Faegris House in Bergen, a beautiful 100 year old mansion that is named after a beloved Professor of Botany from the University of Bergen. The University made an apartment on the upper floor available to the Program Director, the main floor was perfect for elegant dinners for everyone. We held three “sit down” dinners, with special guests including Hanne Sophia Greve a local judge who served as a member of the European Court of Human Rights. Students

did the cooking and clean up in the big kitchen. The photo above shows our first Knut Faegris dinner, hosted by the Program Director and his wife Joan. Later we were able to use the basement of the building for social event, turning it into the “Rathskeller” and playing Beach Boys music from the 1960’s. This was an opportunity to invite friends from the Fantoft and an alternative to the very expensive night scene in Bergen.

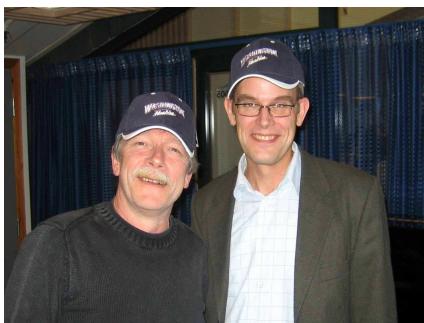
Regional Travel Opportunities: The expansion of the low cost airlines in Europe has made it possible to find low fares for occasional long weekend trips. One way fares to Paris for \$50 and London for \$20 from Bergen were possible during the fall of 2006. The entire group went to Copenhagen for a long weekend, using the low cost five-trip “ScanRail” passes that were provided as part of the program excursion budget. Sitting up all night together in the Oslo Railway Station was an experience, our students say you meet the most interesting people at 3 AM in Oslo.

Visit to City Hall: In November we were hosted by Mayor Frehle of Bergen at the Old City Hall, a building dating from the 1700’s that is still the home of the City Government. The mayor is a regular visitor to Seattle as part of the sister city program and we were all delighted to learn more about the history and traditions of our host city in Norway.





November in Bergen: Even the locals said that this fall was much wetter than usual in Bergen, and the statistics showed that it was the雨iest month here since 1930. After it rained for 40 days and 40 nights we were ready to build an ark to float back to Seattle. It did not help that the days were getting shorter and shorter, with sunrise after 9 am and getting dark by 3 PM. The photo at left was taken December 4 in the park downtown with the Northwest Totem Pole that was a gift of the City of Seattle in 1970. Note the rain drops on the lens, just as we took the picture we were caught in a downpour and the students headed back to the Fantoft to study for their last exam. The photo below was taken at Fantoft, from left Scott, Linda, Braden, Sharat and Jennifer. This is BEFORE they started to study.



The photo on the left is Jan Erik Hatling and Prof. Husabø with their new University of Washington Husky ball caps

Support for the Program. This program was made possible through the hard work of a number of people, and the IPE office at the University of Washington in particular. Special thanks to Melissa Williamson and Annie Fuller for guiding the program through all the planning and budgeting phases. In Bergen we owe a debt to Anne Lise Arneson and Jan Erik Hatling who handled dozens of administrative details after we arrived, such as housing, course registration and scheduling. Jan Erik has the wonderful title of

“Radgiver,” in Norwegian it means “advisor.” And he has given us plenty of RAD advice. TAKK FOR HJELPEN!

Questions or comments on the program can be addressed to **Frederick Michael Lorenz, JD, LLM, Program Director at fmlorenz1@aol.com**

Additional photos taken by the Program Director follow.

Joan Lorenz
hiking in the
hills above
Bergen, a city
tram provides
access. Bergen
has wonderful
natural areas
just a short walk
from downtown.



The Law School lobby, a mix of old and new. The law school has been in operation only since 1982, it has world class facilities and a glass covered atrium overlooking the harbor.

Maritime Museum, Bergen
The University had its origin in the
Bergen Museum, it includes a Natural
History Museum and a Culture Center
with an opportunity to learn about
Norway and its history.





**Coffee service for the students
after the first dinner at the
Knut Faegris House**

**On the right: Waterfall at Mo, taken during the
Fjord Trip**

**Below:
Bergen City from Mount Floyen, looking south**



**Prepared by Frederick Michael Lorenz
December 13, 2006**